

## Regular Council AGENDA

*Doors will be open to the public at 5:15 p.m.*

*If you require any accommodations for a disability in order to attend and participate in meetings or events, please contact the Office of the Clerk at 905-892-2607 ext. 315 or 320. All cell phones, pagers, radios, etc. shall be switched off, set to non-audible, or muted upon entry to the Council Chamber. Taping and/or recording of meetings shall only be permitted in accordance with the Procedure By-law and rules of decorum apply to observers.*

---

### Regular Meeting of Council Revised Agenda

C-16/2019 - Regular Council

Monday, October 7, 2019

5:30 PM

Town of Pelham Municipal Office - Council Chambers

20 Pelham Town Square, Fonthill

---

Pages

1. Call to Order and Declaration of Quorum
2. Singing of National Anthem
3. Approval of Agenda
4. Disclosure of Pecuniary Interests and General Nature Thereof
5. Hearing of Presentation, Delegations, Regional Report

5.1 Tax Write-Off Under Municipal Act, Section 357 & 358

6 - 6

5.2 Presentations

5.2.1 Niagara Region - Transportation Services Five Year  
Forecast

*Presenters:*

1. Carolyn Ryall, Director, Niagara Region  
Transportation Services
2. Frank Tassone, Associate Director, Niagara  
Region Transportation Engineering

**5.2.1.1    *Note: Presenter has Requested  
Postponement***

- 5.2.2    Budget Impact Presentation - Treasurer T. Quinlin                      7 - 14**  
Information on Items Affecting 2020 Budgets

**5.3    Delegations**

- 5.3.1    Kristen French Child Advocacy Centre Niagara                      15 - 24**  
Janet Handy, Executive Director & Mark Doyle,  
Chair/President of the Fundraising Committee
- 5.3.2    Community Beautification Advisory Committee                      25 - 38**  
Jen Pilzecker

**5.4    Report of Regional Councillor**

**6.    Adoption of Minutes**

- 6.1    C-15/2019 - Regular Council Minutes September 16, 2019                      39 - 51**
- 6.2    SC-32/2019 - Special Council Minutes of September 16, 2019                      52 - 53**
- 6.3    SC-33/2019 - Special Council Minutes September 23, 2019                      54 - 57**

**7.    Business Arising from Council Minutes**

**8.    Request(s) to Lift Consent Agenda Item(s) for Separate Consideration**

**9.    Consent Agenda Items to be Considered in Block**

- 9.1    Presentation of Recommendations Arising from COW or P&P, for                      58 - 60**  
Council Approval

1.	SCOW -04/2019 - Budget Open House - September 9, 2019	
2.	COW-06/2019 - Committee of the Whole - September 16, 2019	
3.	SCOW-05/2019 - Public Meeting - September 10, 2019	
<b>9.2</b>	<b>Minutes Approval - Committee</b>	
9.2.1	SCOW-04/2019 - Budget Open House Minutes September 9, 2019	61 - 63
9.2.2	COW-06/2019 - Committee of the Whole Minutes of September 16, 2019	64 - 67
9.2.3	SCOW-05/2019 Public Meeting September 10, 2019	68 - 75
<b>9.3</b>	<b>Staff Reports of a Routine Nature for Information or Action</b>	
9.3.1	Pelham New Elevated Tank Class Environmental Assessment Information - 2019-0100-Public Works, 2019-0100-Public Works	76 - 90
	<i>9.3.1.1 Note: Update re Date Change on Open House Event</i>	
<b>9.4</b>	<b>Action Correspondence of a Routine Nature</b>	
9.4.1	Pelham Appointment to Board of Niagara Peninsula Energy Inc.	91 - 91
<b>9.5</b>	<b>Information Correspondence Items</b>	
9.5.1	Thank-You Letter from Niagara Peninsula Fruit and Vegetable Growers Association	92 - 92
9.5.2	Thank-You Letter from the City of St. Catharines	93 - 93
<b>9.6</b>	<b>Regional Municipality of Niagara - Action Items</b>	
<b>9.7</b>	<b>Committee Minutes for Information</b>	
9.7.1	Pelham Public Library Board Minutes	94 - 97

June 26, 2019

9.7.2	Pelham Public Art Advisory Committee Minutes	98 - 99
-------	--	---------

August 19th, 2019

9.7.3	Utility Sustainability Advisory Committee Minutes	100 - 117
-------	---	-----------

July 9, 2019

July 31, 2019

August 13, 2019

**10. Items for Separate Consideration, if Any**

**11. Presentation & Consideration of Reports**

**11.1 Reports from Members of Council:**

**11.2 Staff Reports Requiring Action**

11.2.1	Investing in Canada Infrastructure Program- Community, Culture and Recreation Stream, 2019- 0099-Corporate Services	118 - 121
--------	---	-----------

**12. Unfinished Business**

**13. New Business**

14.	Presentation and Consideration of By-Laws	122 - 141
-----	---	-----------

1. By-law #4161(2019) - Being a by-law to authorize the execution of a site plan agreement for the lands located at 1 Highway 20 West (Regional Road 20).1806183 Ontario Inc. File No. SP-05-19.

2. By-law #4163(2019) - Being a by-law to authorize the execution of an agreement with Her Majesty the Queen in Right of the Province of Ontario as represented by the Minister of Transportation for the Province of Ontario - Community Transportation Grant Program.

**15. Motions and Notices of Motion**

**16. Matters for Committee of the Whole or Policy and Priorities Committee**



17. Matters Arising Out of Committee of the Whole or Policy and Priorities Committee
18. Resolution to Move in Camera
19. Rise From In Camera
20. Confirming By-Law 142 - 142
21. Adjournment

**Taxes Written-off Under Section 357/358 of the Municipal Act, 2016**

**2017**

Roll #	Address	Reason	Start Date	End Date	# Days	Days in Year	Original AV	Adjusted AV	Increase/Decrease	Rate	Refund
2732 030 011 11312	2 Longspur Cir	Demolished Structure	5/10/2017	12/31/2017	235	365	340,000	115,804	224,196	0.01298448	(1,874.25)

**2018**

Roll #	Address	Reason	Start Date	End Date	# Days	Days in Year	Original AV	Adjusted AV	Increase/Decrease	Rate	Refund
2732 030 017 15000	381 River Rd	Demolished Structure	3/21/2018	12/31/2018	285	365	135,500	67,750	67,750	0.01276123	(675.08)
2732 010 008 17600	657 Tice Rd	Demolished Structure	2/1/2018	12/31/2018	333	365	168,300	18,300	150,000	0.01276123	(1,746.37)
2732 030 011 11312	2 Longspur Cir	Demolished Structure	1/1/2018	12/31/2018	365	365	349,000	118,869	230,131	0.01276123	(2,936.75)

**2019**

											Refund
2732 030 017 15000	381 River Rd	Demolished Structure	1/1/2019	12/31/2019	365	365	148,750	74,375	74,375	0.01282989	(954.22)
2732 010 008 17600	657 Tice Rd	Demolished Structure	1/1/2019	12/31/2019	365	365	168,300	18,300	150,000	0.01282989	(1,924.48)
2732 030 011 11312	2 Longspur Cir	Demolished Structure	1/1/2019	12/31/2019	365	365	358,000	121,935	236,065	0.01282989	(3,028.69)
2732 010 018 06900	952 Foss Rd	Class Change- No longer operating business	1/1/2019	12/31/2019	365	365	693,550	-	693,550	0.0297654	(20,643.79)
2732 010 018 06900	952 Foss Rd	Class Change- No longer operating business	1/1/2019	12/31/2019	365	365	129,200	822,973	(693,773)	0.01282989	8,901.03
											(11,742.76)

**Total Taxes Written Off Under Section 357/358**

**\$ (24,882.60)**



# Pelham

NIAGARA



## Budget Impact Summary

October 7, 2019

# Provincial Landscape

- Uncertainty with some grant allocations
- Not all announcements have been made for 2020 capital grants
- Some grants are under review before announcements are made
- 2020 assumption is to budget for the same level of grants received in 2019, except for the one-time grants received in 2019

# Budget Impacts

- Transit will have up to a \$42,000 budget impact compared to 2019 with a full-year operation of the second bus. Staff is looking at partnering opportunities in order to lower costs.
- This is the second year of operating the MCC facility. The great work from the Utility Sustainability Committee reduced the 2020 hydro budget from previous year budget by at least \$100,000.
- In 2019, the Town made a one-time transfer from the MCC reserve of \$425,000, which is not available in 2020.
- The Town will incur an increased cost for insurance and anticipates increased costs for WSIB, but the new WSIB calculation is unknown.

# Budget Impacts

- The cost of living increase is approximately 2%.
- Property tax growth will be announced in November. The growth in 2018 for the 2019 budget was 2.01% which is approximately \$252,000 new revenue. We will assume growth of approximately 1.75% for the 2020 budget until the final percentage is determined.
- For 2020, reserve transfers will increase by \$440,000 in order to address capital requests and legal obligations.
- Debenture principal and interest will increase by \$181,000 for the full year of the new debt of \$4 Million issued in 2019.



# WHERE DO MY PROPERTY TAXES GO?



Average  
Home Value

**\$348,359**




ASSESSMENT VALUE

=

**\$4,469\***

ANNUAL PROPERTY TAX

---

	Town	\$ 1,779
	Region	\$ 2,129
	Education	\$ 561

\*The annual property tax calculation and breakdown is based on the estimated amount of property tax for 2019 for an average residential property. The property tax calculation for 2020 is based on updated tax rates and will differ from this calculation.



**Corporate Services**

# Budget Impacts

- 1% increase to the tax levy is \$137,000 of additional revenue to the budget for 2020.
- The 2019 impact to the average taxpayer of an increase of:
  - 4% is \$27.42/ year or \$2.29/month
  - 6% is \$65.93/year or \$5.49/month
  - 8% is \$104.44/year or \$8.70/month
  - 10% is \$142.95/year or \$11.91/month
- The 2020 impact to the average taxpayer will be determined once the 2019 growth number is released in November.



# Budget Impacts

- Council will need to determine the gypsy moth expense for the 2020 budget after the Gypsy Moth Open House on October 23, 2019. The 2020 budget for gypsy moth spraying is currently at the same level as in the 2019 budget.
- The Library has submitted their request of a 7.73% increase.
- Employment Costs – consisting of new staff and inflationary increases are estimated at \$300,000.



# Questions?



## REQUEST TO APPEAR BEFORE COUNCIL FOR THE TOWN OF PELHAM

NAME: Janet Handy, Executive Director, KFCACN

ADDRESS: 8 Forster St, St. Catharines, ON

POSTAL CODE: L2N 1Z9 TELEPHONE #: 905-937-5435

E-MAIL ADDRESS: jhandy@kristenfrenchcacn.org

The Council Chambers Is equipped with a laptop and projector. Please Check your audio/visual needs:  
☒ Laptop    ☐ Speaker    ☐ Internet Connection

PLEASE INDICATE THE DATE OF THE COUNCIL MEETING YOU WISH TO ATTEND AS A DELEGATION:  
 Regular Council: 1<sup>st</sup> and 3<sup>rd</sup> Monday of the month; 5:30 p.m. (except summer schedule)

DATE: October 7, 2019 @ 5:30 pm.

Please identify the desired action of Council that you are seeking on this issue:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

I have never spoken on this issue before. Key points of my deputation are as follows:

(Written presentation must accompany the request)

We would like to make a short PowerPoint presentation on new programming that is ongoing at the Kristen French Child Advocacy Centre Niagara.

In accordance with the Procedure By-law, Requests to Appear before Council with respect to a matter already on Council's Agenda shall submit a written request to the Clerk no later than 12:00 noon, eight business days prior to the meeting of Council. Delegation requests to address Council on matters not already on the Agenda of Council must be submitted at least fourteen (14) days before the date and time of the Meeting of Council. Delegations shall only be heard at regular Meetings of Council, unless specifically invited by Council to a Meeting of a Committee of Council.

**All requests must include a copy of the presentation materials as detailed in the deputation protocol. Failure to provide the required information on time will result in a deferral or denial. Delegations are limited to ten (10) minutes.**

I have read and understand the deputation protocol included with this form; and, that the information contained on this form, including any attachments, will become public documents and listed on Town Meeting Agendas and on the Town's website.

I also understand that presentation materials must be submitted with this deputation form. Electronic presentations must be e-mailed to [NJBozzato@pelham.ca](mailto:NJBozzato@pelham.ca) in accordance with the deadlines outlined above.

Signature Janet Handy

Date Aug 2, 2019





Kristen French  
Child Advocacy  
Centre Niagara

**A SAFE PLACE**

**TO HELP,**

**HEAL, END**

**CHILD ABUSE**



905.937.5435 / [kristenfrenchcacn.org](http://kristenfrenchcacn.org)  
8 Forster Street, St. Catharines, ON L2N 1Z9





# OUR PURPOSE

- Provide a **non-threatening, child-friendly place** where children and youth feel safe disclosing their abuse experience
- **Minimize the # of times** children must repeat their experience
- To provide a coordinated partners' response that **significantly reduces** the trauma associated with disclosing abuse



# ABOUT INVESTIGATION



Kristen French  
Child Advocacy  
Centre Niagara

PUTTING  
NIAGARA'S  
CHILDREN  
& YOUTH  
**FIRST**



Family and Children's  
Services Niagara

Les Services à la famille  
et à l'enfance de Niagara



**FCC**

Family Counselling  
Centre Niagara

Centre de  
counseling familial



# BENEFITS

## for Children and Families

- ✓ Children report being **less scared**
- ✓ Caregivers are **more satisfied** with procedure and investigation
- ✓ CACs refer more children for both **mental health services** and preventative and injury-related **medical exams**



## for Professionals & Community

- ✓ When working as investigation teams, professionals **better understand** each other's team roles, improve team results through **case review & fewer children** fall through the cracks
- ✓ At an estimated **savings of 32%**, CAC coordinated investigations are more cost-effective than non CAC run investigations





# SINCE **OPENING** IN 2008...

- More than **3000** children & youth have found our **safe place** to disclose abuse
- We have grown from hosting 50 to **340** interviews per year
- Children have come from **every municipality** in the Niagara region for investigation support



# OUR STRATEGIC PLAN INCLUDES...



# YOUTH PROGRAMMING

## Teen Connect Program

Our goal is to inform Niagara's children and youth in grades 7-9 of the caring support services available to them, or someone they know who may be experiencing abuse or being groomed into human trafficking.

## Teen Creative

A free, weekly, artist-lead, two hour education and abuse prevention group for youth ages 12-15, who have completed their investigative process.

## Cathy's Kids

A second Creative arts group is also available for ages 9-11.

## Youth Advisory Council

Provides youth ages 14-17 years old a voice to share their input and participate in various Centre projects and community involvement opportunities.



# FUNDING

We have no core funding from the Government.

Our funding sources are based on the tireless fundraising by volunteers and staff and partner support.

## We receive/raise funds from three areas:

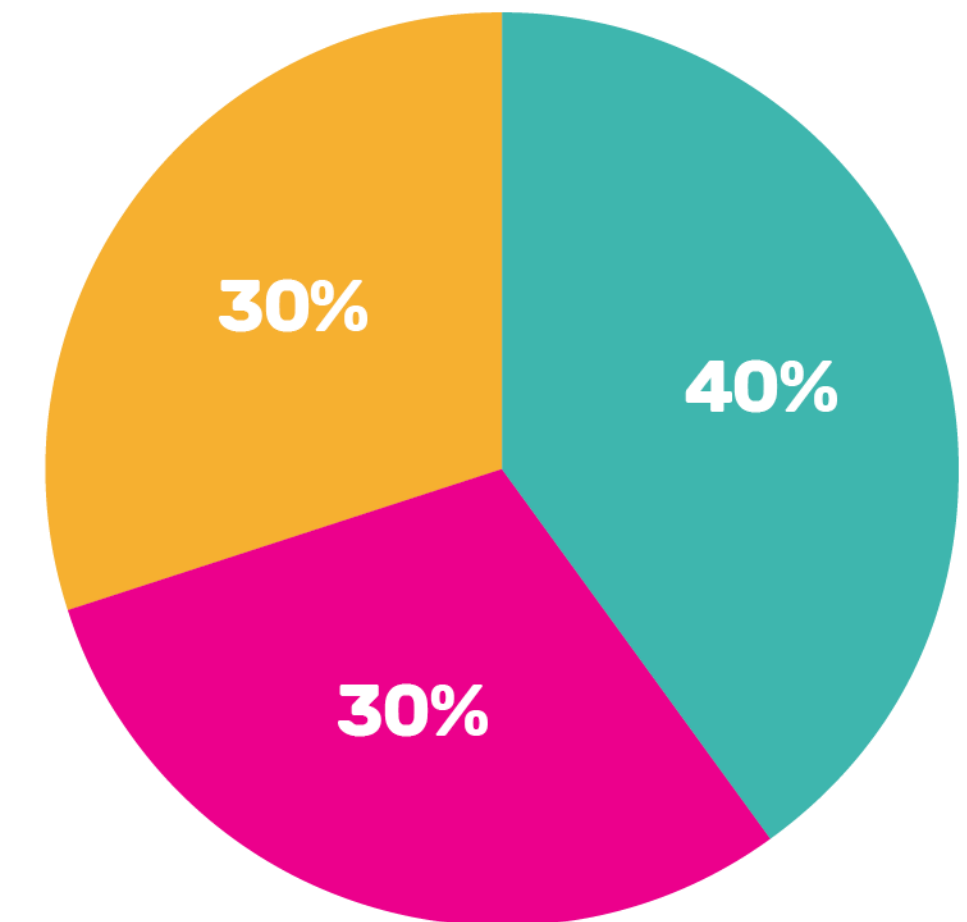
### 1 Events/Campaigns/Planned Giving \$162,544

- 5 fundraising events (sponsors and participants)
- 3rd party events
- Campaigns: annual holiday campaign Kristen's Helpers
- Donor: Individual, corporate donors, Planned giving partners
- Miscellaneous funding sources (one time funders or unexpected support)

### 2 Partner Support: = NRPS/FACS \$125,000

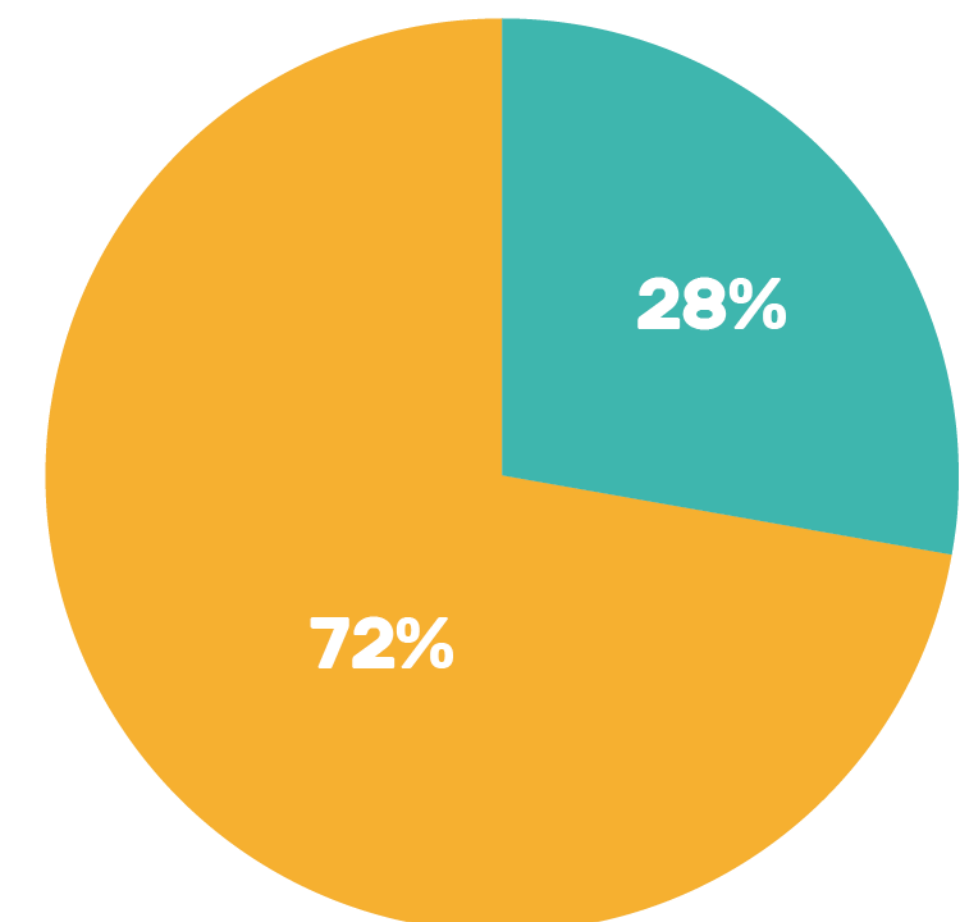
### 3 Grants, Foundations, Service Clubs \$123,912 (time-limited and program/project specific/ summer students)

## REVENUE SOURCES



Events/campaigns/ planned giving  
Partner support: = NRPS/FACS  
Grants, Foundations, Service Clubs

## EXPENSES



Administration Operations  
Program





# BUT MOST IMPORTANTLY...

## Report Child Abuse

Help is available 24/7

**Family and Children's Services Niagara**  
905.937.7731 or 1.888.937.7731

**Niagara Regional Police Service**  
905.688.4111

If you or someone you know is in  
immediate danger, **CALL 911**



**REQUEST TO APPEAR BEFORE COUNCIL FOR THE TOWN OF PELHAM**

## NAME:

JENNIFER PILZECKER, CHAIR, COMMUNITY BEAUTIFICATION COMMITTEE - REPRESENTING THE COMMITTEE

## ADDRESS:

11 WILLOWDALE COURT

## POSTAL CODE:

L0S 1E2

## TELEPHONE #:

289 271 8145

## E-MAIL ADDRESS:

JPILZECKER@outlook.com

The Council Chambers Is equipped with a laptop and projector. Please Check your audio/visual needs:

☒ Laptop ☐ Speaker ☒ Internet Connection

PLEASE INDICATE THE DATE OF THE COUNCIL MEETING YOU WISH TO ATTEND AS A DELEGATION:

Regular Council: 1<sup>st</sup> and 3<sup>rd</sup> Monday of the month; 5:30 p.m. (except summer schedule)

## DATE:

September 16, 2019

Please identify the desired action of Council that you are seeking on this issue:

To acknowledge report from Committee and consider request for \$175 annual budget

I have never spoken on this issue before. Key points of my deputation are as follows:

**(Written presentation must accompany the request)**

Report on Committee activities since April 2019

Survey Results

Grant Recommendations

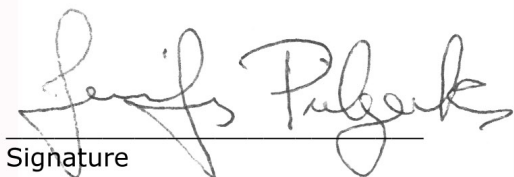
Request for Committee budget

In accordance with the Procedure By-law, Requests to Appear before Council with respect to a matter already on Council's Agenda shall submit a written request to the Clerk no later than 12:00 noon, eight business days prior to the meeting of Council. Delegation requests to address Council on matters not already on the Agenda of Council must be submitted at least fourteen (14) days before the date and time of the Meeting of Council. Delegations shall only be heard at regular Meetings of Council, unless specifically invited by Council to a Meeting of a Committee of Council.

**All requests must include a copy of the presentation materials as detailed in the deputation protocol. Failure to provide the required information on time will result in a deferral or denial. Delegations are limited to ten (10) minutes.**

I have read and understand the deputation protocol included with this form; and, that the information contained on this form, including any attachments, will become public documents and listed on Town Meeting Agendas and on the Town's website.

I also understand that presentation materials must be submitted with this deputation form. Electronic presentations must be e-mailed to [NJBozzato@pelham.ca](mailto:NJBozzato@pelham.ca) in accordance with the deadlines outlined above.

  
Signature

September 2, 2019

Date

Page 25 of 130



# Community Beautification Committee

September 2019 Report to Council



A decorative image on the left side of the slide showing a thin, dark brown branch with several leaves. The leaves are elongated and have a mix of green and reddish-brown colors, suggesting autumn. The background of the slide is a light beige color.

# What is the Community Beautification Committee?

- A group of volunteer residents approved by Council to advise the Town on community beautification as defined in our Terms of Reference.
  - Terms of Reference for this Committee are available on the Town's website
  - The Committee was formed to inspire the residents and property owners of the Town of Pelham community to enhance the visual appeal of their neighbourhoods and public spaces, through the creative use of plants and landscaping with an overall respect to environmental stewardship.



# Goals and Priorities 2019-2022

- Inspire the community to enhance the beauty and visual appeal of neighbourhoods and public spaces.

## Engagement and Research

- Consult with the community to develop beautification priorities
- Examine best practices
- Develop beautification priorities based on community input and examination of best practices

## Plan and Advise Council

- Present Beautification plan and priorities and annual budget request

## Assess the effectiveness of implemented recommendations

- Determine what is to be assessed and how it will be assessed
- Report back to Council and the community on concluded initiatives





# “Supper Market” Survey 2019

- Action as part of Committee’s goal of community engagement
  - August/September Thursday Night Supper Market and Public Meeting for Proposed Cannabis Regulations survey results are logged. Currently available results are included in Appendix B.

# Opportunities for 2019

Opportunity	Available Funds	Requested Funds
MainStreet Revitalization Initiative Grant	\$52,780	0
Pelham Business Association gift of funds for community beautification	8,850	0
Community Beautification "Thank You" Initiative	0	~ \$175 (please see Appendix C for sample budget breakdown)



# MAINSTREET REVITALIZATION INITIATIVE GRANT RECOMMENDATIONS

The community beautification committee would like to recommend the grant be amended to remove costly bike lockers and include the following projects:

- Christmas Lights
- Bike racks (not lockers)
- Small self-watering hanging baskets
- Benches
- Tables
- Shade providing permanent structures like gazebos and pavilions
- Dog waste receptacles
- New or revitalized town signs



# Request for annual Committee Budget

- The Beautification formally requests budget for the printing of “Thank you for Beautifying Pelham” cards for the Community Beautification “Thank You” Initiative
  - Committee asks Council to consider \$175 per 12 months. The request of \$175 is based on the attached prepared sample budget (Appendix C).

The background of the slide is a light beige, textured surface, possibly a piece of parchment or aged paper, with subtle variations in tone and some faint, darker spots. On the left side, there is a dark, thin, curved line representing a dried leaf or branch, extending from the top left towards the center. On the right side, there is another similar dark, thin, curved line, also representing a dried leaf or branch, extending from the bottom right towards the center. The text "THANK YOU!" is centered in the upper half of the slide.

**THANK YOU!**

## **Beautification Committee Goals and Priorities 2019 – 2022**

### **Inspire the community to enhance the beauty and visual appeal of neighbourhoods and public spaces.**

Public spaces include Town-owned properties, including facilities, parks, trails, playgrounds, streetscapes, landscapes, furnishings, banners and seasonal decorations

#### **Goal #1: Engagement and Research**

##### **1. Consult with the community to develop beautification priorities**

Actions:

- 1.1 Promote committee goals and interests on Town's website
- 1.2 Participate in community events to secure residents' input
- 1.3 Host public sessions at Library
- 1.4 Use media to promote community engagement and invite residents' input

##### **2. Examine best practices**

Actions:

- 2.1 Determine comparator communities using agreed upon criteria
- 2.2 Research 6-12 comparator communities
- 2.3 Review research about 1 or 2 communities at each committee meeting

##### **3. Develop beautification priorities based on community input and examination of best practices**

Actions:

- 3.1 Develop short-term priorities to respond to 2019 grant requirements by September 2019
- 3.2 Develop long-term priorities by September 2020

#### **Goal #2: Plan and Advise Council**

##### **1. Present Beautification plan and priorities and annual budget request**

Actions:

- 1.1 Present short-term plans and priorities to Council in September 2019
- 1.2 Present long-term plans and priorities to Council in September 2020

### **Goal #3: Assess the effectiveness of implemented recommendations**

#### **1. Determine what is to be assessed and how it will be assessed**

##### **Actions:**

- 1.1 Determine criteria for assessment purposes, including environmental indicators
- 1.2 Obtain feedback from key stakeholders including residents and businesses
- 1.3 Obtain feedback from TOP staff

#### **2. Report back to Council and the community on past initiatives**

##### **Actions:**

- 2.1 Present annual report to Council, incorporating achievement of goals, and feedback from stakeholders, as of September 2020.

## Town of Pelham Community Beautification Committee Survey

21 surveys completed at Thursday supper market - August 15, 2019

**From list below, number the items from most important to you (1) to least important (5)**

- |    |  |
|----|--|
| 11 | Green space including public parks, trails & playgrounds |
| 6  | Enhancing gateways as entrances into Pelham and villages |
| 4  | Public properties/curb appeal                            |
| 2  | Banners and seasonal decorations                         |

**Where in Pelham do you live?**

- |    |                           |
|----|---------------------------|
| 13 | Fonthill                  |
| 4  | Fenwick<br>Ridgeville     |
| 1  | North Pelham<br>Effingham |
| 3  | Other                     |

**When you have visited other communities similar to Pelham, what has contributed to your enjoyment of that community?**

see above, no cars, quite, green, outdoor space, Strathroy, clean, neat & tidy public spaces, general cleanliness, festivals & events, encouraging the maturity of landscaping in suburban areas (larger trees planted etc.), Grimsby downtown historic buildings, decorations, enjoyment of others, community events, friendly people, walking paths & outdoor spaces, events scenery

**How can Pelham improve public spaces to serve residents of Pelham better?**

better maintenance of areas, more parking, sidewalks, hire enough staff to properly maintain public spaces, kid friendly parks, maintain green space we have, more splash pads, keep landscaping well manicured & well maintained, parking for market, paint speed bumps bright colour (signs are not enough), more handicap parking, accessibility, more parking, upgrading walkways



# Town of Pelham Community Beautification Committee Survey

## 14 surveys completed at Thursday supper market - August 22, 2019

**From list below, number the items from most important to you (1) to least important (4)**

6	Green space including public parks, trails & playgrounds
3	Enhancing gateways as entrances into Pelham and villages
	Public properties/curb appeal
	Banners and seasonal decorations

**Where in Pelham do you live?**

9	Fonthill
3	Ridgeville
1	Fenwick
	North Pelham
	Effingham
	Other

**When you have visited other communities similar to Pelham, what has contributed to your enjoyment of that community?**

	the beach spaces, kept the "tone" of the town, public parks access to libraries, walking trails & clubs, easy access in/out of town, shops, restaurants, flowers, lots of parks & green spaces, beautiful flowers trees & shrubbery around town, no weeds, no shabby unpainted buildings on main street, trails park/green space, protected natural areas, Niagara-on-the-lake, local icons on display, parking to enjoy what is offered, park space, nice streetscape with thriving small businesses, themed decorations on all businesses, nice flower boxes, good restaurants
--	--

**How can Pelham improve public spaces to serve residents of Pelham better?**

	fine offenders that are smoking in parks, the new plaza (Food Basics) could use some greenery and landscaping, keep up the great work, more disabled parking at concerts, put some trees & green areas in new Food Basics plaza, high quality public spaces such as Peace Park, create a setting for people of all ages to experience nature, entertainment and socialability - well done, continue seasonal celebrations farm market christmas market in public spaces, entrance way art representing history of Pelham, better parking better grass & bush cutting for rural roads - signs are hidden marking things dangerous for all, entrance from east side very industrial, trails are awesome (parking not so much), splash pad for kids
--	--

**Appendix C  
Town of Pelham  
Community Beautification Committee**

**Thank You Card Project  
Budget**

**Goal: to inspire business, residents and community organizations to enhance the visual appeal of Pelham through the creative use of plants and landscaping with an overall respect to environmental stewardship**

**Requirements:**

Each card is individually designed for a personalized appearance.

Cards are printed double sided, finished to 5x7 on white card stock, perforated down middle. Cards can be printed in portrait or landscape style.

Photos for each Beautification project will be taken by Louise or Cynthia. The Mayor & Chair will sign each card.

<b>Item</b>	<b>Supplier</b>	<b>Cost / 1</b>	<b>Cost / 20</b>
Card Design	Fusion One		n/c
Printing	The Printing House	\$4.42	\$80.00
Photos	WalMart Photo Lab	\$2.97	\$59.40
Envelopes	WalMart	\$2.97 /6	\$ 9.90
Double Sided Tape	Shoppers Drug Mart	\$3.79	\$ 3.79
Postage	Town of Pelham		n/c
<b>Semi Total:</b>			<b>\$153.09</b>
<b>Taxes:</b>			<b>\$ 19.90</b>
<b>Total:</b>			<b>\$172.99</b>

**Meeting #:** C-15/2019 - Regular Council  
**Date:** Monday, September 16, 2019  
**Time:** 5:30 PM  
**Location:** Town of Pelham Municipal Office - Council Chambers  
20 Pelham Town Square, Fonthill

**Members Present:** Marvin Junkin  
Mike Ciolfi  
Lisa Haun  
Bob Hildebrandt  
Ron Kore  
Marianne Stewart  
John Wink

**Staff Present:** David Cribbs  
Nancy Bozzato  
Marc MacDonald  
Jason Marr  
Teresa Quinlin  
Vickie vanRavenswaay  
Barbara Wiens  
Holly Willford

**Others Present** Deanna Allen, Item 5.1.1  
Barbara Rybiak, Item 5.2.1  
Gordon Marasco, Item 5.2.2  
Interested Residents  
Media

---

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

Noting that a quorum was present, the Mayor called the meeting to order at approximately 6:15 p.m. He extended apologies for the late start, which resulted from a previous meeting running over time

**2. Singing of National Anthem**

The National Anthem was sung by those present to officially open the meeting.

**3. Approval of Agenda**

**Moved By** Mike Ciolfi

**Seconded By** Bob Hildebrandt

**BE IT RESOLVED THAT the agenda for the September 16th, 2019 Regular meeting of Council be adopted as amended, to include the Addendum Item 9.4.3.**

**Carried**

**4. Disclosure of Pecuniary Interests and General Nature Thereof**

There were no pecuniary interests disclosed by any of the members present.

**5. Hearing of Presentation, Delegations, Regional Report**

**5.1 Presentations**

**5.1.1 Corporate Climate Change Adaptation**

Deanna Allen, Climate Change Co-Ordinator, presented information on the Town's proposed initiatives. A copy of the report is on file.

**Moved By** Ron Kore

**Seconded By** Mike Ciolfi

**BE IT RESOLVED THAT Council receive the presentation by Deanna Allen, Climate Change Coordinator, for information.**

**Carried**

**5.2 Delegations**

**5.2.1 Alzheimer Society of Niagara Foundation - Annual Coffee Break Campaign**

Barbara Rybiak, on behalf of the Coffee Break Committee for the Alzheimer Society of Niagara Foundation provided information about this initiative. In addition to providing information about Alzheimer Disease, Ms. Rybiak also presented the Mayor with a Coffee Break Kit to be used for a Pelham event.

**Moved By** Lisa Haun

**Seconded By** John Wink

**BE IT RESOLVED Council receive the information presented by the Alzheimer Society of Niagara; and THAT Staff be directed to make the necessary arrangements to host an Alzheimer coffee Break event.**

**Carried**

### **5.2.2 Gord Marasco, Chair of Utilities Sustainability Advisory Committee**

Mr. Gordon Marasco, Chair of the Utilities Sustainability Advisory Committee presented an update synopsis of the committee's work to date that has resulted in significant energy and financial savings at the Meridian Community Centre. He outlined the Committee's plan for continued work.

**Moved By** Bob Hildebrandt

**Seconded By** Marianne Stewart

**BE IT RESOLVED THAT Council receive the delegation by Gord Marasco, Chair of the Utility Sustainability Advisory Committee, for information; and**

**THAT Council adopt the proposed revised Terms of Reference.**

**Carried**

### **5.3 Report of Regional Councillor**

Regional Councillor Huson was not in attendance.

## **6. Adoption of Minutes**

**Moved By** John Wink

**Seconded By** Marianne Stewart

**BE IT RESOLVED THAT the following minutes be adopted as printed, circulated and read:**

**1. SC-30/2019 - Special Council Minutes - August 26, 2019**

**2. SC-31/2019 - Special Council Minutes - September 3, 2019**

**3. C-14/2019 - Council Minutes September 3, 2019**

**Carried**

## **7. Business Arising from Council Minutes**

Verbal Update on Meeting with Fonthill Bandshell Committee - Chief Administrative Officer

The Chief Administrative Officer provided a verbal update on the meeting convened with the Fonthill Bandshell Committee. Specifically, although there is not an exact cost, the estimate is approximately \$75,000 to undertake the works presented by the Bandshell Committee in Peace Park. To move forward, this external committee is developing an aggressive fundraising campaign. The CAO suggested that the Town consider financing the initiative up front and have the funds be reimbursed as the Committee's fundraising initiatives progress over the next year.

**Moved By** Marianne Stewart  
**Seconded By** John Wink

BE IT RESOLVED that Council receive the CAO's verbal up-date regarding the staff meeting with the Fonthill Bandshell Committee.

**Amendment:**

**Moved By** Mike Ciolfi  
**Seconded By** Ron Kore

THAT the motion be amended by adding the following paragraph:

**THAT the Chief Administrative Officer be directed to take the steps necessary to move forward with this project as proposed by the Fonthill Bandshell Committee, including consideration in the 2020 Budget deliberations and making provision to provide up-front funding and entering into an agreement for repayment to the Town as the fundraising initiative progresses.**

**Carried**

**Moved By** Marianne Stewart  
**Seconded By** John Wink

**BE IT RESOLVED THAT Council receive the CAO's verbal update regarding the staff meeting with the Fonthill Bandshell Committee; and**

**THAT the Chief Administrative Officer be directed to take the steps necessary to move forward with this project as proposed by the Fonthill Bandshell Committee, including consideration in the 2020 Budget deliberations, and making provision to provide up-front funding and entering into an agreement for repayment to the Town as the fundraising initiative progresses.**

**Carried**

**8. Request(s) to Lift Consent Agenda Item(s) for Separate Consideration**

Councillor Hildebrandt lifted Policy and Priorities Committee Recommendations #4 and #6 for separate consideration.

**9. Consent Agenda Items to be Considered in Block**

**Moved By** Ron Kore  
**Seconded By** Mike Ciolfi

**BE IT RESOLVED THAT the Consent Agenda items as listed on the September 16th, 2019 Council Agenda be received and the recommendations contained therein be approved, as applicable.**

-----

## **9.1 Presentation of Recommendations Arising from P&P for Council Approval**

**BE IT RESOLVED THAT Council approve the recommendations arising from the following:**

**1. P&P-06/2019 - September 3, 2019, save and except Recommendations #4 and #6.**

## **9.4 Action Correspondence of a Routine Nature**

### **9.4.1 Royal Canadian Legion Branch 613 - Poppy Campaign 2019**

**BE IT RESOLVED THAT Council receive correspondence, dated August 29, 2019 from the Royal Canadian Legion Branch 613 regarding the 2019 Poppy Campaign;**

**AND THAT Council supports the canvassing of businesses and citizens in Pelham through the placement of poppy boxes during the campaign period of October 25, 2019 to November 11, 2019;**

**AND THAT Council support Mayor Junkin, to receive the pinning of the first poppy.**

### **9.4.2 Request for Declaration of Municipal Significance**

**BE IT RESOLVED THAT Council receive correspondence from Ms. J. Jelen; and**

**THAT Council declares the Henry of Pelham Open Jumper challenge at Effingham Stables, September 21, 2019, as a Municipally Significant Event; and**

**THAT the Clerk be directed to provide the necessary documentation to support the Special Occasion Permit requirements of the Alcohol and Gaming Commission of Ontario.**

### **9.4.3 Correspondence from the Quartek Group re 155 Port Robinson Road**

**BE IT RESOLVED THAT Council receive correspondence from Susan Smyth, Planner at Quartek, dated September 9, 2019, for information**

## **9.7 Committee Minutes for Information**

**BE IT RESOLVED THAT Council receive the following Committee minutes for information:**

- 1. Utility Sustainability Advisory Committee - July 2, 2019**
- 2. Cannabis Control Committee - July 10, 2019, July 24, 2019 and July 31, 2019**

**Carried**

## **10. Items for Separate Consideration, if Any**

**Moved By** Bob Hildebrandt

**Seconded By** John Wink

**THAT consideration of Policy and Priorities Committee Recommendations #4 and #6 be moved to closed session at the end of the agenda to allow Council to receive legal advice on these items.**

**Carried**

## **11. Presentation & Consideration of Reports**

### **11.2 Staff Reports Requiring Action**

#### **11.2.1 The Town of Pelham's Corporate Climate Change Adaptation Plan (CCCAP) Update , 2019-0052-Public Works**

**Moved By** Mike Ciolfi

**Seconded By** Bob Hildebrandt

**BE IT RESOLVED THAT Council Receive Report #2019-0052-PW ; and**

**THAT Council endorses the development of a Corporate Climate Change Adaptation Plan (CCCAP) and;**

**THAT Council supports the creation of an internal Adaptation Steering Committee (ASC) and;**

**THAT Council supports the creation of an external Stakeholder Advisory Committee (SAC)**

**Carried**

#### **11.2.2 Bylaw staffing 2020 - 2019-0058-Fire Dept, 2019-0058-Fire Dept**

**Moved By** Mike Ciolfi

**Seconded By** Bob Hildebrandt



BE IT RESOLVED THAT Council receive Report #2019-0058-Fire; and

THAT Council considers approving the salary increases to the 2020 Bylaw operating budget to accommodate requested staffing complement.

**Amendment:**

**Moved By** Ron Kore

**Seconded By** Mike Ciolfi

**THAT the motion be amended by removing the second paragraph noting receipt of the report for information only.**

**Carried**

**Moved By** Mike Ciolfi

**Seconded By** Bob Hildebrandt

**BE IT RESOLVED THAT Council receive Report #2019-0058- Fire for information.**

**Carried**

**12. Unfinished Business:** None

**13. New Business:** None

**14. Presentation and Consideration of By-Laws**

Consideration of By-law #4138(2019), listed as by-law #3 on the agenda, was divided for separate consideration.

**Moved By** Ron Kore

**Seconded By** Lisa Haun

**BE IT RESOLVED THAT the following by-laws be read a first, second and third time and passed; and**

**THAT the Mayor and Clerk are hereby authorized to sign and seal the by-laws:**

**1. By-law 4130(2019) - Being a by-law to authorize the sale of Town-owned lands, Part Lot 14, Plan 717 Fonthill, Part 1 on 59R-15935 except Plan 59M-457, PIN 64063-0455 Town of Pelham, Town of Pelham to Michael Defazio, Frank Defazio and Francesco Grottola; and to authorize the Mayor and Clerk to execute all necessary documents to complete the transaction.**

**2. By-law 4133(2019) - Being a by-law to amend Zoning By-law 1136 (1987), as amended, for lands located at the northwest corner of Port Robinson Road and Lametti Drive, legally described as Part of Thorold Township, Lot 166; Part 2 of Plan 59R-13156 and Part 2 of Plan 59R-15596, Town of**

**Pelham, Regional Municipality of Niagara, from the Agricultural (A) zone to a site specific Residential Multiple 1 (RM1-295) zone. Town of Pelham. File No. AM-02-19**

~~3. By-law 4138(2019) - Being a by-law to amend Zoning By-law 1136 (1987), as amended, for lands located on the south side of Port Robinson Road, west of Walker Road, Acacia Road and Swan Avenue, legally described as Part of Lots 171-172 and Part 1 on RP 59R-3218, in the Town of Pelham. The Zoning By-law Amendment rezones the lands from the Agricultural (A) zone to the following site specific zones - Hert Inc. File No. AM-04-18 :~~

~~Residential 2 - 290 (R2-290)~~

~~Residential Multiple 1 - 291 (RM1-291)~~

~~Open Space - 292 (OS-292)~~

~~Open Space - 293 (OS-293)~~

~~Environmental Protection - 294 (EP-294)~~ Motion Divided  
to Consider By-law 4138(2019) separately.

**4. By-law 4139(2019) - Being a by-law to adopt an Amendment to the Official Plan for the Town of Pelham Planning Area. Amendment No. 08. File No. OP-AM-03-18.**

**5. By-law 4152(2019) - Being a by-law to amend By-law #4068(2019) confirming various appointments to Boards, Commissions, and Committees of the Town of Pelham; And to add members to the Pelham Beautification Committee (Schedule E).**

**6. By-law 4153(2019) - Being a by-law to declare the Town-owned lands described in Schedules "A" and "B" attached to and forming part of this By-law, surplus to the needs of the Municipality and therefore available for disposition (Park Lane and Highway 20 West).**

**7. By-law 4154(2019) - Being a by-law to authorize the execution of a development agreement with Lawrence Schilstra, 1334 Pelham Street**

**Carried**

3. By-law 4138(2019) - Being a by-law to amend Zoning By-law 1136 (1987), as amended, for lands located on the south side of Port Robinson Road, west of Walker Road, Acacia Road and Swan Avenue, legally described as Part of Lots 171-172 and Part 1 on RP 59R-3218, in the Town of Pelham. The Zoning By-law Amendment rezones the lands from the Agricultural (A) zone to the following site specific zones - Hert Inc. File No. AM-04-18 :

Residential 2 - 290 (R2-290)

Residential Multiple 1 - 291 (RM1-291)

Open Space - 292 (OS-292)

Open Space - 293 (OS-293)

Environmental Protection - 294 (EP-294)

**Moved By** John Wink  
**Seconded By** Bob Hildebrandt

**THAT Council add an item in closed session relating to By-law 4138(2019) to receive legal advice.**

**Carried**

- 15. Motions and Notices of Motion:** None
- 16. Matters for Committee of the Whole or Policy and Priorities Committee:** None
- 17. Matters Arising Out of Committee of the Whole or Policy and Priorities Committee:** None
- 18. Resolution to Move in Camera**

Following the Committee of the Whole meeting, the Council meeting reconvened at 8:30 p.m. During the Closed Session, a procedural motion to extend curfew was adopted.

**Moved By** Bob Hildebrandt  
**Seconded By** John Wink

**BE IT RESOLVED THAT Council recess the In Camera portion of the meeting and reconvene immediately following the Committee meeting scheduled for this evening.**

**Carried**

**Moved By** Bob Hildebrandt  
**Seconded By** John Wink

**BE IT RESOLVED THAT the next portion of the meeting be closed to the public in order to consider matters under Section 239 (2) of the Municipal Act, as follows:**

**(e) - litigation or potential litigation, including matters before administrative tribunals, affecting the municipality and (f) - advice that is subject to solicitor-client privilege, including communications necessary for that purpose (items referred from regular agenda).**

**Carried**

**Moved By** Bob Hildebrandt  
**Seconded By** John Wink

**THAT the Rules of Procedure as contained in the Town of Pelham Procedural By-law, be suspended;**

**AND THAT the specified meeting curfew time of 9:00 p.m. be and is hereby waived;**

**AND THAT the remainder of the business listed on the agenda for this meeting continue to be considered until all matter have been concluded.**

**Carried**

**19. Rise From In Camera**

**Moved By** Bob Hildebrandt

**Seconded By** John Wink

**BE IT RESOLVED THAT Council adjourn the In Camera Session and that Council do now Rise With Report.**

**Carried**

**Moved By** Ron Kore

**Seconded By** Mike Ciolfi

BE IT RESOLVED THAT the Consent Agenda item as listed on the September 16th, 2019 Council Agenda be received and the recommendations contained therein be approved, as applicable, and

THAT Council approve the recommendation #6 arising from the Policy and Priorities-06/2019 of September 3rd , 2019, recommending that Council Defeat the following motion:

THAT Committee receives this Department of Community Planning and Development report for information as it pertains to File No. AM-05-19 and SP-05-17 relating to 1440 Pelham Street and recommend:

THAT Council approve the By-law, attached hereto as Appendix B, amending the zoning of the subject property from the General Commercial )(GC) zone to the site specific General Commercial (GC-296) zone;

AND THAT Council approve the By-law attached hereto as Appendix C, authorizing the Mayor and Clerk to enter into the Site Plan Agreement with Colonnade 1440 Inc. on behalf of the Town.

**Amendment:**

**Moved By** Bob Hildebrandt

**Seconded By** John Wink

**THAT Policy and Priorities Recommendation #6 from September 3, 2019 be replaced with the following recommendation to be newly considered by Council as follows:**

**THAT Council recommend approval of the By-law presented in the September 3rd, 2019 Planning Report pertaining to File No. AM-05-19 and SP-05-17 relating to 1440 Pelham Street, amending the zoning of the subject property from the General Commercial (CG) zone to the site specific General Commercial (GC-296) zone; and**

**THAT Council recommend approval of the By-law relating to the subject property and authorizing the Mayor and Clerk to enter into the Site Plan Agreement with Colonnade 1440 Inc. on behalf of the Town; and**

**THAT Staff be and are hereby directed to prepare the By-laws for consideration at the next regular meeting of Council scheduled for October 7, 2019.**

In Favour: Hildebrandt, Wink, Junkin

Opposed: Ciolfi, Haun, Kore, Stewart

**Defeated**

**Moved By** Ron Kore

**Seconded By** Mike Ciolfi

**BE IT RESOLVED THAT the Consent Agenda item as listed on the September 16th, 2019 Council Agenda be received and the recommendations contained therein be approved, as applicable, and**

**THAT Council approve the recommendation #6 arising from the Policy and Priorities-06/2019 of September 3<sup>rd</sup>, 2019, recommending that Council Defeat the following motion:**

**THAT Committee receives this Department of Community Planning and Development report for information as it pertains to File No. AM-05-19 and SP-05-17 relating to 1440 Pelham Street and recommend:**

**THAT Council approve the By-law, attached hereto as Appendix B, amending the zoning of the subject property from the General Commercial )(GC) zone to the site specific General Commercial (GC-296) zone;**

**AND THAT Council approve the By-law attached hereto as Appendix C, authorizing the Mayor and Clerk to enter into the Site Plan Agreement with Colonnade 1440 Inc. on behalf of the Town.**

**(Note: P&P Recommendation to DEFEAT motion was UPHELD)**

**Carried**

**Moved By** Ron Kore

**Seconded By** Lisa Haun

**BE IT RESOLVED THAT the following by-law be read a first, second and third time and passed; and**

**THAT the Mayor and clerk are hereby authorized to sign and seal the by-law:**

By-law 4138(2019) - Being a by-law to amend Zoning By-law 1136(1987), as amended, for lands located on the south side of Port Robinson Road, west of Walker Road, Acacia Road and Swan Avenue, legally described as part of Lots 171-172 and Part 1 on RP 59R-3218, in the Town of Pelham. The zoning By-law Amendment rezones the lands from the Agricultural (A) zone to the following site specific zones - Hert Inc. File No. AM-04-18:

Residential 2-290 (R2-290)

Residential Multiple 1 - 291 (RM1-291)

Open Space - 292 (OS-292)

Open Space - 293 (OS-293)

Environmental Protection - 294 (EP-294)

**Amendment:**

**Moved By** Lisa Haun

**Seconded By** Ron Kore

**THAT the by-law and zoning amendment be amended to stipulate that the front-yard setback distance not be varied from the current by-law requirements.**

**Defeated**

**Moved By** Ron Kore

**Seconded By** Lisa Haun

**BE IT RESOLVED THAT the following by-law be read a first, second and third time and passed; and**

**THAT the Mayor and clerk are hereby authorized to sign and seal the by-law:**

**By-law 4138(2019) - Being a by-law to amend Zoning By-law 1136(1987), as amended, for lands located on the south side of Port Robinson Road, west of Walker Road, Acacia Road and Swan Avenue, legally described as part of Lots 171-172 and Part 1 on RP 59R-3218, in the Town of Pelham. The zoning By-law Amendment rezones the lands from the Agricultural (A) zone to the following site specific zones - Hert Inc. File No. AM-04-18:**

**Residential 2-290 (R2-290)**

**Residential Multiple 1 - 291 (RM1-291)**

**Open Space - 292 (OS-292)**

**Open Space - 293 (OS-293)**

**Environmental Protection - 294 (EP-294)**

**Carried**

**Moved By** Ron Kore  
**Seconded By** Mike Ciolfi

**BE IT RESOLVED THAT the Policy and Priorities Recommendation #4 arising from P&P-06/2019, September 3rd, 2019, be approved as follows:**

**THAT committee receive Report #2019-0032 - Public Works and recommend:**

**THAT Council approve the additional funds required for the costs associated with the Sanitary Sewer Diversion from the Wastewater Reserve.**

In Favour: Nil

Opposed: Ciolfi, Haun, Hildebrandt, Kore, Stewart, Wink, Junkin

**Defeated**

## **20. Confirming By-Law**

**Moved By** John Wink  
**Seconded By** Marianne Stewart

**BE IT RESOLVED THAT the following By-law be read a first, second and third time and passed:**

**Being a By-law No. 4155(2019) to Adopt, Ratify and Confirm the proceedings of Council of the Town of Pelham at its Regular Meeting held on the 16th day of September, 2019.**

**Carried**

## **21. Adjournment**

**Moved By** Marianne Stewart  
**Seconded By** John Wink

**BE IT RESOLVED THAT this Regular Meeting of September 16th, 2019 be adjourned until the next regular meeting scheduled for October 7th, 2019 at 5:30 pm.**

**Carried**

---

Mayor: Marvin Junkin

---

Town Clerk: Nancy J. Bozzato

**Meeting #:** SC-32/2019 Special Meeting of Council  
**Date:** Monday, September 16, 2019  
**Time:** 4:30 pm  
**Location:** Town of Pelham Municipal Office - Council Chambers  
20 Pelham Town Square, Fonthill

**Members Present** Marvin Junkin  
Mike Cioffi  
Lisa Haun  
Bob Hildebrandt  
Ron Kore  
Marianne Stewart  
John Wink

**Staff Present** David Cribbs  
Nancy Bozzato  
Jason Marr  
Teresa Quinlin  
Vickie vanRavenswaay  
Barbara Wiens  
Brianna Langohr

**2. Approval of the Agenda**

**Moved By** John Wink  
**Seconded By** Bob Hildebrandt

**BE IT RESOLVED THAT the agenda for the September 16, 2019 Special Meeting of Council be adopted as circulated.**

**Carried**

**4. Resolution to Move in Camera**

**Moved By** Bob Hildebrandt  
**Seconded By** Marianne Stewart

**BE IT RESOLVED THAT the next portion of the meeting be closed to the public in order to consider the following:**

**Section 239(2)(d) - labour relations or employee negotiations**

**Carried**

**5. Rise From In Camera**

**Moved By** Ron Kore  
**Seconded By** Lisa Haun



**BE IT RESOLVED THAT Council adjourn the In Camera Session and that Council do now Rise With Report.**

**Carried**

**Moved By** Mike Ciolfi  
**Seconded By** Bob Hildebrandt

**BE IT RESOLVED THAT the Chief Administrative Officer be and is hereby authorized to undertake the directions provided during the In Camera meeting of September 16, 2019.**

**Carried**

---

Mayor Marvin Junkin

---

Town Clerk, Nancy J. Bozzato

**Meeting #:** SC-33/2019 - Special Meeting of Council  
**Date:** Monday, September 23, 2019  
**Time:** 6:30 pm  
**Location:** Meridian Community Centre - Accursi A and B  
100 Meridian Way  
Fonthill, ON  
L0S 1E6

**Members Present** Marvin Junkin  
Mike Ciolfi  
Lisa Haun  
Bob Hildebrandt  
Ron Kore  
Marianne Stewart  
John Wink

**Staff Present** David Cribbs  
Nancy Bozzato  
Bob Lymburner  
Jason Marr  
Vickie vanRavenswaay  
Barbara Wiens  
Marc MacDonald  
Sarah Leach  
Holly Willford

**Others Present** Tim Nohara, Chair, Cannabis Control Committee  
Members of the Cannabis Control Committee  
Interested Citizens  
Media

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

Noting that a quorum was present, the Mayor called the meeting to order at approximately 6:30 p.m.

**2. Approval of the Agenda**

**Moved By** Mike Ciolfi

**Seconded By** Lisa Haun

**BE IT RESOLVED THAT** the agenda for the September 23rd, 2019 Special Meeting of Council be adopted as circulated.

**Carried**

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

There were no pecuniary interests disclosed by any of the members present.

#### **4. Delegation Request - Cannabis Control Committee**

##### **4.1 Presentation by Tim Nohara, Chair, Cannabis Control Committee**

Tim Nohara, Chair, Cannabis Control Committee presented the Committee's perspective on the by-laws proposed for Council's consideration. A copy of the presentation is on file with the Clerk. The Committee has suggested that paragraph 1(a) proposing "and rural" be removed from the Interim Control By-law extension.

**Moved By** Lisa Haun

**Seconded By** Mike Ciolfi

**BE IT RESOLVED that Council receive the presentation from Tim Nohara, Chair of the Cannabis Control Committee.**

**Carried**

#### **5. Staff Reports Requiring Action**

##### **5.1 Recommendation Report for Proposed Cannabis Regulations and Extension of Interim Control By-law 4046(2018)**

**Moved By** Lisa Haun

**Seconded By** Ron Kore

BE IT RESOLVED THAT Council receive Report #0074;

AND THAT, Council recommend approval of the By-law, attached hereto as Appendix A, to extend Interim Control By-law 4046(2018) for a period of nine months, expiring July 15, 2020, in all areas of the Town except for the Niagara Escarpment Plan area and the urban and rural settlement areas as specified in the Town's Official Plan Schedule 'A1';

AND THAT, Council recommend approval of the amended Fence By-law, attached hereto as Appendix B, and the Fortification By-law, attached hereto as Appendix C.

##### **Amendment:**

**Moved By** Mike Ciolfi

**Seconded By** Ron Kore

**THAT the words "and rural" be deleted from paragraph 1 (a) of the Interim Control By-law extension.**

**Carried**

**Moved By** Lisa Haun

**Seconded By** Ron Kore

**BE IT RESOLVED THAT Council receive Report #0074;**

**AND THAT, Council recommend approval of the By-law, attached hereto as Appendix A, to extend Interim Control By-law 4046(2018) for a period of nine months, expiring July 15, 2020, in all areas of the Town except for the Niagara Escarpment Plan area and the urban settlement areas as specified in the Town's Official Plan Schedule 'A1';**

**AND THAT, Council recommend approval of the amended Fence By-law, attached hereto as Appendix B, and the Fortification By-law, attached hereto as Appendix C.**

**Carried**

**6. Consideration of Cannabis-Related By-laws**

**Moved By** Bob Hildebrandt

**Seconded By** John Wink

**BE IT RESOLVED THAT the Council of the Town of Pelham, having given due consideration to the following By-laws do now read a first, second and third time and do pass same, and**

**THAT the Mayor and Clerk be and are hereby authorized to sign and seal the by-laws**

**1. By Law 4157 (2019) Being a by-law to repeal and replace By-law 1034(1985) being a by-law to prescribe the height and description of lawful fences.**

**2. By-Law 4158 (2019) Being a by-law to regulate the fortification of and protective elements applied to land**

**3. By-Law 4159(2019) Being a by-law to amend By-law 4046(2018), being an interim control by-law under Section 38 of the Planning Act, R.S.O. 1990, c.P. 13, as amended**

**Carried**

**7. Confirming By-law**

**Moved By** John Wink

**Seconded By** Marianne Stewart

**BE IT RESOLVED THAT the following By-law be read a first, second and third time and passed:**

**Being a By-law No. 4160(2019) to Adopt, Ratify and Confirm the proceedings of Council of the Town of Pelham at its Special Meeting held on the 23rd day of September, 2019.**

**Carried**

**8. Adjournment**

**Moved By** Marianne Stewart

**Seconded By** John Wink

**BE IT RESOLVED THAT this Special Meeting of Council be adjourned until the next regular meeting scheduled for October 7, 2019 at 5:30 pm.**

**Carried**

---

Mayor Marvin Junkin

---

Town Clerk, Nancy J. Bozzato

# Recommendations of the Committee of the Whole held Septemeber 9, 2019

---

BE IT RESOLVED THAT COUNCIL HEREBY approves the following Recommendations Resulting from the SCOW-04/2019 Special Committee of the Whole of September 9, 2019:

1. **THAT the Rules of Procedure be suspended to allow for the addition of an item to the September 9, 2019 Committee Agenda, being an item for closed session.**
2. **THAT the item submitted from M. Maida regarding Weiland Heights Park be added to the agenda**
3. **THAT the agenda for the September 9, 2019 special meeting of Committee be adopted as amended.**
4. **THAT Committee receive the 2020 Budget presentation by the Treasurer, for information.**
5. **THAT Committee receive the following 2020 Budget Presentations and refer to staff for inclusion in the budget considerations:**
  1. **Pelham Public Library Board**
6. **THAT Committee receive the following written correspondence and refer to staff for inclusion in the budget considerations:**
  1. **M. Maida re: Weiland Heights Park**
7. **THAT the next portion of the meeting be closed to the public in order to consider the following:**

**Pursuant to Section 239(2)(e) - litigation or potential litigation, including matters before administrative tribunals, affecting the municipality; and Section 239(2)(f) - advice that is subject to solicitor-client privilege, including communications necessary for that purpose (1 item, File L02-17-2019)**
8. **THAT Committee adjourn the In Camera Session and that Committee do now Rise: With Report.**
9. **THAT the Chief Administrative Officer be and is hereby authorized to undertake the directions provided during the In Camera meeting of September 9, 2019.**
10. **THAT this Special Meeting of Committee be adjourned until the next regular meeting scheduled for September 16, 2019 following Council.**

# Recommendations of the Committee of the Whole held September 16, 2019

---

BE IT RESOLVED THAT COUNCIL HEREBY approves the following Recommendations Resulting from the COW-06/2019 Committee of the Whole of September 16, 2019:

1. **THAT the agenda for the September 16, 2019 regular meeting of Committee be adopted as circulated.**
2. **THAT Committee receive Report #2019-0071-Planning as it pertains to application file no. SP-05-19; and**  
  
**THAT Committee recommend that Council: Direct staff to prepare the by-law and authorize the Mayor and Clerk to enter into a Site Plan Agreement between the Town and land owner.**
3. **THAT Committee recommend that Council receive for information the Community Planning and Development June, July and August 2019.**
4. **THAT Committee recommend that Council receive for information the Corporate Services Department Report for June, July and August 2019.**
5. **T HAT Committee recommend that Council receive for information the Fire and By-law Services Department Report for June, July and August 2019.**
6. **THAT Committee recommend that Council receive for information the Public Works Department Report for June, July and August 2019.**
7. **THAT no alcohol be sold at the Outdoor Christmas Market being held on December 6, 2019.**

DEFEATED

8. **THAT THAT Committee Receive Report #2019-00070; and recommend:**  
  
**THAT Council designate Christmas in Pelham – Outdoor Christmas Market, to be held on Friday, December 6, 2019 from 4 pm to 10 pm on Pelham Town Square, as a Municipally Significant Event;**  
  
**AND THAT the Clerk be authorized to make application for a Special Occasion Permit for Christmas in Pelham – Outdoor Christmas Market;**  
  
**AND FURTHER THAT Council authorize the following road closure:**  
  
**Pelham Town Square entrance at Pelham Street to 55 metres east of Pelham Street, from 12:00 pm to 12:00 am on Friday, December 6, 2019.**
9. **THAT Committee recommend that Council receive for information the Recreation, Culture and Wellness Report for June, July and August 2019.**
10. **THAT Committee recommend that Council receive for information the Clerks Department Report for June, July and August 2019.**
11. **THAT this Regular Meeting of Committee be adjourned until the next regular meeting scheduled for October 7, 2019 following Council.**

# Recommendations of the Committee of the Whole held Septemeber 10, 2019

---

BE IT RESOLVED THAT COUNCIL HEREBY approves the following Recommendations Resulting from the SCOW-05/2019 Special Committee of the Whole of September 10, 2019:

1. **THAT the agenda for the September 10, 2019 Special meeting of Committee be adopted as circulated.**

2. **THAT the motion be amended to include:**

**AND THAT staff work with the Cannabis Control Committee to come up with the suggestions for the September 23rd meeting.**

3. **THAT Committee receive this Department of Community Planning and Development Report, Presentation and draft By-Laws for information; and**

**THAT staff work with the Cannabis Control Committee to come up with the suggestions for the September 23rd meeting.**

4. **THAT Committee receive verbal presentations made by the public for information; and**

**THAT staff be directed to review and consider the public comments submitted when finalizing the recommendation report and draft By-laws to be presented to Council on September 23rd, 2019.**

5. **TTHAT Committee recommend that Council receive the public written submissions regarding proposed Cannabis by-laws by the following individuals:**

1. Violet Konkle;
2. Dr. Jim Jeffs;
3. Josephine Pignataro
4. Phil Girard
5. Steven Nagy

6. **THAT the Special Council Meeting to be held September 23, 2019 be held at the Meridian Community Centre, Accursi Room, at 6:30 pm.**

7. **THAT this Special Meeting of Committee of the Whole be adjourned until the next regular meeting scheduled for September 16, 2019.**



## MINUTES

Meeting #: SCOW-04/2019 - Special Committee of the Whole -  
Date: 5:30 p.m.  
Location: Monday, September 9, 2019  
Town of Pelham Municipal Office - Council Chambers  
20 Pelham Town Square, Fonthill

Members Present: Marvin Junkin, Mike Ciolfi, Lisa Haun, Bob Hildebrandt,  
Ron Kore, Marianne Stewart, John Wink

Staff Present: David Cribbs, Nancy Bozzato, Bob Lymburner, Jason  
Marr, Teresa Quinlin, Vickie vanRavenswaay, Barbara  
Wiens, Holly Willford, Charlotte Tunikaitis

Others Present Interested Citizens  
Media

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

Noting that a quorum was present, the Mayor called the meeting to order at approximately 5:30 p.m.

### 2. Adoption of Agenda

**Moved By** Mike Ciolfi

THAT the agenda for the September 9, 2019 special meeting of Committee be adopted

**Moved By** John Wink

**THAT the Rules of Procedure be suspended to allow for the addition of an item to the September 9, 2019 Committee Agenda, being an item for closed session.**

**Carried**

**Moved By** Mike Ciolfi

**THAT the item submitted from M. Maida regarding Weiland Heights Park be added to the agenda**

**Carried**

**Moved By** Mike Ciolfi

**THAT the agenda for the September 9, 2019 special meeting of Committee be adopted as amended.**

**Carried**

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

There were no pecuniary interests disclosed by any of the members present.

**4. 2020 Budget Presentation - Treasurer T. Quinlin**

The Director of Corporate Services/Treasurer provided an informational presentation on the Town of Pelham Budget process.

**Moved By** Ron Kore

**THAT Committee receive the 2020 Budget presentation by the Treasurer, for information.**

**Carried**

**5. Presentations and Public Input Regarding 2020 Budget**

**5.1 Pelham Public Library 2020 Budget Presentation**

Donald Brown, Chair of Library Finance Committee and Amy Guilmette Interim CEO joined by Tim Wright, Chair and Board Colleagues presented the library priorities.

**Moved By** Lisa Haun

**THAT Committee receive the following 2020 Budget Presentations and refer to staff for inclusion in the budget considerations:**

**1. Pelham Public Library Board**

**Carried**

**5.2 M. Maida re Weiland Heights Park**

M. Maida, resident of Abbott Place joined by various families of the neighbourhood addressed Council regarding the Weiland Heights park. They have requested allocation of funds for play structures in the neighbourhood park.

**Moved By** John Wink

**THAT Committee receive the following written correspondence and refer to staff for inclusion in the budget considerations:**

**1. M. Maida re: Weiland Heights Park**

**Carried**

**6. Committee Input on 2020 Budget**

There was a suggestion to include funds to construct an area for overflow parking in the immediate vicinity of the Meridian Community Centre.

**7. Closed Session Item**

**Moved By** John Wink

**THAT the next portion of the meeting be closed to the public in order to consider the following:**

**Pursuant to Section 239(2)(e) - litigation or potential litigation, including matters before administrative tribunals, affecting the municipality; and Section 239(2)(f) - advice that is subject to solicitor-client privilege, including communications necessary for that purpose (1 item, File L02-17-2019)**

**Carried**

**Moved By** Bob Hildebrandt

**THAT Committee adjourn the In Camera Session and that Committee do now Rise: With Report.**

**Carried**

**Moved By** Lisa Haun

**THAT the Chief Administrative Officer be and is hereby authorized to undertake the directions provided during the In Camera meeting of September 9, 2019.**

**Carried**

**8. Adjournment**

**Moved By** Marianne Stewart

**THAT this Special Meeting of Committee be adjourned until the next regular meeting scheduled for September 16, 2019 following Council.**

**Carried**

---

Mayor: Marvin Junkin

---

Town Clerk: Nancy J. Bozzato

**MINUTES**

**Meeting #:** COW-06/2019 - Immediately Following Council  
**Date:** Monday, September 16, 2019  
**Location:** Town of Pelham Municipal Office - Council Chambers  
20 Pelham Town Square, Fonthill

**Members Present:** Marvin Junkin, Mike Ciolfi, Lisa Haun, Bob Hildebrandt, Ron Kore, Marianne Stewart, John Wink

**Staff Present:** David Cribbs, Nancy Bozzato, Jason Marr, Teresa Quinlin, Vickie vanRavenswaay, Barbara Wiens, Marc MacDonald, Holly Willford

**Others Present** Interested citizens  
Media

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

Noting that a quorum was present, the Mayor called the meeting to order at approximately 7:52 p.m.

**2. Adoption of Agenda**

**Moved By** Ron Kore

**THAT the agenda for the September 16, 2019 regular meeting of Committee be adopted as circulated.**

**Carried**

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

There were no disclosures of pecuniary interest noted by any of the Members present.

**4. Department Reports**

**4.1 Community Planning and Development**

**4.1.1 Site Plan Approval - 1 Highway 20 West (SP-05-19) - Recommendation Report - 2019-0071-Planning, 2019-0071-Planning**

**Moved By** Ron Kore

**THAT Committee receive Report #2019-0071-Planning as it pertains to application file no. SP-05-19; and**

**THAT Committee recommend that Council: Direct staff to prepare the by-law and authorize the Mayor and Clerk to enter into a Site Plan Agreement between the Town and land owner.**

**Carried**

**4.1.2 Community Planning & Development Monthly Report, 2019-0065-Planning**

**Moved By** Lisa Haun

**THAT Committee recommend that Council receive for information the Community Planning and Development June, July and August 2019.**

**Carried**

**4.2 Corporate Services**

**4.2.1 Corporate Services Monthly Report, 2019-0067-Corporate Services**

**Moved By** Bob Hildebrandt

**THAT Committee recommend that Council receive for information the Corporate Services Department Report for June, July and August 2019.**

**Carried**

**4.3 Fire & By-law Services**

**4.3.1 Fire & By-Law Services Monthly Report, 2019-0066-Fire Dept**

**Moved By** John Wink

**THAT Committee recommend that Council receive for information the Fire and By-law Services Department Report for June, July and August 2019.**

**Carried**

**4.4 Public Works and Utilities**

**4.4.1 Public Works Monthly Report, 2019-0063-Public Works**

**Moved By** Lisa Haun

**THAT Committee recommend that Council receive for information the Public Works Department Report for June, July and August 2019.**

**Carried**

## **4.5 Recreation, Culture and Wellness**

### **4.5.1 2019 Outdoor Christmas Market - 2019-0070-Recreation, 2019-0070-Recreation**

**Moved By** Bob Hildebrandt

THAT Committee Receive Report #2019-00070; and recommend:

THAT Council designate Christmas in Pelham – Outdoor Christmas Market, to be held on Friday, December 6, 2019 from 4 pm to 10 pm on Pelham Town Square, as a Municipally Significant Event;

AND THAT the Clerk be authorized to make application for a Special Occasion Permit for Christmas in Pelham – Outdoor Christmas Market;

AND FURTHER THAT Council authorize the following road closure:

Pelham Town Square entrance at Pelham Street to 55 metres east of Pelham Street, from 12:00 pm to 12:00 am on Friday, December 6, 2019.

**Amendment:**

**Moved By** Marianne Stewart

THAT no alcohol be sold at the Outdoor Christmas Market being held on December 6, 2019.

**Defeated**

**Moved By** Bob Hildebrandt

**THAT Committee Receive Report #2019-00070; and recommend:**

**THAT Council designate Christmas in Pelham – Outdoor Christmas Market, to be held on Friday, December 6, 2019 from 4 pm to 10 pm on Pelham Town Square, as a Municipally Significant Event;**

**AND THAT the Clerk be authorized to make application for a Special Occasion Permit for Christmas in Pelham – Outdoor Christmas Market;**

**AND FURTHER THAT Council authorize the following road closure:**

**Pelham Town Square entrance at Pelham Street to 55 metres east of Pelham Street, from 12:00 pm to 12:00 am on Friday, December 6, 2019.**

**Carried**

**4.5.2 Recreation, Culture & Wellness Monthly Report,  
2019-0068-Recreation**

**Moved By** John Wink

**THAT Committee recommend that Council receive for  
information the Recreation, Culture and Wellness  
Report for June, July and August 2019.**

**Carried**

**4.6 Administration**

**4.6.1 Clerk’s Department Monthly Report, 2019-0062-  
Clerks**

**Moved By** Marianne Stewart

**THAT Committee recommend that Council receive for  
information the Clerks Department Report for June,  
July and August 2019.**

**Carried**

**7. Adjournment**

**Moved By** Marianne Stewart

**THAT this Regular Meeting of Committee be adjourned until the  
next regular meeting scheduled for October 7, 2019 following  
Council.**

**Carried**

---

Mayor: Marvin Junkin

---

Town Clerk: Nancy J. Bozzato

**MINUTES**

Meeting #: SCOW-05/2019 - Public Meeting - Proposed Cannabis  
Date: Regulations - 5:30 p.m.  
Location: Tuesday, September 10, 2019  
Meridian Community Centre - Accursi A and B  
100 Meridian Way  
Fonthill, ON  
L0S 1E6

Members Present: Marvin Junkin, Mike Ciolfi, Lisa Haun, Bob Hildebrandt,  
Ron Kore, Marianne Stewart, John Wink  
Staff Present: David Cribbs, Nancy Bozzato, Bob Lymburner, Teresa  
Quinlin, Vickie vanRavenswaay, Barbara Wiens, Marc  
MacDonald, Sarah Leach, Holly Willford  
Others Present Shannon Larocque  
Curtis Thompson  
Interested Citizens  
Media

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

Noting that a quorum was present, the Mayor called the meeting to order at approximately 5:30 p.m.

p.m.

**2. Adoption of Agenda**

**Moved By** Marianne Stewart

**THAT the agenda for the September 10, 2019 Special meeting of Committee be adopted as circulated.**

**Carried**

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

There were no pecuniary interests disclosed by any of the members present.

**4. Opening Remarks - Mayor Junkin**

The Mayor provided opening remarks regarding the purpose of the meeting and relating to meeting decorum.

**5. Planning Act Remarks - B. Wiens, Director of Community Planning and Development**

The Director of Community and Planning and Development provided the legislative remarks in accordance with the Planning Act, and provided the audience information relating to the Town's responsibilities relating to cannabis.



## **6. Department Reports**

### **6.1 Community Planning and Development**

#### **6.1.1 Information Report Proposed Cannabis Regulations, 2019-0061-Planning**

The Director of Community Planning and Development, together with the Senior Planner presented information as contained in the staff report. A copy of the presentation is available on the Town's website, or through the Office of the Clerk.

**Moved By** John Wink

THAT Committee receive this Department of Community Planning and Development Report, Presentation and draft By-Laws for information; and

THAT staff be directed to prepare a Recommendation Report and present draft By-Laws regarding the regulation of cannabis and report back to Council on September 23rd, 2019.

**Moved By** Mike Ciolfi

**THAT the motion be amended to include:**

**AND THAT staff work with the Cannabis Control Committee to come up with the suggestions for the September 23rd meeting.**

**Carried**

**Moved By** John Wink

**THAT Committee receive this Department of Community Planning and Development Report, Presentation and draft By-Laws for information; and**

**THAT staff work with the Cannabis Control Committee to come up with the suggestions for the September 23rd meeting.**

**Carried**

## **7. Public Input**

Members of the public were invited to provide comments relating to the proposed by-laws. A synopsis follows:

1. **Jim Jeffs:** Stated that the Town is not obligated to allow cannabis production and was of opinion that the Town can prohibit this land use. He suggested increased setback distances.

2. **Phil Girard:** Expressed concern about odour emissions, citing personal experience through the Ministry of the Environment in this

regard. Concern that proposed regulations are too general suggesting that specific goals and compliance targets are needed. He was concerned with terminology around "obnoxious" as it can be ambiguous. Persistent odours can cause one to become nose-blind to the smell. He suggested that setbacks do not necessarily protect against odours. He spoke a second time regarding the Ministry of Environment protocols for sampling analysis, impact monitoring and detectable limits.

3. **Tillie Clapp:** Stated her support of the work of the Cannabis Control Committee and Council for their direction. She suggested the meeting scheduled for September 23rd be convened at the Community Centre to allow for a fuller audience as Council deliberates proposed by-laws. She opposed the proposed 150-metre setback, suggesting it is inadequate and further, stated that she does not consider a cannabis production facility to be agricultural. Speaking a second time, Ms. Clapp suggested that the Town work with the Association of Municipalities of Ontario to lobby for change in Provincial and Federal legislation. She encouraged Council to continue the open approach in the hopes that we can keep the current operations under control.

4. **Richard McCombs:** Suggested Council consider a 250-metre setback from all property lines noting the odour can reach out a kilometre or more and this odour is not welcome in neighbourhoods and school areas. He cited some work that has been done in Niagara-on-the-Lake. He supported an extension of the Interim Control By-law.

5. **Brian Baty:** Mr. Baty advised that he lives in close proximity to the Balfour Street operation and expressed concern regarding tender fruit crops. He also noted the removal of coniferous trees and suggested that a tree by-law should be able to prevent this. He recommended external monitoring of light and odour that should be done by a third party and suggested a community liaison advisory committee similar to a Regional committee relating to a landfill operation. A good neighbour policy could also be explored and he further suggested that property assessments should not be based on agricultural values, noting that grape growing is assessed differently than wine making. Because cannabis flowers are trimmed and processed, it should be zoned and taxed accordingly.

6. **Patrick Handscombe:** Questioned what stage a plant is in when the odour is prevalent, and what health-related levels have been deemed not to cause a health concern. A Member of the Cannabis Control Committee advised that odour is caused during the flowering stage when volatile organic compounds (VOCs) drift off plants, similar to pollen.

7. **Donna Bocksa:** Advised she lives in proximity to the Balfour Street facility. She questioned if the regulations that will be put in place will include operations already in production. The Planning Director advised that cannabis nuisance and odour by-laws will apply to existing operations as well as new ones. If there is an expansion to any existing operation, the new site plan and zoning by-law

requirements would apply. Existing operations, if they remain as they presently exist, would be permitted to stay but nuisance restrictions would apply. Nuisance and odour by-laws would be complaint-driven resulting in an investigation and would take effect once adopted by Council. On a second speaking opportunity, Ms. Bocksa questioned why the Town is not forcing CannTrust to comply with odour emission requirements from Health Canada. The Mayor advised that the municipality has, on multiple occasions, contacted Health Canada for assistance however the Town has not been successful in these attempts. The Town will continue contact in this regard.

8. **Tom Richardson:** As solicitor for CannTrust, Mr. Richardson cautioned Council to ensure that municipal by-laws do not conflict with Federal regulations and frustrate the purpose of the Federal legislation. He suggested caution so as not to discriminate against legal operations. He stated his opinion that some of the additional requirements being suggested are discriminatory and could exclude legal operations. He noted that this would be contrary to the Provincial Policy Statement and Regional Policy Plan which protect normal farm practices. He questioned how the municipality intends to enforce the odour restrictions.

9. **Helen Locking:** Expressed concern regarding the emission of VOCs into the air, stating that when oils are extracted, over 200 VOCs are released. She questioned what human interaction with VOCs can cause. She also suggested that water runoff would cause pollutants, and the legal sale of cannabis is creating damage to the environment. Ms. Locking asked what these operations pay in municipal taxes, with the Mayor responding that we are working with MPAC to change how these assessments are calculated.

10. **Brent Locking:** Questioned how offensive odour will be measured.

11. **John Hammond:** Solicitor for RedeCan and RedeCan Pharm, acknowledged concerns expressed by residents that some of the proposed regulations are presently unclear and may overstep the Town's jurisdictional authority and be in conflict with provincial and federal jurisdiction. He suggested that the municipality consult with all stakeholders, including federal and provincial regulatory authorities. He highlighted some specific concerns and submitted written correspondence.

12. **David Horton:** Expressed concern regarding police enforcement when a grow operation acts outside of the law in terms of the number of plants being grown.

13. **Ean Sigfrid:** Advised Council that in the evening hours when it is dark, his entire yard is lit up from the cannabis operation next to his property. He also noted that their machinery/generators run 24/7 and he hears this noise constantly.

14. **Chad Geerlinks:** Noted that there are other farm odours such as manure. He requested consistency and care be taken to ensure

terminology is not too vague. He cautioned not to hurt other businesses inadvertently.

15. **David Klyn-Hesselink:** Mr. Klyn-Hesselink wondered why cannabis could not be regulated using the rationale used for setbacks relating to livestock operations.

16. **Carolyn Botari:** Expressed concern that fines imposed for odour infractions will not be sufficient enough to have any impact on a multi-million dollar company. The Chief Administrative Officer provided explanation on how by-law infractions can be prosecuted by the Provincial Offences Act and that fines may not always be imposed directly by the municipality. Further, he noted that changes to the current municipal enforcement philosophy will be discussed in a future Council report. Further, he noted that separate incidents would have separate fines.

17. **David MacFarlane:** Suggested that the Town should have documentation on the types of filtration systems being installed as part of a building permit process. The Planning Director noted that building permits relate to the building and structure, and that greenhouses are considered as farm buildings so the Ontario Building Code requirements are different. The Regulations do not prescribe the filtration system, but rather state that filters must be in place so as to prevent odour emission. The Mayor confirmed that the Town continues to work with Health Canada on this issue. He also suggested that people write to Health Canada, their MPs and MPPs about their concerns.

18. **Jennifer Hadrevi:** Expressed concern that the existing vacant lots next to her property will be consolidated and developed as a cannabis growing operation. While she noted that these operations produce jobs, she did not support their location next to residential areas. She asked how we can request the Federal government to give powers back to the municipality to allow a choice of whether growers can locate in the Town. On a second time speaking, she suggested that a petition may help in this regard.

19. **Bernie Law:** Reminded those present of who made the decision that cannabis can be grown legally in Canada, that being the Federal Government. He suggested that because Health Canada is part of the Federal Government, they cannot provide appropriate assistance with smell and light issues.

20. **Dave Shatford:** Noted that they have had to explain the odour to their children and he suggested that the Town push as far as we can to ensure regulations are followed, or if possible that facilities cannot be located in Pelham.

21. **Clinton Wierenga:** Suggested additions to the sensitive uses to include walking and cycling paths, as well as playgrounds.

22. **Harrison Shatford:** Is a grade 8 student who lives close to the Balfour Road facility and attends a school also in close proximity. He informed Council that school children were called inside from the

playground due to the strong odour from the plant. He suggested that rules and guidelines should be in place so that schools are not affected by the odours.

23. **Paul Crookham:** Stated his preference that the Town should be able to have a say as to whether cannabis operations are permitted within the municipal boundary, noting he is against pot growing in Pelham. However, he also noted that the laws and regulations are not based on emotions as these will not have a standing in a legal battle. He supported standing together and facing litigation.

24. **John VanVliet:** Echoed the concerns expressed by Harrison Shatford, noting his children could not play outside at school because of the odour. He also voiced opposition to the increase in traffic that is generated from the growing operations.

25. **Darryl Nohara:** Questioned the taxation rate for cannabis operations. The CAO advised that the Province has tasked the Municipal Property Assessment Corporation (MPAC) to look at how production facilities should be taxed. If changes in assessment are imposed, they can be assessed backwards for two years.

26. **Mike Hall:** Encouraged Council to challenge the cannabis operators and use tax money to fight the litigation. The Mayor noted that the Town cannot fully ban these operations but can set out regulations in an attempt to minimize impacts.

27. **Erica Church:** Ms. Church indicated that her daughter works at Wellington Heights School near the Balfour Street operation and provided comment that children have been brought indoors due to the odour from this facility. She indicated that other farm operations, such as growing grapes, canola, wheat, etc. do not produce offensive odours. She equated the smell to that of 10,000 skunks and suggested that a strong political will is needed to uphold the values of this community.

28. **Barb Christopher:** To lighten the mood, representing Young's Sod, suggested that not all grass is bad.

29. **Suzanne Haber:** Indicated uncertainty that by writing to our local MPs and MPPs there would be any change, given that the policy makers in Toronto or Ottawa are not close to the issues. Ms. Wiens advised that the current Official Plan Policy limits greenhouses to 10,000 litres of water per day, in response to a query by Ms. Haber.

30. **Jason Wierenga:** Stated that he operates greenhouses and reminded Council that there are other agricultural greenhouse operations that do not grow cannabis. He was concerned that the proposed restrictions will cause a hindrance for non-cannabis operations and that there could be unintended consequences to non-cannabis greenhouse operators in this community.

31. **Jim Jeffs, for P. Newman:** Mr. Newman has made a complaint regarding odour from CannTrust that can be smelled from two kilometres away.

32. **Jillian** (surname withheld): Suggested that greenhouse operations could use more than 10,000 litres of water per day if it is not monitored. She advised Council that she has been requesting survey results from Health Canada to demonstrate that the odours are not harmful to citizens, but has yet to receive any response.

33. **Tim Nohara**: Thanked people for attending and noted the input will be invaluable to Staff, Council and the Cannabis Control Committee. He noted that although the municipality cannot explicitly prohibit cannabis production, there is a balance between the rights of any party and the residents and that good planning justification is needed when developing policies. He noted that proper enjoyment of one's property is a good planning justification.

34. **Bill Heska**: Noting that cannabis is new to Canada, and new to Pelham, the Cannabis Control Committee continues to work diligently to develop ways to control the impact of operations.

35. **Adam Junkin**: Indicated that his main complaint revolves around the odour problems and although it is offensive, it must also be quantified. He suggested that there are specific testing measures, and there must be ways to measure the odour defining a clear number threshold and testing methods. Setbacks are not reliable as the odour can depend on prevailing winds, so a testable level and number would serve the Town better than a distance.

36. **Richard Wouthuis**: Suggested that residents contact Health Canada and the Town's Public Service Request System every time the odours are present.

**Moved By** Bob Hildebrandt

**THAT Committee receive verbal presentations made by the public for information; and**

**THAT staff be directed to review and consider the public comments submitted when finalizing the recommendation report and draft By-laws to be presented to Council on September 23rd, 2019.**

**Carried**

## **7.1 Correspondence received from the public**

**Moved By** Lisa Haun

**THAT Committee recommend that Council receive the public written submissions regarding proposed Cannabis by-laws by the following individuals:**

1. **Violet Konkle;**
2. **Dr. Jim Jeffs;**
3. **Josephine Pignataro**
4. **Phil Girard**
5. **Steven Nagy**

**Carried**

**8. Committee Input**

There were no comments.

**Moved By** Lisa Haun

**THAT the Special Council Meeting to be held September 23, 2019 be held at the Meridian Community Centre, Accursi Room, at 6:30 pm.**

**Carried**

**9. Adjournment**

**Moved By** Mike Ciolfi

**THAT this Special Meeting of Committee of the Whole be adjourned until the next regular meeting scheduled for September 16, 2019.**

**Carried**

---

Mayor: Marvin Junkin

---

Town Clerk: Nancy J. Bozzato

---

**Subject:** Information Regarding the Pelham New Elevated Tank and Enhanced Conceptual Design Project Public Information Centre

**Recommendation:**

<p><b>BE IT RESOLVED THAT Council receive Report # 2019-0100, Pelham New Elevated Tank and Enhanced Conceptual Design Project Public Information Centre, for information</b></p>
--

**Background:**

The Niagara Region is undertaking a Class Environmental Assessment (Class EA) for a new Pelham Elevated Water Storage Tank and transmission system upgrade. This project is part of the recommended improvements from the recent Niagara Regional Water and Wastewater Master Servicing Plan to the Pelham Water System. The purpose of this project and study is to address adequate storage, system pressure and capacity to support growth.

A Public Information Centre (PIC) is scheduled for October 16, 2019 from 6pm to 8pm at the Pelham Fire Station 1 (177 RR 20, Fonthill).

The PIC will provide an overview of the Class EA process, the existing improvements that need to be addressed, potential sites that were considered for a new elevated water storage tank, and evaluation of the shortlisted sites.

The Niagara Region's Public Information Notice, as well as the presentation panels have been added as attachments to this report.

**Analysis:**

This project is being undertaken by the Regional Municipality of Niagara to increase their storage capacity to support growth as well as improve system pressure.



**Financial Considerations:**

There are no financial considerations for the Town of Pelham during this stage in the project. The Town of Pelham Water Distribution System may require minor alterations or improvements in the future depending on the location of the new elevated tank, however these will not be known until later in the design process.

**Alternatives Reviewed:**

No alternatives were reviewed as this project is being undertaken by the Regional Municipality of Niagara.

**Strategic Plan Relationship: Communication and Engagement**

The purpose of this report is to provide information to Council regarding the Pelham New Elevated Tank and Enhanced Conceptual Design Project Public Information Centre.

**Other Pertinent Reports/Attachments:**

Region of Niagara Notice of Public Information Centre  
Region of Niagara Public Information Centre Presentation Materials

**Consultation:**

Town of Pelham staff have been in consultation with the Regional Municipality of Niagara and their design consultant R.V. Anderson Associates.

**Prepared and Recommended by:**

Jason Marr, Director of Public Works

**Approved and Submitted by:**

David Cribbs, Chief Administrative Officer

## NOTICE OF PUBLIC INFORMATION CENTRE

### Pelham Elevated Tank Municipal Class Environmental Assessment and Enhanced Conceptual Design

Niagara Region is undertaking a Class Environmental Assessment (Class EA) for a new Pelham Elevated Water Storage Tank and transmission system upgrades. This project is part of the recommended improvements from the recent Water and Wastewater Master Servicing Plan to the Pelham Water System. The purpose of the study is to address adequate storage, pressure, and capacity to support growth.

The study follows the Schedule 'B' Municipal Class EA process as set out by the Municipal Engineers Association (October 2000 amended in 2007, 2011 and 2015).

#### Project Status

Niagara Region has reviewed the existing water system, considered and evaluated suitable sites within the Town of Pelham for the construction of a new elevated water storage tank, and necessary improvements to the existing water system.

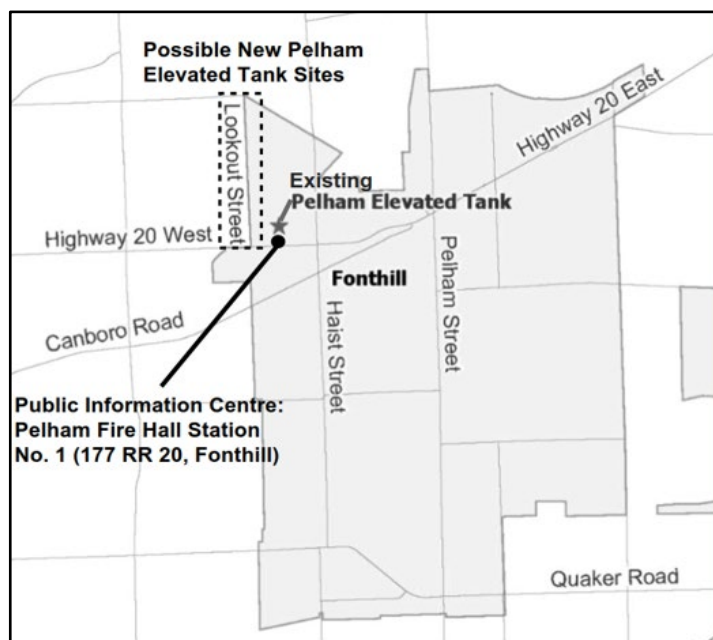
#### Public Information Centre (PIC)

We invite you to attend the PIC to view the displays and provide comments. The PIC is scheduled for **October 16, 2019 from 6 p.m. and 8 p.m. at the Pelham Fire Hall Station 1 (177 RR 20, Fonthill, Ontario).**

The PIC will provide an overview of the Class EA process, the existing improvements that need to be addressed, potential sites that were considered for a new elevated water storage tank, and evaluation of the shortlisted sites.

Public consultation is critical to the success of the study. We encourage any interested parties to get involved and provide input. Should you have any questions or concerns, please contact one of the following project team members:

**Rika Law, P.Eng, PMP®**  
Project Manager and Associate  
R.V. Anderson Associates Limited  
43 Church Street, Suite 104  
St. Catharines, ON, L2R 7E1  
905-685-5049 ext. 1209  
Fax: 905-685-9894  
rlaw@rvanderson.com



**Tara Clayton**  
Project Manager  
Water and Wastewater Engineering, Public Works  
Niagara Region  
3501 Schmon Pkwy., PO Box 1042  
Thorold, ON, L2V 4T7  
905-980-6000 ext. 3766 TTY: 905-984-3613  
Toll-Free: 1-800-263-7215  
Fax: 905-685-5205  
tara.clayton@niagararegion.ca

**From:** [brian.walker](#) [REDACTED]  
**To:** [Nancy Bozzato](#)  
**Subject:** Appointment of Director to Board of NPEI  
**Date:** Wednesday, September 11, 2019 1:57:45 PM

---

Nancy

The appointment of the Pelham appointee on the Board of Niagara Peninsula Energy Inc. ends on December 31, 2019.

The next term will again be for three years and Pelham can nominate either a qualified citizen or a member of Council. In order to maintain the independence of the position, the nominee should **not** be a Director of Peninsula West Power Inc.

I would appreciate receiving the name of the Pelham nominee by November 29, 2019. The appointment will be ratified by our Board at its December meeting.

Thank you for your assistance in this matter.

Brian Walker  
President, Peninsula West Power Inc.

Sept. 11, 2019



Representation ♦ Education ♦ Research

September 6, 2019

Town of Pelham  
20 Pelham Town Square,  
Fonthill, ON  
L0S 1E0

*via email*

Dear Council Members:

**Re: Emily 911 Project Launch in Town of Pelham**

Niagara Peninsula Fruit & Vegetable Growers' Association (NPF&VGA) would like to extend its heartfelt gratitude and congratulate the Town of Pelham on their unanimous decision to implement the Emily 911 Project by supplying farmers with rural laneway identifiers at a nominal fee.

NPF&VGA represents approximately 700 growers who are engaged in the growing and marketing of fruits and vegetables in the region of Niagara, and in those portions of the Regions of Hamilton-Wentworth and Haldimand-Norfolk bounded by Highway #6 and the Grand River.

Our membership will benefit greatly from this decision and hope that Pelham's leadership will be recognized by neighbouring municipalities within the Niagara Region.

Special thanks to Regional Councillor Diana Huson who kindly responded to our initial letter to the Region and was surely instrumental in helping this initiative move forward.

Your truly,

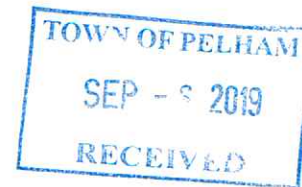
Curtis Wiley, President NPF&VGA

C: Niagara Region  
Kai Wiens, Niagara Region Agricultural Task Force  
Neil Currie, Ontario Federation of Agriculture

# St. Catharines

Walter Sendzik, Mayor

50 Church Street  
PO BOX 3012  
St. Catharines  
Ontario, Canada  
L2R 7C2



Town of Pelham  
Fire and By-law Services  
Pelham Station 1  
177 Highway 20 West  
Fonthill, ON  
L0S 1E5

August 26, 2019

Dear Chief ~~Lymburner~~ and Firefighters

*Thank you for all the help!*

On behalf of the City of St. Catharines, thank you for your support during the greenhouse fire at Pioneer Farms throughout the weekend of August 17. While it was a challenging situation, all of the firefighters and supporters worked professionally and collaboratively. Under Chief McCormick's leadership and mutual aid coordinated by Chief Melanson from Fort Erie, we are thankful that the fire was safely extinguished. It is a testament to your training and professionalism that no one was seriously injured and that the fire was safely controlled.

It is reassuring to know that we can call on our neighbours at a challenging time. The spirit of support and cooperation provided by the Town of Pelham is greatly appreciated by the City of St. Catharines.

Regards,

A handwritten signature in black ink, appearing to read "Walter Sendzik", with a long horizontal flourish extending to the right.

Walter Sendzik,  
Mayor of St. Catharines, Ontario

cc: Mayor Marvin Junkin  
Jeff McCormick, Acting Fire Chief, City of St. Catharines  
Shelley Chemnitz, CAO

/MayorSendzik

@WSendzik

@wsendzik

www.mayorsendzik.ca

mayor@stcatharines.ca

www.stcatharines.ca  
TTY: 905.688.4TTY(4399)

Page 81 of 130





# TOWN OF PELHAM PUBLIC LIBRARY

## LIBRARY BOARD MEETING MINUTES

---

**OUR MISSION:** The mission of the Town of Pelham Public Library is to engage, encourage and enrich our community in its pursuit of life-time learning as the cultural and informational heart of Pelham.

### **MINUTES OF June 26, 2019**

**Location:** Pelham Public Library, Maple Acre Branch

**Present:** Tim Wright (Chair), Councillor Marianne Stewart, Donald Brown, Greg Lewis, Gwendoline MacDougall, Catherine McPherson, Nicole Nolan, Gail Pepper, Madison Smith

**Staff:** Amy Guilmette (Acting CEO), Jo-Anne Teeuwsen (Acting Deputy CEO, minutes)

#### **1. Call to Order**

- The meeting was called to order at 5:00 p.m. by T. Wright

#### **2. Approval of the Agenda**

- Moved by G. Lewis seconded by M. Stewart  
That the agenda for the meeting of June 26, 2019 be approved and the reports and correspondence listed on the agenda be received for discussion/action. **CARRIED.**

#### **3. Conflict of Interest Declarations**

- None

#### **4. Guest Speaker – Melanie Taylor-Ridgway, Adult Programming and Volunteer Coordinator**

- The Board received an overview of adult programming and volunteer coordination.

#### **5. Approval of the Minutes**

##### **5.1 Minutes of the Library Board Meeting of May 22, 2019**

- Moved by C. McPherson, seconded by G. MacDougall  
That the minutes of the Library Board meeting of May 22, 2019 be approved as presented. **CARRIED.**

#### **6. Business Arising from the Minutes**

##### **6.1 Memo – Interlibrary Loan Status**



# TOWN OF PELHAM PUBLIC LIBRARY

## LIBRARY BOARD MEETING MINUTES

---

- A. Guilmette explained the current status of Interlibrary Loan and the implications of restarting the service.
- Moved by G. Lewis, seconded by N. Nolan  
**That the Library Board accept the CEO report on Interlibrary Loan service and that the service be restarted on July 1, 2019. CARRIED.**
- Moved by M. Smith, seconded by N. Nolan  
**That the CEO work with colleagues to determine the effects of Interlibrary Loan and report back to the Board. CARRIED.**
- Moved by G. Pepper, seconded by M. Stewart  
**That the CEO prepare an interim report on Interlibrary Loan service for the August Board meeting to be presented to Pelham Town Council in September. CARRIED.**

### 6.2 Memo – Results of Patron Surveys – Change in Operating Hours

- A. Guilmette outlined the results of the patron surveys on the change in operating hours.
- The Board discussed the idea of adding in a drop-down menu asking for the ways the responder used the library. A. Guilmette will investigate this idea further.
- Moved by G. MacDougall, seconded by G. Pepper  
**That the memo on the results of the patron surveys be received. CARRIED.**

## 7. Library Reports

### 7.1 Manager's Report

- After the brief description of the Library's plan for implementing a seed library, M. Stewart mentioned that in West Lincoln they have a "Seedy Saturday" in May, where they facilitate the exchanging of seeds. A. Guilmette will look into whether an event like this can be done in Pelham.
- Moved by D. Brown, seconded by M. Stewart  
**That the May, 2019 Manager's Report be received. CARRIED.**

## 8. Finances

### 8.1 May 31, 2019 Consolidated Financial Report

- The Board requested that A. Guilmette provide a quarterly report on the projected final numbers for the 2019 operating budget at the August board meeting.





# TOWN OF PELHAM PUBLIC LIBRARY

## LIBRARY BOARD MEETING MINUTES

---

- Moved by D. Brown, seconded by G. Lewis  
**That the May 31, 2019 Consolidated Financial Report be received.**  
**CARRIED.**

### **8.2 May 2019 Charitable Account Summary**

- Moved by M. Smith, seconded by M. Stewart  
**That the May 2019 Charitable Account Summary be received.**  
**CARRIED.**

## **9. Library Board Reports**

### **9.1 Councillor's Report – M. Stewart**

- Nothing to report.

### **9.2 Maple Acre Friends' Report – M. Smith**

- The Maple Acre Friends' BBQ raised \$1094.00. \$370.25 was donated towards the 3D printer.

### **9.3 Town of Pelham Seniors' Advisory Committee Report – G. MacDougall**

- June is Seniors' Month
- A seniors' lounge has been opened in the Meridian Community Centre (MCC). A request has been made to Council for more accessible parking spaces at the MCC. Several members participated in the Age Friendly Niagara Region Forum.
- There will be a Seniors' Fair on Tuesday, October 1.

### **9.4 Pelham Art Festival Report – D. Brown**

- Attendance was up at this year's Pelham Art Festival.
- The next planning meeting will be in September

- Moved by N. Nolan, seconded by M. Smith

**That the Councillor's report, the Maple Acre Friends' report, the Town of Pelham Seniors Advisory Committee report and the Pelham Art Festival report be received. CARRIED.**

## **10. New and Other Business**

G. MacDougall asked for an update on the medical clinic for Spanish speakers that is being held at the Maple Acre branch. Eight people attended the first clinic. The service has been advertised at farms and there are also promotional ads at the Library.

## **11. Items for information**





## TOWN OF PELHAM PUBLIC LIBRARY LIBRARY BOARD MEETING MINUTES

---

### 11.1 FOPL Summary of Changes to Interlibrary Loan Services in Ontario

### 11.2 SOLS – Rebate Calculations 2019 for Interlibrary Loan Postage

### 11.3 New Release from Minister's Office on Bill 108.

- The Board suggested that concerns about how libraries are being accommodated in Bill 108 be addressed with MPP Sam Oosterhoff and that the Town of Pelham Treasurer be asked for more information.
- Libraries in S. Oosterhoff's riding will be meeting with him on July 15.

- Moved by G. MacDougall, seconded by G. Lewis

**That the FOPL Summary of Changes to Interlibrary Loan Services in Ontario, the SOLS Rebate Calculation, and the News Release from the Minister's Office on Bill 108 be accepted for information. CARRIED.**

### 12 Adjournment

- Moved by G. MacDougall, seconded by M. Stewart

**That the Library Board meeting of June 26, 2019 be adjourned at 6:52 p.m. CARRIED.**

**The foregoing minutes were approved by the Town of Pelham Public Library Board on**

Aug. 28, 2019  
(date)

Amy Guilmette

Amy Guilmette, Secretary

Tim Wright

Tim Wright, Chair

## **PELHAM PUBLIC ART ADVISORY COMMITTEE**

**MINUTES 19-08**

**4:30 PM**

**August 13, Meridian Community Centre Boardroom, Town of Pelham,  
100 Meridian Way**

---

**Present:** Dianne Gibson  
Brian DiMartile  
Jodi Hendriks  
Bob Hildebrant  
Christina Drummond  
Barb Rybiak  
Els Swart

**Absent with  
Regrets:** Jessica Sung  
Vickie vanRavenswaay

**Guest** Bea Clark – Strategic Plan Facilitator

### **FOR THE INFORMATION OF COMMITTEE:**

**(a) DECLARATION OF QUORUM AND CALL TO ORDER (Item 1)**

Dianne welcomed all members and called the meeting to order

**(b) ADOPTION OF AGENDA (Item 2)**

**(Christina Drummond/ Barb Rybiak)**

**THAT the agenda for the August 13, 2019 Pelham Public Art Advisory Committee meeting be approved as presented.**

**CARRIED**

**(c) DISCLOSURE OF PECUNIARY INTEREST & GENERAL NATURE THEREOF (Item 3)**

There were no disclosures of pecuniary interests from any of the members present.

**(d) APPROVAL OF MINUTES OF PREVIOUS MEETING (Item 4)**

**(Brian DiMartile/ Barb Rybiak)**

**THAT the Minutes of the June 19, 2019 Pelham Public Art Advisory Committee meeting be approved, as amended.**

**CARRIED**

**(e) PRESENTATIONS (Item 5)**

- 5.1 Bea Clark – Strategic Planning session; Bea reviewed the draft plan for the Art Committee
- i. Committee needs to approve document at next meeting, and bring to Council for information
  - ii. Staff to send documents that are highlighted in the strategic plan to all committee members

**(f) DELEGATIONS (Item 6)**

None

**(g) BUSINESS ARISING FROM MINUTES (Item 7)**

7.1 Art Hanging application – Bev Sneath

- o Brian motioned to approve Bev Sneath's application for September, Seconded by Els Swart, Staff to contact Bev Sneath about hanging art in September
- Barb motioned to adjourn the meeting at 6pm and move agenda items 7.2 & 7.3 to September meeting Seconded by Els Swart

7.2 Hanging walls across from the concession

7.3 Old Pelham Arena Designated Walls

**(h) CORRESPONDENCE TO THE COMMITTEE (Item 8)**

- None

**(k) CORRESPONDENCE FROM THE COMMITTEE (Item 9)**

- None

**(l) NEW BUSINESS (Item 10)**

**(m) ADJOURNMENT (Item 12) 6pm  
(Barb Rybiak/ Brian DiMartile)**

**(n) Next Meeting:**

September 17<sup>th</sup> 4:30pm – Meridian Community Centre



Chair  
Dianne Gibson



Staff Representative  
Jodi Hendriks



*Vibrant • Creative • Caring*

---

## PELHAM UTILITY SUSTAINABILITY ADVISORY COMMITTEE MINUTES

MEETING DATE: Tuesday, July 9<sup>th</sup>, 2019  
6:07 p.m.  
Meeting Room - MCC

---

1. Attendance:  
Bob Hildebrandt  
Jeffrey Fee  
Gordon Marasco  
Dave Cano

Staff:  
Vickie vanRavenswaay  
Teresa Quinlin  
Jason Marr  
Holly Willford  
David Cribbs  
Deanna Allen

Absent:

2. Call to Order and Declaration of Quorum

The Chair, Gordon Marasco, declared quorum and welcomed everyone to the meeting.

3. Approval of the Agenda

Motion to amend the agenda, that item 7 is discussed hereafter item 5.

Mover: Jeffrey Fee

Seconder: Dave Cano

**THAT the Agenda for the July 9<sup>th</sup>, 2019 Pelham Utility Sustainability Advisory be amended for item 7 to be discussed hereafter item 5.**

CARRIED

**Motion that the amended agenda for the July 9<sup>th</sup>, 2019 Pelham Utility Sustainability Advisory be approved**

Mover: Dave Cano

Second: Jeffrey Fee

CARRIED

4. Approval of July 2, 2019 Minutes

**THAT the Minutes for the July 2<sup>nd</sup>, 2019 Pelham Utility Sustainability Advisory Committee meeting be approved.**

Motion: Dave Cano

Second: Jeffrey Fee

CARRIED

5. Disclosure of Pecuniary Interest and General Nature Thereof

Gordon has disclosed a relationship with ES Fox Limited – the relationship concerns his son-in-law, and that the son-in-law is affiliated with the company

No other members have pecuniary interest

6. Resolution to Move In Camera

Section 239(2)(e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality

Mover: Jeffrey Fee

Second: Dave Cano

CARRIED

7. Rise from In Camera

**THAT Committee adjourn the In Camera Session and that Committee do now**

**Rise:**

**X With No Report**

Mover: Jeffrey Fee

Seconder: Dave Cano

CARRIED

**8. New Business**

**8.1. Review Utility Tracking Sheet from 2017-2019**

Deanna to amend the natural gas section on the utility tracking sheet

**8.2. Discussion of Air and Ice Temperatures**

Gordon to leave room at 6:52pm due to pecuniary interest. Councillor discussed the possibility of working with ES Fox to determine whether the MCC is running a positive or negative pressure.

It has been requested for James Allen, the Facilities Supervisor, to attend the next meeting, on Tuesday July 23<sup>rd</sup> 2019

**8.3. Discussion of LED Lighting**

The fixtures in the MCC building were discussed.

Jason mentioned the LED Conversion program for transitioning streetlights. Jason will follow with up with the Town of Fort Erie to obtain more information about their streetlight program. Deanna will do the same with the City of Barrie.

**8.4. Discussion of Staff Responsibility for Reducing Energy Consumption**

Vickie states the MCC has automatic lights, main corridors shut off during the day. The heating and cooling is also shut off during evening hours and turned on 2 hours before office hours

Jason to suggest Deanna create a line graph from the utility tracking sheet for the MCC for 2018-2019, as it is easier to read data.

The Town has received \$66,831 in rebate from the MCC as a result of further investigating the bill consumption.

#### 8.5. Discussion of Transformer, MCC and Cable Oversizing and Drawings

Discussion of the one-line diagram for the MCC. It is clearly not understood why the design build is not broken down any further.

Vickie to ask Ball Construction for a break down for the drawings of the MCC.

#### 8.6. Discussion of Emergency Generator and Circuit

Discussion of the emergency generator, and the need for refrigeration equipment to be on the generator prior to lighting. Resources to rent emergency generator were also discussed.

Motion to cancel next Tuesday's meeting and Motion defer section 8.7-8.8 to next meeting (July 23<sup>rd</sup> 2019)

Mover: Gordon Marasco

Seconder: Jeffrey Fee

CARRIED

#### 8.7. Discussion of LAS Commodities Programs

#### 8.8. Introduction of CDM Plan and Checklist

### 9. Adjournment

Time Adjourned: 7:57 pm

Moved by: Jeffrey Fee

Seconded by: Dave Cano

**THAT the meeting of the Pelham Utility Sustainability Advisory Committee on Tuesday, July 9<sup>th</sup> 2019 is now adjourned.**

Next meeting: Tuesday July 23<sup>rd</sup> 2019

MINUTES – JULY 2 2019

CARRIED.

---

Chair  
Gordon Marasco

---

Secretary  
Deanna Allen



---

## PELHAM UTILITY SUSTAINABILITY ADVISORY COMMITTEE MINUTES

MEETING DATE: Wednesday, July 31<sup>st</sup>, 2019  
6:01 p.m.  
Meeting Room - MCC

---

1. Attendance:

Bob Hildebrandt  
Jeffrey Fee  
Gordon Marasco  
Dave Cano

Staff:

James Allen  
Jason Marr  
Deanna Allen

Absent:

Teresa Quinlin  
Vickie vanRavenswaay

2. Call to Order and Declaration of Quorum

The Chair, Gordon Marasco, declared quorum and welcomed everyone to the meeting.

3. Approval of Agenda

Motion to amend the Agenda for July 31<sup>st</sup> 2019 Pelham Utility Sustainability Advisory Committee meeting, by adding Item 6.13 "Discussion on the presentation of USC to Council" to the existing Agenda.

Mover: Gordon Marasco

Seconder: Dave Cano

**THAT the Agenda for the July 31<sup>st</sup>, 2019 Pelham Utility Sustainability Advisory Committee meeting be amended by adding Item 6.13 hereafter Item 6.12.**

CARRIED

Motion to accept the newly amended agenda for the July 31<sup>st</sup>, 2019 Pelham Utility Sustainability Advisory Committee meeting

Mover: Gordon Marasco

Seconder: Jeffrey Fee

**THAT the amended Agenda for the July 31<sup>st</sup> 2019 Pelham Utility Sustainability Advisory Committee meeting be approved**

CARRIED

4. Approval of July 9, 2019 Minutes

Motion to defer Item 4 Approval of July 9, 2019 Minutes to the next Pelham Utility Sustainability Advisory Committee meeting on Tuesday August 13<sup>th</sup> 2019.

Mover: Dave Cano

Seconder: Jeffrey Fee

**THAT the Approval of Minutes for the July 9<sup>th</sup> 2019 Pelham Utility Sustainability Advisory Committee meeting be deferred to the next meeting on Tuesday August 13<sup>th</sup> 2019.**

CARRIED

5. Disclosure of Pecuniary Interest and General Nature Thereof

No disclosure of pecuniary interest to declare

6. New Business

6.1 Review the responsibilities and capabilities of the Utility Sustainability Advisory Committee

Gord suggested that the line in the Pelham's Utility Sustainability Advisory Committee Terms of Reference, which states "each member of the committee shall have a voting right" be amended to "each of the residential committee members shall have a voting right"

Mover: Dave Cano

Seconder: Jeffrey Fee

**THAT the Terms of Reference for the Pelham Utility Sustainability Advisory Committee be amended and accepted as the existing document.**

CARRIED

Deanna to suggest that the committee should discuss the dates for USAC's next meeting and how often the meetings should occur. Gordon suggested to meet once a month, depending upon circumstances. Jeffrey suggested the second Tuesday of the month.

Motion to have the Pelham Utility Sustainability Advisory Committee monthly meetings on the second Tuesday of every month.

Mover: Gordon Marasco

Seconder: Jeffrey Fee

**THAT the monthly meetings for the Pelham Utility Sustainability Advisory Committee will take place every second Tuesday per month.**

CARRIED

#### 6.2 Discussion of Enbridge Gas Savings by Design Program and the USAC's involvement with their promotion video

Deanna to mention the SBD program and all USAC members are open to be involved in the promotional video, if necessary.

#### 6.3 Discussion of LAS Commodities Programs

Deanna to suggest reviewing commodity programs offered by LAS. Dave touched upon electricity and natural gas procurement programs.

Gordon to bring the Town budget to the next meeting and Deanna to bring yearly hydro bills for the MCC, Town Hall, Tice Road Municipal Operations Centre and Fire Stations #1, #2 & #3 for 2018

Motion to add Item 6.3 to the next Pelham Utility Sustainability Advisory Committee meeting on Tuesday August 13<sup>th</sup> 2019 for further discussion.

Mover: Gordon Marasco

Seconder: Dave Cano

CARRIED

**THAT Item 6.3 Discussion of LAS Commodities Programs will be added to the next meeting's agenda under "Unfinished Business" on Tuesday August 13<sup>th</sup> 2019.**

CARRIED

#### 6.4 Introduction of CDM Plan and Checklist

Deanna mentioned that she would like to have the USAC's input for the Town of Pelham's CDM plan. Dave suggests we need more background information about the Town before we are to develop an effective CDM plan.

Motion to add at Item 6.4 "Introduction of CDM Plan and Checklist" to the agenda for the next meeting on Tuesday August 13<sup>th</sup> 2019.

Mover: Gordon Marasco

Seconder: Jeffrey Fee

**THAT item 6.4 "Introduction of CDM Plan and Checklist" will be added to the next meeting's agenda under "Unfinished Business" on Tuesday August 13<sup>th</sup> 2019.**

CARRIED

#### 6.5 WTD Hydro MCC Usage

Dave to suggest if you have hourly information for a building you can fit it into a software that uses weather data information provided by Environment Canada. It will predict trends in weather and provide recommendations that will help you save costs on energy. Jeffrey to suggest focusing on specific weeks and find out where the spikes of energy are happening at the MCC.

Deanna to ask Mike G for month by month basis of the WTD for MCC Usage from May 2018 to the latest bill.

#### 6.6 Discussion on MCC transformer and consideration for phase balance inspection

Jeff wondering if Hydro One is willing to measure the phases and see if certain taps have to be changed.

James to find a report that measures the three phases on the secondary side voltages for the transformer 600v size, and to discuss at the next meeting.

Motion to add Item 6.6 "Discussion on MCC transformer and consideration for phase balance inspection" to the agenda for the next meeting on Tuesday August 13<sup>th</sup> 2019.

Mover: Jeffrey Fee

Seconder: Gordon Marasco

**THAT Item 6.6 “Discussion on MCC transformer and consideration for phase balance inspection” will be added to the next meeting’s agenda under “Unfinished Business” on Tuesday August 13<sup>th</sup> 2019.**

CARRIED

6.7 Discussion on the consideration of conducting a thermal imaging study at the MCC, on both the building envelope and transformers

Jeffrey suggests using thermal imaging on both the building envelope and transformers. He says it would be a thermal imaging scan of the building envelope and electrical distribution panels, with a report and pictures of thermal scans. He is unsure of the cost.

James will ask the Town Fire Chief if the Town’s firefighters have thermal imaging embedded in their equipment and if they don’t we may seek out a company that offers this service. The only concern is that firefighters won’t be permitted to open electrical boxes.

Motion to add Item 6.7 “Discussion on the consideration of conducting a thermal imaging study at the MCC, on both the building envelope and transformers” to the agenda for the next meeting on Tuesday August 13<sup>th</sup> 2019.

Mover: Gordon Marasco

Seconder: Jeffrey Fee

**THAT Item 6.7 “Discussion on the consideration of conducting a thermal imaging study at the MCC, on both the building envelope and transformers” will be added to the next meeting’s agenda under “Unfinished Business” on Tuesday August 13<sup>th</sup> 2019.**

CARRIED

6.8 Discussion on the commission of the MCC’s roof top units (RTU) and air handling units (AHU) (i.e. CO<sub>2</sub> sensors and type of controls)

Motion to defer item 6.8 to the next meeting on Tuesday August 13<sup>th</sup> 2019

Mover: Jeffrey Fee

Seconder: Dave Cano

---

**THAT Item 6.8 “Discussion on the commission of the MCC’s roof top units (RTU) and air handling units (AHU) (i.e. CO<sub>2</sub> sensors and type of controls)” will be added to the next meeting’s agenda under “Unfinished Business” on Tuesday August 13<sup>th</sup> 2019.**

6.9 Discussion of the CIMCO refrigeration service reports and CIMCO Automation Group (CAG) reports

Motion to defer item 6.9 to the next meeting on Tuesday August 13<sup>th</sup> 20196.9 to next meeting

Mover: Dave Cano

Second: Jeffrey Fee

**THAT Item 6.9 “Discussion of the CIMCO refrigeration service reports and CIMCO Automation Group (CAG) reports” will be added to the next meeting’s agenda under “Unfinished Business” on Tuesday August 13<sup>th</sup> 2019.**

6.10 Discussion on the opportunity to view both the MCC BAS information and the CIMCO controls information

Motion to defer item 6.10 to the next meeting on Tuesday August 13<sup>th</sup> 2019

Mover: Dave Cano

Second: Gordon Marasco

**THAT Item 6.10 “Discussion on the opportunity to view both the MCC BAS information and the CIMCO controls information” will be added to the next meeting’s agenda under “Unfinished Business” on Tuesday August 13<sup>th</sup> 2019.**

6.11 Discussion on the water treatment company required for the MCC’s cooling tower, along with their testing reports

Gord to inquire about water system at the MCC and James provided information on the former. James mentioned the MCC has a cooling tower on the roof and a condenser in a box. It is suggested for James to get a solid testing every month

Jeffrey to suggest that the Town should keep an eye on monthly water treatment reports.

James will acquire the required information.

6.12 Discussion on conducting a building energy audit at the MCC

Jeffrey suggested that there are companies that will do an energy audit on a building. Companies will give you an estimate at no charge, but they do cost. It is something that might have to be budgeted.

Jeffrey wonders if there was proper commissioning done on the MCC building. For example, we are unsure if the building is pulling a negative. It's that type of info that leads to energy consumption.

Dave to suggest that if the Town does have one of these companies perform a recommissioning study on a building they should also tackle all tasks simultaneously to ensure they're working individually as well as a system.

Motion to add Item 6.12 to the next Pelham Utility Sustainability Advisory Committee meeting on Tuesday August 13<sup>th</sup> 2019 for further discussion. Dave will come to the next meeting on with more information on recommissioning agents.

Mover: Gordon Marasco

Seconder: Jeffrey Fee

**THAT Item 6.12 "Discussion on conducting a building energy audit at the MCC" will be added to the next meeting's agenda under "Unfinished Business" on Tuesday August 13<sup>th</sup> 2019.**

CARRIED

#### 6.13 Discussion on the presentation of USC to Council

The presentation to Town Council in August 12<sup>th</sup> was discussed. Gord would like to introduce everyone on the committee, report the number of meetings we've already had and also the savings so far with HO.

#### 7. Adjournment

Time Adjourned: 7:51pm

Moved by: Gord

Seconded by: Dave

**THAT the meeting of Pelham Utility Sustainability Advisory Committee on Wednesday July 31<sup>st</sup> is now adjourned**

CARRIED



*Vibrant • Creative • Caring*

---

Next meeting: Tuesday August 13<sup>th</sup> 2019

CARRIED

---

Chair  
Gordon Marasco

---

Secretary  
Deanna Allen



---

## PELHAM UTILITY SUSTAINABILITY ADVISORY COMMITTEE MINUTES

MEETING DATE: Tuesday, August 13th, 2019  
6:05 p.m.  
Meeting Room - MCC

---

1. Attendance:

Bob Hildebrandt  
Jeffrey Fee  
Gordon Marasco  
Dave Cano

Staff:

Vickie vanRavenswaay  
Deanna Allen

Absent:

Jason Marr  
Teresa Quinlin

2. Call to Order and Declaration of Quorum

The Chair, Gordon Marasco, declared quorum and welcomed everyone to the meeting.

3. Approval of Agenda

Motion that the agenda for the August 13<sup>th</sup>, 2019 Pelham Utility Sustainability Advisory Committee be approved

Mover: Jeffrey Fee

Seconder: Dave Cano

**THAT the Agenda for the August 13<sup>th</sup> 2019 Pelham Utility Sustainability Advisory Committee be approved**

CARRIED

4. Adoption of Minutes

4.1 July 9<sup>th</sup>, 2019 Minutes

**THAT the Minutes for the July 9<sup>th</sup>, 2019 Pelham Utility Sustainability Advisory Committee meeting be approved**

Mover: Dave Cano

Seconder: Jeffrey Fee

CARRIED

**THAT the In-Camera session Minutes for the July 9<sup>th</sup> 2019, Pelham Utility Sustainability Advisory Committee meeting be approved**

Mover: Dave Cano

Seconder: Jeffrey Fee

CARRIED

#### 4.2 July 31<sup>st</sup>, 2019 Minutes

**THAT the Minutes for the July 31<sup>st</sup>, 2019 Pelham Utility Sustainability Advisory Committee meeting be approved**

Mover: Jeffrey Fee

Seconder: Dave Cano

CARRIED

#### 5. Disclosure of Pecuniary Interest and General Nature Thereof

No disclosure of pecuniary interest to declare.

#### 6. Unfinished Business

##### 6.1 Discussion of LAS Commodities Programs, Town Budget and Hydro Bills for MCC, Town Hall, Tice Road Municipal Operations Centre and Fire Station #1, #2 & #3

Dave suggests comparing commodity prices with NPEI, HO and LAS. Vickie recommends that the committee should investigate, acquire the particular information, and then bring it to Council once they have a better idea. Gord recommends reviewing this item in October.

The Town budget for the MCC 2019 hydro rates is approximately \$542,140. Based on the work that has already been accomplished, the Town's annual savings are \$170,000. On top of that the \$68,000 rebate. Next year's budget will be substantially reduced, due to the savings.

The hot water flooding process for the MCC arenas were discussed. It pays to have an efficient way of developing hot water.

Deanna mentioned that the Town was conducting an energy audit on the Library, Town Hall, MSSP, Harold Black Park and Centennial Park. Deanna will follow up with the study once it is complete.

## 6.2 Discussion of CDM Plan and Checklist

Dave described the purpose of the CDM plan. Dave suggests we need to understand the goals and objectives in the previous plan in order to amend the existing one. We have to look at the baseline for 2014 and if we change anything, we have to explain why.

The energy audit for the buildings will need to be reported for the CDM plan. Gord suggests we need to set up a separate file for all of the conservation measures. Dave suggests we need to decide what the goal will be for the next 5-year period. Within the next few meetings we should put this in the category so we can update and report the work that we've made. Deanna recommends using an online google drive.

Add to Gord's report to Council that we are now documenting items for the CDM plan

## 6.3 WTD Hydro MCC Usage

The USAC will continue to monitor the Hydro MCC Usage. Jeffrey suggests getting the timeline adjusted once HO's website is up and running.

## 6.4 Discussion on MCC transformer and consideration for phase balance inspection

Vickie suggested we'll need to have the transformer inspected and maintained.

## 6.5 Discussion on the consideration of conducting thermal imaging study at the MCC, on both the building envelope and transformers

Dave mentioned that Natural Resources Canada (NRCAN) has announced a funding program where the Town may be eligible to perform energy assessments on their buildings. The study can give up to \$40,000 to complete an assessment of a building, and will cover up to 75% of a total cost of the study. Dave suggests a recommissioning assessment of the facilities that tackle energy conservation measures, electrical panels, etc. The deadline is mid-September so it needs to be submitted sooner rather than later.

NRCAN also will have \$4million for retrofits for existing buildings for schools and next year it will be open to municipalities, universities and colleges.

Vickie suggests bringing this grant forward to Council and hoping that the Town will support paying the difference.

This study covers all topics concerning Item 6.5-6.9

6.6 Discussion on the commission of the MCC's roof top units (RTU) and air handling units (AHU) (i.e. CO2 sensors and type of controls)

See Item 6.5

6.7 Discussion of the CIMCO refrigeration service reports and CIMCO Automation Group (CAG) reports

See Item 6.5

6.8 Discussion on the opportunity to view both the MCC BAS information and the CIMCO controls information

See Item 6.5

6.9 Discussion on conducting a building energy audit at the MCC

See Item 6.5

## 7. New Business

7.1 Discussion on the industrial wind turbines (IWT) and the concern from Pelham residents

Gord suggests IWT's are beyond the scope of this committee.

## 8. Adjournment

Time Adjourned: 7:55pm

Mover: Dave Cano

Seconder: Jeffrey Fee

THAT the meeting of the Pelham Utility Sustainability Advisory Committee August 13<sup>th</sup> is now adjourned

Mover: Dave

Seconder: Gord

CARRIED

**Other Information**

**Deanna to follow up with Sylvia to see if the next meeting can be held at Fire Station #1.**

**Subject:** Investing in Canada Infrastructure Program:  
Community, Culture and Recreation Stream

**Recommendation:**

**BE IT RESOLVED THAT Council receive Report # 2019-0099-Corporate Services ; and Council approve the list of capital projects for the grant submission of the ICIP: Community, Culture and Recreation Stream.**

**Background:**

The Investing in Canada Infrastructure Program (ICIP) is a federal program designed to create long-term economic growth, build inclusive, sustainable and resilient communities and support a low-carbon economy. The federal government is providing \$1.8 billion dollars in federal infrastructure funding to cost-share projects under four streams: •Public transit •Green infrastructure •Community, culture and recreation •Rural and northern communities.

**Analysis:**

The Town has reviewed the 10-year capital forecast and has identified capital projects that are eligible for this grant. The Town's share of the cost will be 26.67%. This is an opportunity to address the cultural and recreational needs of the Town until 2028. This will also relieve a financial burden relating to the capital pressures on the Town by optimizing this grant.

**Financial Considerations:**

The cost to the Town will be 26.67% of the total capital cost. Therefore the Town will benefit from the Federal and Provincial grants equaling 73.33%.

**Strategic Plan Relationship: Build Strong Communities and Cultural Assets**

Funding, if approved, will allow the Town to upgrade and review its infrastructure for less money, in a shorter time frame. This infrastructure will support population health and quality of life.

**Consultation:**

The Senior Leadership Team has reviewed the recommended capital project list.

**Other Pertinent Reports/Attachments:**

Attachment: 17-TOP ICIP September 2019

**Prepared and Recommended by:**

Teresa Quinlin, MBA, CPA, CA  
Director of Corporate Services/Treasurer

**Prepared and Submitted by:**

David Cribbs, BA, MA, JD, MPA  
Chief Administrative Officer

## **The Opportunity:**

### **Investing in Canada Infrastructure Program: Community, Culture and Recreation Stream**

#### **Overview of ICIP:**

The Investing in Canada Infrastructure Program (ICIP) is a federal program designed to create long-term economic growth, build inclusive, sustainable and resilient communities and support a low-carbon economy. The federal government is providing \$1.8 billion dollars in federal infrastructure funding to cost-share projects under four streams:

- Public transit
- Green infrastructure
- Community, culture and recreation
- Rural and northern communities

The Province of Ontario is a cost sharing partner in these programs. Approximately \$407 million in federal funding and \$320 million in provincial funding is available for the Community, Culture and Recreation stream over 10 years.

Cost Charing Partners	Percentage
Federal Contribution	40.00
Provincial Contribution	33.33
Municipal Contribution	26.67

#### **Objective of Community, Culture and Recreation Stream:**

Support projects that improve access to and/or quality of community, cultural and recreation priority infrastructure projects. Priority is given to projects that are community-oriented, non-commercial and open to the public. Projects must be completed prior to 2027-28.

Projects must include a capital component. Eligible asset types include a) recreational facilities (arenas, multipurpose recreational centres, playing fields), b) cultural facilities (theatres, libraries, museums, performing arts centre, cultural centres), and c) community centres (multi-purpose spaces that bring together a variety of different services)

The intake includes two categories of funding:

- Multi-purpose category – Individual project cap of \$50 million, focused on new builds, larger scale renovation and expansion of existing facilities
- Rehabilitation and renovation category – individual project cap of \$5 million, focused on renovation and rehabilitation to address functionality and use of existing facilities, small



scale improvements to address accessibility (handrails, ramps, elevators, signage), small new build/construction projects of recreation, cultural or community centre infrastructure (playing fields, etc.)

Applications are due November 12, 2019 and must be approved by the Province of Ontario before they will be considered by the federal government.

### **Town of Pelham's Proposal:**

Two projects are suitable for the "rehabilitation and renovation" category of funding.

#### **Application #1: Recreation Improvements**

Recreation Improvements	Total Cost
Construction of two splash pads (Centennial Park and Marlene Stewart Streit Park)	\$700,000
Pool improvements & park upgrades to sports fields	\$3,750,000
Expand parking at MMC, including addition of more designated spots	\$500,000
Purchase of gym floor covering MCC	\$ 35,000
Installation of auxiliary generator MCC	\$400,000
Installation of illuminated sign MCC	\$200,00
Fencing MMC	\$ 40,000
Construction of public restrooms, event facility Town Hall/Peace Park	\$650,000

#### **Application #2: Library Improvements**

Library Improvements	Total Cost
Installation of elevator to address accessibility issues	\$500,000
Installation of new doors to address accessibility issues	\$5,000
Other upgrades	\$300,000

The projects listed above are included in the 10-year capital plan. Staff requires Council's approval to move forward to the next step of preparing the Grant Proposal which is due on November 12, 2019.

THE CORPORATION OF THE  
TOWN OF PELHAM

BY-LAW NO. 4161 (2019)

**Being a by-law to authorize the execution of a site plan agreement for the lands located at 1 Highway 20 West (Regional Road 20).**

**1806183 Ontario Inc.  
File No. SP-05-19**

---

**WHEREAS** By-law No. 1118 (1987) designates the Town of Pelham as a site plan control area, and

**WHEREAS** it is deemed desirable to enter into a Site Plan Agreement in order to control the lands as described in Schedule 'A' of the Document General which is attached hereto and forms part of this by-law;

**NOW THEREFORE** the Municipal Council of the Town of Pelham hereby enacts as follows:

1. **THAT** the Mayor and Clerk be and they are hereby authorized and directed to execute the Document General annexed to this by-law hereto attached as Schedule 'A' in order to effect the Site Plan Agreement with 1806183 Ontario Inc. for the lands described in Schedule 'A' of the Document General.
2. **THAT** in the event minor modifications to the Site Plan Agreement are necessary to effect the intent herein, the Clerk of the Town of Pelham is hereby authorized to complete same in consultation with the Town Solicitor.

ENACTED, SIGNED and SEALED this  
7<sup>th</sup> Day of October, 2019.

---

Mayor: Marvin Junkin

---

Clerk: Nancy J. Bozzato

**Site Plan Agreement  
1806163 Ontario Inc.  
1 Highway 20 West (Regional Road 20)**

**Table of Contents**

<u>Title</u>	<u>Page #</u>
1. Definitions.....	3
2. General Provisions.....	4
3. Design & Supervision of Construction of Services.....	6
4. Grading.....	7
5. Sanitary Sewer System.....	8
6. Water Supply .....	8
7. Storm Sewer System.....	8
8. Roads & Access .....	9
9. Landscaping & Trees .....	9
10. Waste Collection .....	9
11. Easements / Rights-of-Way / Land Transfers .....	9
12. Photometry .....	10
13. Parking, Curbing, Driveways, Sidewalks & Boulevards.....	10
14. Building & Services.....	10
15. Administrative & Consulting Costs .....	10
16. Deposit for Facilities and Works .....	11
17. Default .....	12
18. Covenants .....	12
19. Registration .....	13
20. Obligation.....	13
21. Building Permit.....	13
22. Plans.....	13
23. Notices .....	13
24. Schedules .....	14
25. Binding Effect .....	14
 Schedule A      Legal Description.....	 15
Schedule B      Cost Estimates, Security Deposits & Cash Payments.....	16
Schedule C      Site & Landscape Plan.....	17
Schedule D      Site Servicing & Grading Plan.....	18
Schedule E      Elevation Plans.....	19

THIS AGREEMENT made this 7<sup>th</sup> day of October, 2019.

BETWEEN:

**1806163 ONTARIO INC.**

Hereinafter called the "Owner"

OF THE FIRST PART

- and -

**THE CORPORATION OF THE TOWN OF PELHAM**

Hereinafter called the "Town"

OF THE SECOND PART

**WHEREAS** the Owner represents and warrants that it is the owner of the lands in the Town of Pelham described in Schedule 'A' attached hereto (the "Lands");

**AND WHEREAS** the Owner has assumed and agreed to be bound by the terms and conditions of the Site Plan Agreement;

**AND WHEREAS** the Owner is looking forward to develop the parcel to a residential use in accordance with Schedule 'C-G' attached hereto, being a Site Plan filed in the Town's offices;

**AND WHEREAS** the Town has agreed to permit the said construction subject to certain terms and conditions;

**NOW THEREFORE THIS AGREEMENT WITNESSETH** that in consideration of the sum of One Dollar (\$1.00) now paid by the Owner to the Town (the receipt whereof is hereby acknowledged), the Parties hereto mutually covenant and agree as follows:

**1. Definitions**

In this Agreement:

- (a) **Chief Building Official** shall mean the Chief Building Official of the Corporation of the Town of Pelham.
- (b) **Clerk** shall mean the Clerk of the Corporation of the Town of Pelham.
- (c) **Council** shall mean the Council of the Corporation of the Town of Pelham.
- (d) **Director of Community Planning & Development** shall mean the Director of Community Planning & Development of the Corporation of the Town of Pelham.
- (e) **Director of Corporate Services** shall mean the Director of Corporate Services of the Corporation of the Town of Pelham.
- (f) **Director of Public Works** shall mean the Director of Public Works of the Corporation of the Town of Pelham.

- (g) **Facilities and Works** shall mean and includes those facilities and works which are shown on or referred to in any one or more of the plans, drawings and schedules to this Agreement.
- (h) **Lands** shall mean the lands described in Schedule 'A' attached hereto.
- (i) **Professional Engineer** shall mean a Professional Engineer registered in good standing with the Association of Professional Engineers.
- (j) **Surveyor** shall mean an Ontario Land Surveyor registered in good standing with the Association of Ontario Land Surveyors.

## 2. General Provisions

- (a) The Owner shall develop and maintain the Lands only in accordance with the terms and conditions contained herein and any other applicable by-law of the Town.
- (b) The Owner shall obtain a certificate from an Ontario Land Surveyor stating that all existing and new survey evidence is in place at the development's completion.
- (c) Unless the context otherwise requires, where the Owner is obligated by this Agreement or the approved plans to make any payments or install, construct, or carry out any services or action, the provisions therefore contained herein shall be deemed to include the words, "at the sole expense of the Owner".
- (d) The Owner shall perform any and all construction and installation of works on the Lands and any off-site works in accordance with the terms and conditions contained herein and as shown on Schedule 'C-E' attached hereto and forming part of this Agreement to the reasonable satisfaction of the Town.
- (e) The Owner shall not perform any construction or installation on the Lands except in accordance with the terms and conditions contained herein and shown on said Schedule 'C-E' attached hereto and forming part of this Agreement and to the reasonable satisfaction of the Town.
- (f) The Owner shall obtain the required Regional Road Permits prior to any construction works taking place within the Regional road allowance.
- (g) The Owner shall maintain and keep in good repair driveways and access servicing the buildings located in the development.
  - i. The Owner shall ensure the perpetual maintenance of the private parking area, including the reserved parking stalls on Town property (Part 6 on RP 59R-16424) and all pedestrian walkways throughout the site including but not limited to snow clearing. Snow stockpiling must remain within the subject lands / private property and at no time be allowed to stockpile across Park Lane, except as needed for the clearing of Part 6 on RP 59R-16424.
- (h) The Owner shall keep all construction access routes open and ensure that

adequate dust control, mud tracking and debris control measures are carried out during the site's development.

- (i) During construction, the Owner shall ensure all construction related vehicles that are not carrying out the works are parked on the subject lands and are not parked within the municipal road allowance or Park Lane.
- (j) All delivery / construction trucks taking materials from the subject lands included within this Agreement shall be adequately covered and not unreasonably loaded so as to scatter refuse, rubbish, dust or debris on neighbouring properties or public roadways.
- (k) The Owner shall ensure that a licensed archaeologist is present on site during excavation activities and that should deeply buried archaeological remains / resources be found on the property during construction activities, all activities impacting archaeological resources must cease immediately, notify the Archaeology Programs Unit of the Ontario Ministry of Tourism, Culture & Sport (416-212-8886) and the Owner's archaeology consultant is required to carry out an archaeological assessment in accordance with the *Ontario Heritage Act* and the *Standards and Guidelines for Consultant Archaeologists*.

In the event that human remains are encountered during construction, all activities must cease immediately and the local Police as well as the Cemeteries Regulation Unit of the Ministry of Government & Consumer Services (416-326-8800) must be contacted. In situations where human remains are associated with archaeological resources, MTCS should also be notified to ensure that the site is not subject to unlicensed alterations which would be in contravention of the *Ontario Heritage Act*.

- (l) The Owner grants to the Town, its servants, agents, and assigns permission to enter upon the Lands for the purpose of inspection of any Facilities and Works referred to in this Agreement and for the purpose of the completion of any Facilities and Works in accordance with this Clause and this Agreement.
- (m) The Owner will, at all times, indemnify and save harmless the Town from all loss, costs, damages and injuries which the Town may suffer or be put to for or by reason of the construction, maintenance, or existence of any Facilities and Works done by the Owner, its contractors, servants or agents on the Lands or which the Town may suffer or be put to for, or by reason of the completion by the Town of any of the required Facilities and Works in accordance with this clause and this Agreement.
- (n) The Owner shall not call into question directly or indirectly in any proceeding whatsoever in law or in equity or before any administrative tribunal the right of the Town to enter into this Agreement and to enforce each and every term, covenant, and condition herein contained and this Agreement may be pleaded as an estoppel against the Owner in any such proceeding.
- (o) In the event that a Mortgagee(s) exercises any rights as to sale, possession or foreclosure or takes any other steps to enforce its security against the subject lands, then such Mortgagee(s) agrees on behalf of itself, its heirs, executors, administrators, successors and assigns not to deal with the lands

as a development or part thereof unless and until a new Agreement in the same form, mutatis mutandis, as this Agreement has been entered into with the Town.

- (p) Any lands required to be conveyed by the Owner in accordance with the provisions hereof shall be in a neat and tidy condition, free of all debris and trash, and the Owner shall complete all services for the lands in accordance with the terms of this Agreement.
- (q) Notwithstanding the provisions of this Agreement, the Owner shall be subject to all of the Town's By-laws and all Provincial and Federal government statutes and / or regulations and amendments thereto affecting the site's development and installation of municipal services.

### **3. Design & Supervision of Construction of Services**

- (a) The Owner shall employ, at its cost, a competent and qualified Professional Engineer consultant approved by the Director of Public Works to:
  - i. Carry out all soil investigations required by the Director of Public Works;
  - ii. Design all of the works required to be completed in this Agreement;
  - iii. Provide the Director of Public Works with an estimate of the costs of design, construction and maintenance of all works to be constructed under this Agreement to be used as the basis for determining the amount of security to be posted by the Developer prior to execution of this Agreement to guarantee the construction and maintenance of all works required under this Agreement;
  - iv. Prepare engineering drawings that include plans, profiles and specifications for the works and to submit detailed plans, profiles and specifications to the Director of Public Works for approval prior to the installation or construction of such works;
  - v. Submit to the Director of Public Works the detailed plans for signing and also provide two (2) sets of full-sized, signed hard copies and two (2) sets of signed hard copies reduced to A3 (or 11"x17") size;
  - vi. Obtain, in conjunction with the Town, all of the necessary approvals prior to installation or construction of the works;
  - vii. Call tenders for the installation and construction of the works;
  - viii. Obtain the approval from the Director of Public Works of the contractor employed to install or construct the works;
  - ix. Provide full-time resident supervision, inspection and contract administration of all works within the municipal road allowance covered by this Agreement; or in the event that full-time inspection cannot or is not provided, the Town will provide inspection services at a per diem rate of \$1100.00 per day;
  - x. Provide the Director of Public Works, or designate, 48 hours of notice prior to commencing construction on the works. Failure to do so will result in a Stop Work Order being placed on the lands;
  - xi. Have a pre-construction meeting with the Director of Public Works, or designate, prior to commencing construction on the works. Failure to do so will result in a Stop Work Order being placed on the lands;
  - xii. Maintain all of the records of the installation or construction of the works and submit a copy of the same to the Director of Public Works;

- xiii. Obtain from the Director of Public Works, the details regarding the form and scale of these drawings prior to their presentation;
  - xiv. Provide the Director of Public Works with individual record sheets illustrating location & depths for all sanitary sewer, storm sewer and water services;
  - xv. Provide building levels for construction purposes as hereinafter provided;
  - xvi. Furnish the Director of Public Works with the preliminary lot grading certificate for the subject lands; and
  - xvii. Provide the Town with the final lot grading certificate.
- (b) The Owner shall not install works prior to a receipt in writing from the Director of Public Works of the detailed plans and specifications therefor.
- (c) All of the works to be installed or constructed under this Agreement shall be installed or constructed under the direct supervision of the Owner's consulting Professional Engineer.
- (d) The Owner shall not close / restrict any public roadway prior to receipt in writing from the Director of Public Works for such activity. In the event that construction works require lane restrictions and / or full closures, a minimum of 48 hours of notice must be given to the Director of Public Works. In addition, the Owner must submit a traffic management plan and is responsible for notification of all affected emergency and non-emergency agencies.

#### **4. Grading**

- (a) The Owner shall have prepared by an Ontario Land Surveyor or Professional Engineer, a detailed site drainage plan for the site, said Plan to clearly indicate the existing drainage pattern on all adjacent Lands originally flowing through, into, or over the area of the site, to the street storm sewer system or other outlet approved by the Director of Public Works. This Plan, attached hereto as Schedule 'D', shall be approved by the Director of Public Works prior to the execution of this Agreement. Minor changes to the Plan may be permitted subject to the approval of the Director of Public Works.
- (b) The Owner shall submit, upon completion of Facilities and Works, a certificate signed by an Ontario Land Surveyor or Professional Engineer which indicates that the grades as stipulated on Schedule 'D' to this Agreement have been complied with.
- (c) Unless otherwise approved or required by the Town, the Owner shall not alter the grades of the said Lands until such time as a Building Permit is issued for the construction of the buildings contemplated herein on the said Lands.
- (d) The Owner shall provide his Design Engineer's verification that all grading, drainage, and servicing provisions have been installed in conformance with the approved Site Servicing & Grading Plan, prepared by Upper Canada Consultants, dated 2019-08-20, attached hereto as Schedules 'D'. The Owner shall provide a copy of the Design Engineer's verification to the Town.



## 5. Sanitary Sewer System

- (a) All sanitary sewer system works required to service the development must be completed prior to the construction of any buildings.
- (b) The Owner shall, at its own expense, forever maintain all necessary sanitary sewer connections necessary to serve the development; and, without limiting the generality of the foregoing, no storm, surface or roof water or weeping tiles shall be discharged into the sanitary sewer system.
- (c) Domestic waste water from the proposed building(s) shall be discharged into the sanitary sewer system through a drain connection via the sanitary sewer lateral shown on the Site Servicing Plan (Schedule 'D').
- (d) The sanitary sewer system must comply with the Region's Sewer Use By-law #27-2014.

## 6. Water Supply

- (a) The Owner shall, at its own expense, forever maintain all necessary connections and all internal water supply services necessary to serve the development.
  - i. If it is determined at *building permit* stage that sprinklering of the building is required, then a separate 150 mm Ø metre pit (Nepture High Performance Protectus III Fire Service Metre with RF remote radio installed at property line) is required in conjunction with the 150 mm Ø fire line water service in accordance with Town Engineering Standards.
- (b) The operation of valves which cause the internal water supply service to be charged from existing municipal water mains shall **ONLY** be carried out by Town Staff certified in accordance with Ontario Regulation 128/04.
- (c) The Owner shall comply with the provisions of the *Ontario Water Resources Act and Safe Drinking Water Act* and amendments thereto and all regulations thereunder, on all internal water supply services, which said Act and regulations shall be enforced by the Town.

## 7. Storm Sewer System

- (a) The Owner shall undertake the installation, repair, and perpetual maintenance of the private storm water system as identified in the Site Servicing & Grading Plan, prepared by Upper Canada Consultants, dated 2019-08-20, attached hereto as Schedule 'D', and approved by the Director of Public Works.
- (b) The Owner shall ensure that all storm water runoff, including runoff from roof leaders, is contained on-site and discharged in accordance with Schedule 'D'.
- (c) The storm sewer system must comply with the Region's Sewer Use By-law #27-2014.

## **8. Roads & Access**

- (a) The Owner shall, at its own expense, prior to construction taking place within Town property (Park Lane), obtain a Temporary Works Permit from the Public Works Department.
- (b) The Owner shall, at its own expense, restore any asphalt, curb cuts and trench excavations within the roadway / public property as per Town or Regional standards, as applicable. All road restorations shall take place no later than two (2) weeks after completion of the installation. No temporary measures will be permitted.
- (c) The Owner shall locate all private signs within the Owner's Lands on private property.
- (d) The following clause shall be included in all *Agreements of Purchase and Sale* or *Standard Ontario Residential* (or commercial) *Lease Agreements*:
  - i. *"Purchasers / tenants are advised that sight lines exiting Park Lane may be restricted due to the existing on-street parking located on the north side of Highway 20 West.";* and that
  - ii. *"Purchasers / tenants are advised that access to or from 1 Highway 20 West may be restricted due to reduced traffic service levels at the signalized intersection of Highway 20 and Pelham Street."*

## **9. Landscaping & Trees**

- (a) The Owner shall, at its own expense, adequately landscape, plant and maintain all of the Lands not required for buildings, parking or roads in accordance with the approved Site & Landscape Plan prepared by Upper Canada Consultants, dated 2019-07-31, attached hereto as Schedule 'C'. This also includes the Deciduous Tree Planting Detail identified on Schedule 'D'. Minor changes to the Plan may be permitted subject to the approval of the Director of Community Planning & Development.
- (b) The Owner agrees to install appropriate sediment and erosion control fencing prior to the commencement of construction and maintain it in good condition until all construction is complete and all areas are revegetated.

## **10. Waste Collection**

- (e) The Owner shall at all times provide adequate collection and disposal of garbage, recyclables and sanitary refuse.

## **11. Easements / Rights-of-Way / Land Transfers**

- (a) The Owner shall, in words satisfactory to Bell Canada, grant to Bell Canada any easements that may be required, which may include a blanket easement for communications / telecommunications infrastructure. In the event of any conflict with existing Bell Canada facilities or easements, the Owner shall be responsible for the relocation of such facilities or easements.
- (b) In the event any easements are required by Enbridge Gas to service the development, the Owner shall provide these to Enbridge Gas Distribution at

no cost.

- (c) The Owner shall dedicate Part 2 on RP 59R-16424 to the Town of Pelham, free and clear of any encumbrances, save and except for existing utility easements, for public purposes and to help establish Park Lane.
- (d) The Town shall dedicate Part 5 on RP 59R-16424 to the Owner, to merge with the subject land, for parking purposes, in accordance with this Site Plan Agreement.
- (e) The Town shall convey Part 6 on RP 59R-16424 as a perpetual lease for parking purposes to the benefit of the Owner. The lease conveyance may be reassigned by the benefitting property Owner of the subject lands to a successive Owner.

## **12. Photometry**

- (a) The Owner shall ensure that any lighting facility used to illuminate any building or parking area shall be designed and installed so as to deflect from adjacent buildings and streets.

## **13. Parking, Curbing, Driveways, Sidewalks & Boulevards**

- (a) The Owner shall, at its own expense, provide and at all times maintain on the said Lands, paved parking, laneways and driveway areas acceptable to the Town. This shall also include Part 6 on RP 59R-16424.
- (b) The Owner shall, at its own expense, install the parking stalls located on Town property (Part 6) using asphalt pavement, associated concrete curbs and relevant signage, to the satisfaction of the Director of Public Works.
- (c) The Owner shall perpetually maintain all pavement markings for all parking stall / accessible stall markings (including those of Part 6 on RP 59R-16424).
- (d) The Owner shall, at its own expense, reinstate the Regional boulevard as per Schedule 'D', this includes the extension of brick pavers and concrete curbing, to the satisfaction of the Niagara Region.

## **14. Building & Services**

- (a) The Owner shall construct and the Town shall permit the construction of the buildings and other structures on the Lands in accordance with the Schedules attached hereto to permit the development provided that all such uses shall comply with all building and zoning requirements of the Town.

## **15. Administrative & Consulting Costs**

The Owner shall pay the Town's reasonable costs, **\$2,700** (Two-thousand, seven hundred dollars) in connection with this Agreement for preparation, processing, administration and supervision including, but not limited to, all administrative, legal, inspection and consulting expenses.

## 16. Deposit for Facilities and Works

- (a) At the time of execution of this Agreement, the Owner shall pay to the Town a deposit to guarantee its compliance with this Agreement in an amount equal to:
- i. 20 % of the estimated cost of completing the on-site Facilities and Works; and
  - ii. 100% of the estimated cost of completing the off-site works.

The parties have calculated that the estimated cost for completion to be **\$70,067** (Seventy Thousand, & Sixty-seven dollars), including taxes as set out in Schedule 'B' attached hereto and forming part of this Agreement. Therefore, security in the amount of **\$32,242** (Thirty-two Thousand, Two-hundred & Forty-two dollars) shall be provided to the Town.

- (b) The deposit shall be paid to the Town in cash or in the form of an irrevocable letter of credit from a chartered bank or from a recognized lending institution, subject to the approval of the Director of Corporate Services and shall be held as security to ensure the completion of the Facilities and Works until such time as the Town permits its release as ordered herein. The deposit may be used to pay for the cost of any work performed by the Town in accordance with the following clause in the event of the failure of the Owners to comply with the terms of this Agreement.
- (c) Upon completion of the Facilities and Works, the Owner shall provide to the Town, at the Owner's expense, confirmation in writing by the Owner's Qualified Designer or Professional Engineer, or both, that the approved plans appended hereto have been complied with. When such confirmation has been received, the Chief Building Official shall confirm such compliance and the deposit, less any amounts expended to enforce compliance with the Agreement and any amounts refunded or reduced as the work required by this Agreement progresses, shall be returned to the Owner, without interest.
- (d) The Town may, from time to time, demand an increase in the sum of the deposit in accordance with increases in the cost of performing the Facilities and Works required herein to be completed and the Owner covenants and agrees to make such increase. At the sole discretion of the Chief Building Official the amount of the deposit may be reduced at any time after the Owner has reached the stage where the costs to complete the Facilities and Works is less than the amount of the deposit.
- (e) The release of the deposit by the Town does not release the Owner from their obligation to maintain all of the Facilities and Works pursuant to this Agreement.
- (f) The Owner agrees that all of the Facilities and Works required to be provided by the Owner shall be provided, installed or constructed by the Owner within one hundred and eighty (180) days after the date of substantial completion of the proposed development as determined by the Chief Building Official and shall be maintained at all times in good condition. An extension of the completion of Works may be considered by the Director of Community Planning & Development.

## 17. Default

Upon breach by the Owner of any covenant, term, condition or requirement of this Agreement, or upon the Owner becoming insolvent or making any assignment for the benefit of creditors, the Town, at its option, may declare the Owner to be in default. Notice of such default shall be given by the Town, and if the Owner shall not remedy such default within such time as provided in the notice, the Town may declare the Owner to be in final default under this Agreement. Upon notice of default having been given, the Town may require all work by the Owner, its servants, agents, independent contractors and sub-contractors to cease (other than any work necessary to remedy such default) until such default shall have been remedied, and in the event of final default, may require all work as aforesaid, to cease. Upon final default of the Owner, the Town may, at its option, adopt or pursue any or all of the following remedies, but shall not be bound to do so:

- i. Enter upon the subject Lands by its servants, agents and contractors and complete any work, service, repair or maintenance wholly or in part required herein to be done by the Owner, and collect the cost thereof from the Owner and/or enforce any security available to it;
- ii. Make any payment which ought to have been made by the Owner to the Town, for any purpose, and apply the same in payment or part payment for any work which the Town may undertake;
- iii. Retain any sum of money heretofore paid by the Owner to the Town, for any purpose, and apply the same in payment or part payment for any work which the Town may undertake;
- iv. Bring action to compel specific performance of all or any part of this Agreement for damages; and
- v. Exercise any other remedy granted to the Town under the terms of this Agreement or available to the Town in law.

## 18. Covenants

The Owner covenants for itself, its successors and assigns and the Owners from time to time of the said Lands and the burden of the covenants contained in this Agreement shall be deemed to be negative and shall run with and be binding upon the Lands to and for the Town, its successors and assigns.

In addition to the warning clauses identified for inclusion on all *Lease and Purchase Agreements* (see Sections 5. (e) & 8. (e)),

- (a) The following clause shall be included in all *Agreements of Purchase and Sale* or commercial *Lease Agreements*:
  - i. *"Purchasers / tenants are advised that the property has an easement for a sanitary sewer main and that should future maintenance, construction and / or emergency work be needed, the southwest access of the building may be restricted or closed to occupants / customers."*

**19. Registration**

The Owner agrees and consents to the registration of notice of this Agreement against the said Lands.

**20. Obligation**

This Agreement and the provisions hereof do not give to the Owner or any person acquiring any interest in the said Lands (each hereinafter in this paragraph called "such person") or any other person any rights against the Town with respect to the failure of any such person to perform or fully perform any obligation under this Agreement, or the failure of the Town to force any such person to perform or fully perform any obligation under this Agreement or any negligence of any such person in the performance of the said obligation.

**21. Building Permit**

Notwithstanding any of the provisions of this Agreement, the Owner, its successors and assigns, shall be subject to all of the by-laws, as amended, of the Town at the time of the issuance of a Building Permit required pursuant to the terms of the Agreement or at the time of the execution of this Agreement, whichever is applicable.

The Owner shall pay parkland dedication fees and applicable Town & Regional development charges at the time a building permit is issued for the building shown on Schedule 'C'.

**22. Plans**

The Owner agrees that all plans shall be drawn by a Qualified Designer or by a Professional Engineer and all surveys by an Ontario Land Surveyor, subject to the reasonable satisfaction of the Town.

**23. Notices**

Any notice, demand, acceptance or request provided for in this Agreement shall be in writing and shall be deemed to be sufficiently given if personally delivered or sent by registered mail (postage prepaid) as follows:

To the Town at: Clerk  
Town of Pelham  
P.O. Box 400  
20 Pelham Town Square  
Fonthill, ON L0S 1E0

To the Owner at: 1806163 Ontario Inc.  
1901 Hollow Road,  
Fonthill, ON L0S 1E6

or as such other address as the party to whom such notice is to be given shall have last notified the party giving the notice in the manner provided in this Section 23. Any notice delivered to the party to whom it is addressed in this

Section 23 shall be deemed to have been given and received on the day it is so delivered at such address. Any notice mailed as aforesaid shall be deemed to have been given and received on the fifth day next following the date of its mailing.

**24. Schedules**

The originals of the plans set out in Schedule 'C', 'D' and 'E' are available at the offices of the Town at the address set out in Section 23.

**25. Binding Effect**

This Agreement shall be binding upon the parties hereto and their heirs, executors, administrators, successors, and assigns.

**IN WITNESS WHEREOF** the parties hereto have executed this Agreement as of the date and year first above written.

**WITNESS**

**1806163 ONTARIO INC.**

\_\_\_\_\_  
(printed name)

\_\_\_\_\_  
(printed name)

\_\_\_\_\_  
(signature)

\_\_\_\_\_  
(signature)

\_\_\_\_\_  
(date)

\_\_\_\_\_  
(date)

☐ 'I have the authority to bind the Corporation'

**THE CORPORATION OF THE TOWN OF  
PELHAM**

\_\_\_\_\_  
Mayor Marvin Junkin

\_\_\_\_\_  
Clerk Nancy J. Bozzato

## **SCHEDULE 'A'**

### **LEGAL DESCRIPTION**

Part Lot 55 Plan 717 Fonthill as in RO287889; S/T RO264797; Part Lot 1, Concession 7 Pelham (Part Canboro Road as shown on Plan 717) as in RO307965; Town of Pelham

PIN: 64065-0326 (LT)  
Municipal: 1 Highway 20 West (Regional Road 20)  
Roll Number: 2732 020 002 00100



## SCHEDULE 'B'

### Cost Estimates, Security Deposits & Cash Payments

<b>On-site</b>	
Water Distribution System	\$6,200
Sanitary Sewer System	\$500
Parking / Site Works / Landscaping	\$35,142
<b>Subtotal</b>	<b>\$41,842</b>
HST (13%)	\$5,439
<b>Total</b>	<b>\$47,281</b>

<b>Off-site</b>	
Stormwater Management System	\$2,360
Sanitary Sewer System	\$3,900
Asphalt / Concrete / Brick Sidewalk / Tree	\$13,905
<b>Subtotal</b>	<b>\$20,165</b>
HST (13%)	\$2,621
<b>Total</b>	<b>\$22,786</b>
<b>Overall Total</b>	<b>\$70,067</b>

#### Securities

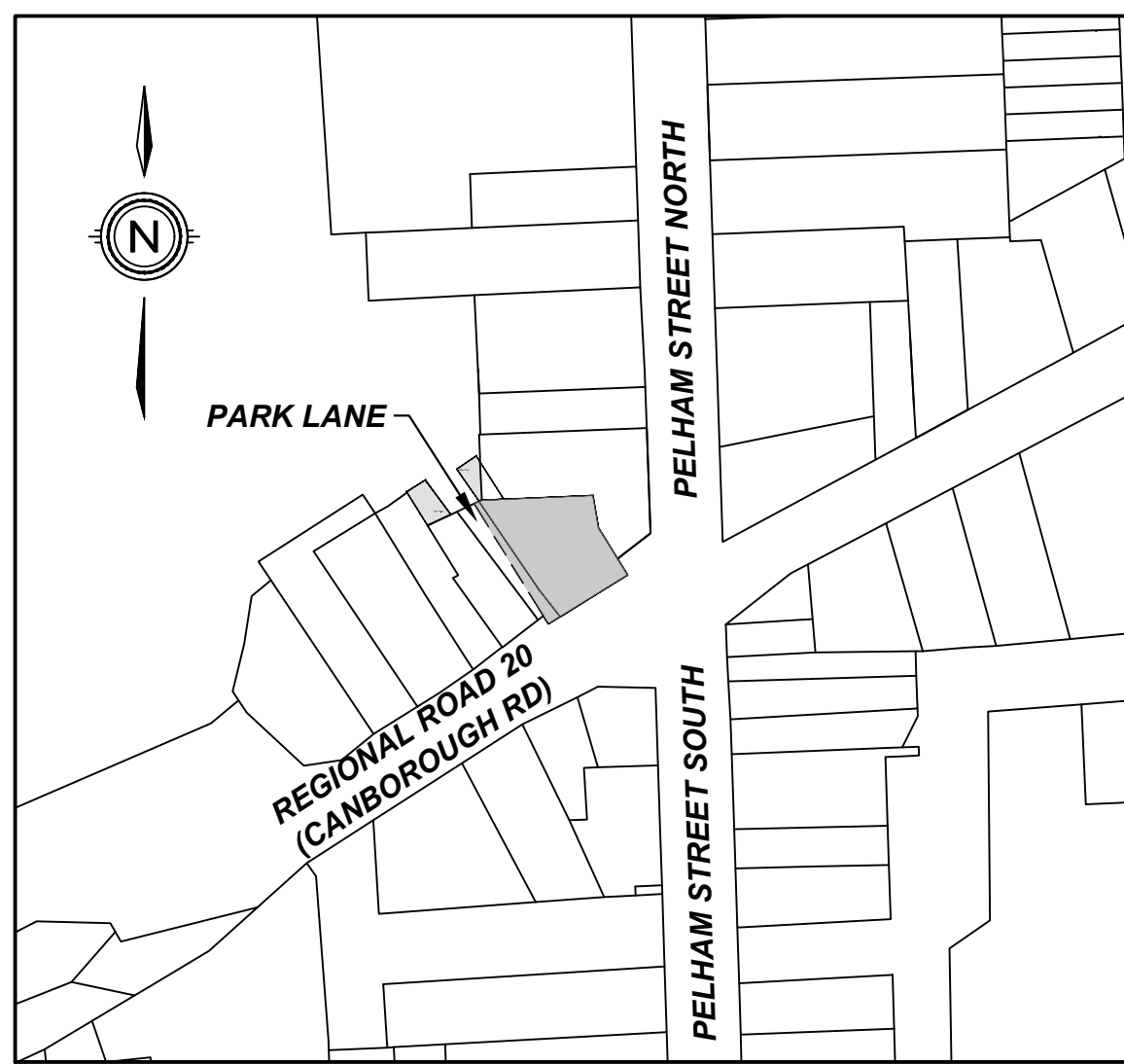
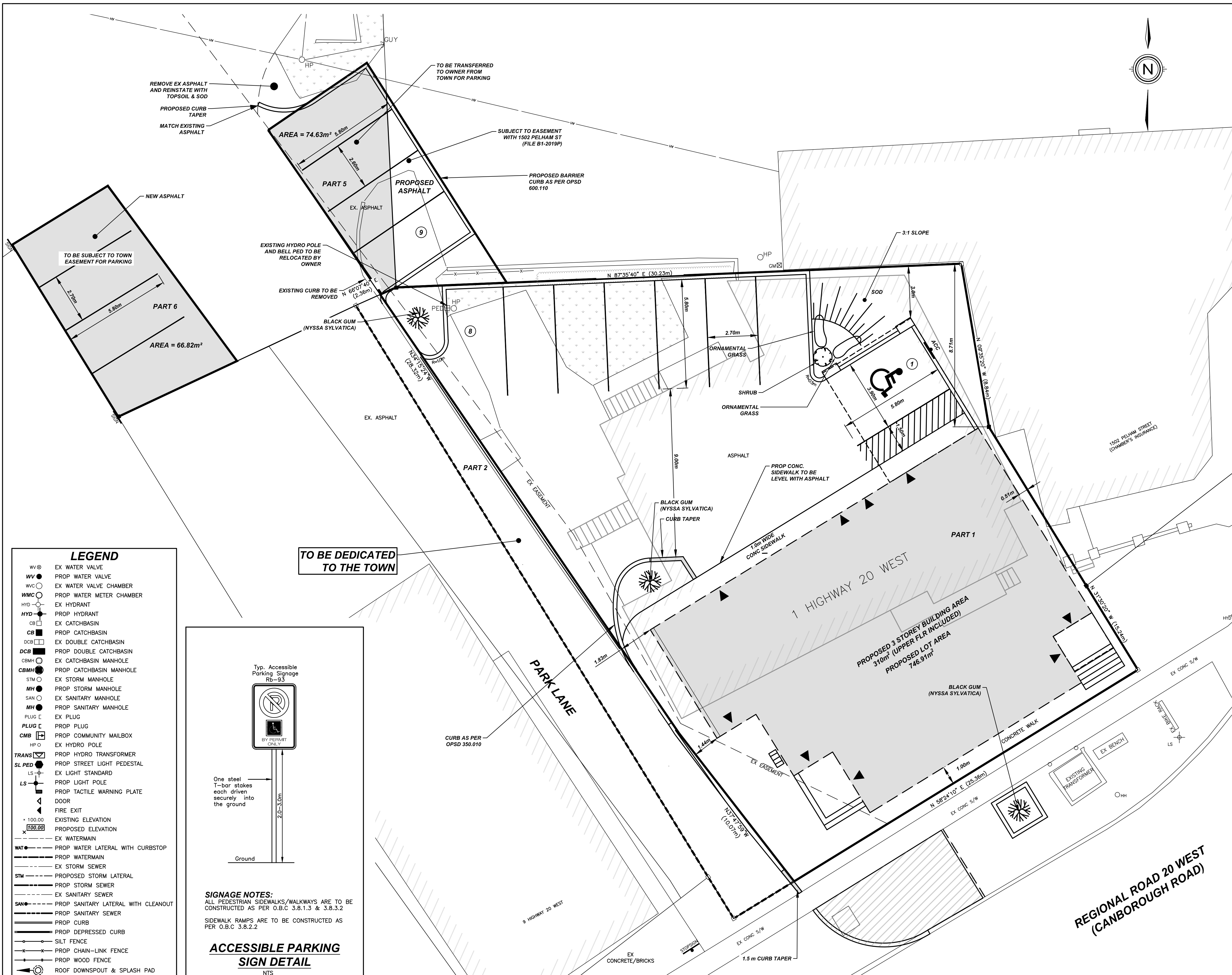
On-Site	20% (\$47,281)	= \$9,456
Off-Site	100% (\$22,786)	= \$22,786

**Total = \$32,242**

In accordance with Section 14 (a) of this Agreement, that the estimated cost for completion shall be in the amount of **\$70,067** (Seventy Thousand, & Sixty-seven dollars), including taxes. Therefore, security in the amount of **\$32,242** (Thirty-two Thousand, Two-hundred & Forty-two dollars) shall be provided to the Town.

#### Cash Payments

Administration	\$2700
----------------	--------



KEY PLAN  
SCALE 1:2000

### LEGAL DESCRIPTION

ALL OF LOTS 53 & 54 PART OF  
LOT 55 PLAN 717  
GEOGRAPHIC TOWNSHIP OF FONTHILL  
PART OF LOT 1, CONCESSION 7  
IN THE TOWN OF PELHAM  
REGIONAL MUNICIPALITY OF NIAGARA

### LAND USE SCHEDULE

LAND USE	# OF UNITS	AREA(m²)	AREA(%)
BUILDING		301.27	40.34
RESIDENTIAL	6	602.54	
COMMERCIAL	3	263.85	
LANDSCAPING		90.18	12.07
ASPHALT/CONCRETE		355.46	47.59
TOTAL	9	746.91	100.00

DEVELOPABLE AREA = 0.075 ha  
RESIDENTIAL DENSITY = 80.0 units / ha

### EXTERNAL LANDS

LAND USE	AREA(m²)
PARKING AREA	139.95
TOTAL	139.95

### PARKING STATS

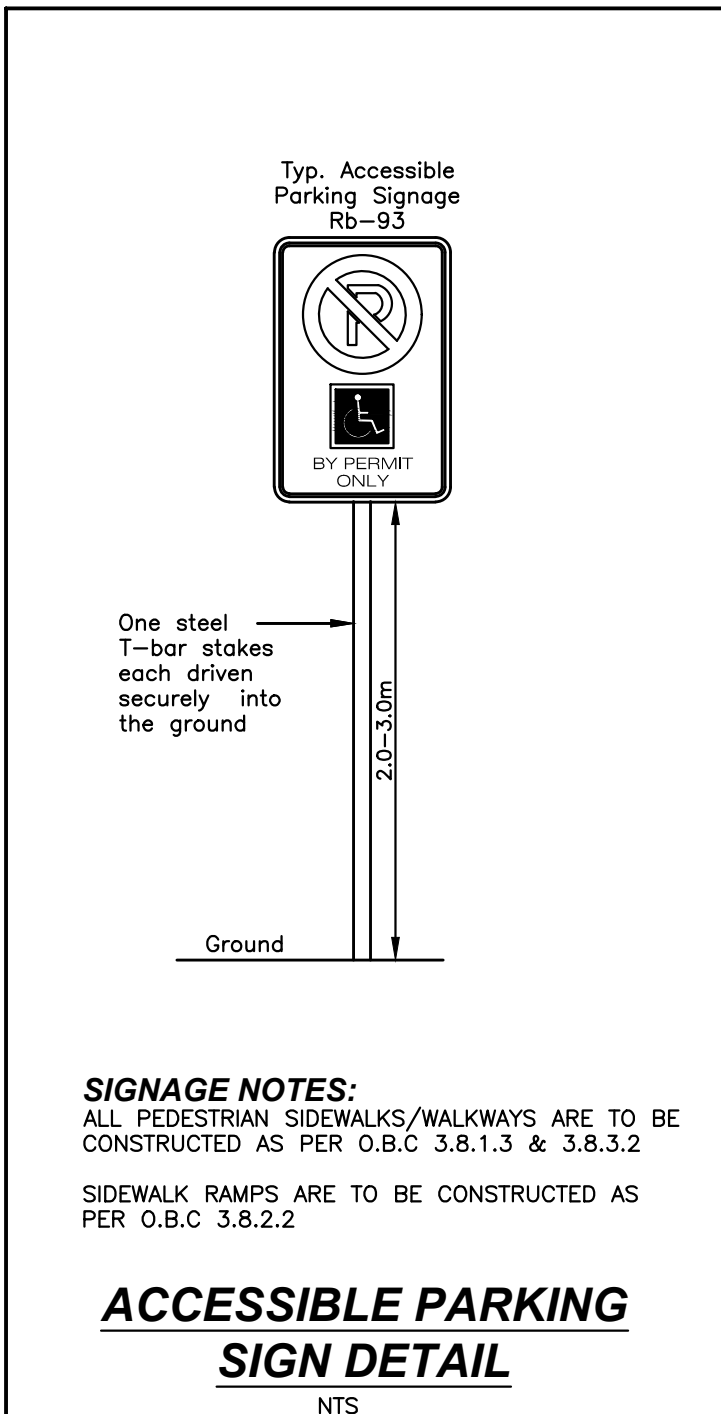
REQUIRED  
7 SPACES AS PER M.V. A1-2019

PROPOSED  
PART 1 - 8 SPACES  
PART 5 - 4 SPACES  
PART 6 - 4 SPACES

TOTAL - 16 SPACES

COMMERCIAL PARKING PROVIDED = 8 SPACES  
RESIDENTIAL PARKING PROVIDED = 6 SPACES  
VISITOR PARKING PROVIDED = 2 SPACES  
BARRIER FREE PARKING PROVIDED = 1 SPACE

LEGEND	
WV	EX WATER VALVE
WV	PROP WATER VALVE
WVC	EX WATER VALVE CHAMBER
WMC	PROP WATER METER CHAMBER
HYD	EX HYDRANT
HYD	PROP HYDRANT
CB	EX CATCHBASIN
CB	PROP CATCHBASIN
DCB	EX DOUBLE CATCHBASIN
DCB	PROP DOUBLE CATCHBASIN
CBMH	EX CATCHBASIN MANHOLE
CBMH	PROP CATCHBASIN MANHOLE
STM	EX STORM MANHOLE
STM	PROP STORM MANHOLE
SMH	EX SANITARY MANHOLE
SMH	PROP SANITARY MANHOLE
PLUG	EX PLUG
PLUG	PROP PLUG
CMB	PROP COMMUNITY MAILBOX
HP	EX HYDRO POLE
HP	PROP HYDRO TRANSFORMER
SL PED	PROP STREET LIGHT PEDESTAL
LS	EX LIGHT STANDARD
LS	PROP LIGHT POLE
LS	PROP TACTILE WARNING PLATE
LS	DOOR
LS	FIRE EXIT
LS	EXISTING ELEVATION
LS	PROPOSED ELEVATION
WAT	EX WATERMAIN
WAT	PROP WATER LATERAL WITH CURBSTOP
WAT	PROP WATERMAIN
STM	EX STORM SEWER
STM	PROPOSED STORM LATERAL
STM	PROP STORM SEWER
STM	EX SANITARY SEWER
SAN	PROP SANITARY LATERAL WITH CLEANOUT
SAN	PROP SANITARY SEWER
SAN	PROP CURB
SAN	PROP DEPRESSED CURB
SAN	SILT FENCE
SAN	PROP CHAIN-LINK FENCE
SAN	PROP WOOD FENCE
SAN	ROOF DOWNSPOUT & SPLASH PAD



SIGNAGE NOTES:  
ALL PEDESTRIAN SIDEWALKS/WALKWAYS ARE TO BE  
CONSTRUCTED AS PER O.B.C. 3.8.1.3 & 3.8.3.2  
SIDEWALK RAMP ARE TO BE CONSTRUCTED AS  
PER O.B.C. 3.8.2.2

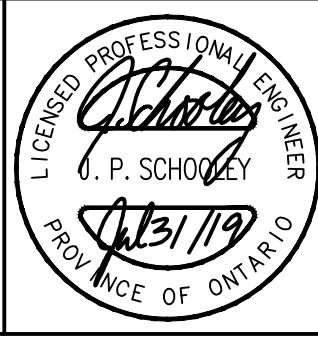
### ACCESSIBLE PARKING SIGN DETAIL

NTS

#	REVISION	DATE	INIT
5	REVISED PER TOWN/REGION COMMENTS	2019-07-31	KA
4	REVISED PER COMMENTS	2019-07-22	JMD
3	REVISED FOR COMMENTS	2019-07-03	JS
2	REVISED PER LEGAL PLAN	2019-06-26	JMD
0	ISSUED FOR REVIEW	2018-07-10	JS

NOTES:  
1. THE POSITION OF POLE LINES, CONDUITS, WATERMANS, SEWER, AND OTHER UNDERGROUND AND OVERGROUND UTILITIES AND STRUCTURES IS NOT NECESSARILY SHOWN ON THE CONTRACT DRAWINGS AND, WHERE SHOWN, THE ACCURACY OF THE POSITION OF SUCH UTILITIES AND STRUCTURES IS NOT GUARANTEED. BEFORE STARTING WORK, THE CONTRACTOR SHALL INFORM HIMSELF OF THE EXACT LOCATION OF ALL SUCH UTILITIES AND STRUCTURES AND SHALL ASSUME ALL LIABILITY FOR DAMAGE TO THEM.  
2. PROPERTY LINES WERE PLOTTED USING REGISTERED PLANS AND BARS LOCATED IN THE FIELD. TO VERIFY THE ACCURACY OF THESE PROPERTY LINES, A LEGAL SURVEY SHOULD BE PERFORMED PRIOR TO CONSTRUCTION.  
3. ALL CONSTRUCTION MUST COMPLY WITH THE NIAGARA PENINSULA STANDARD CONTRACT DOCUMENT.

DRAFTING	JMD
DESIGN	JS
CHECKED BY	JS
APPROVED BY	JS

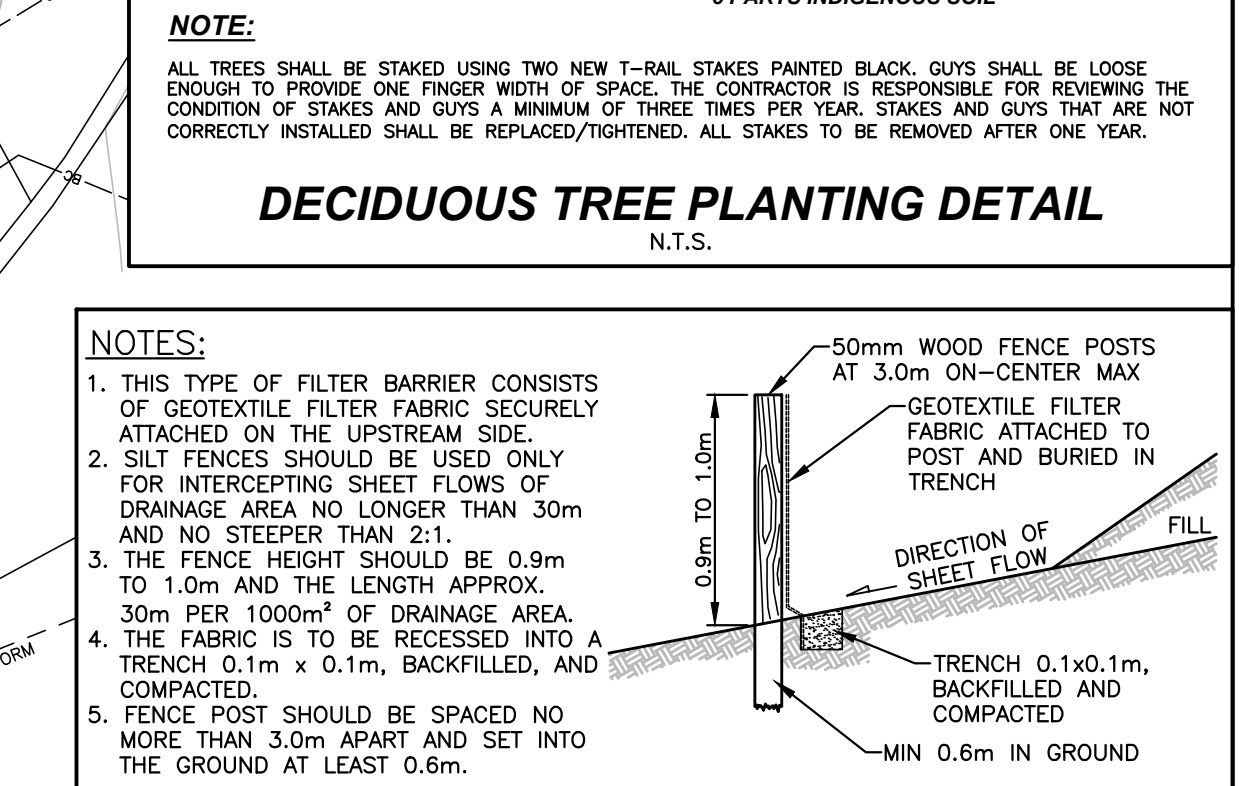
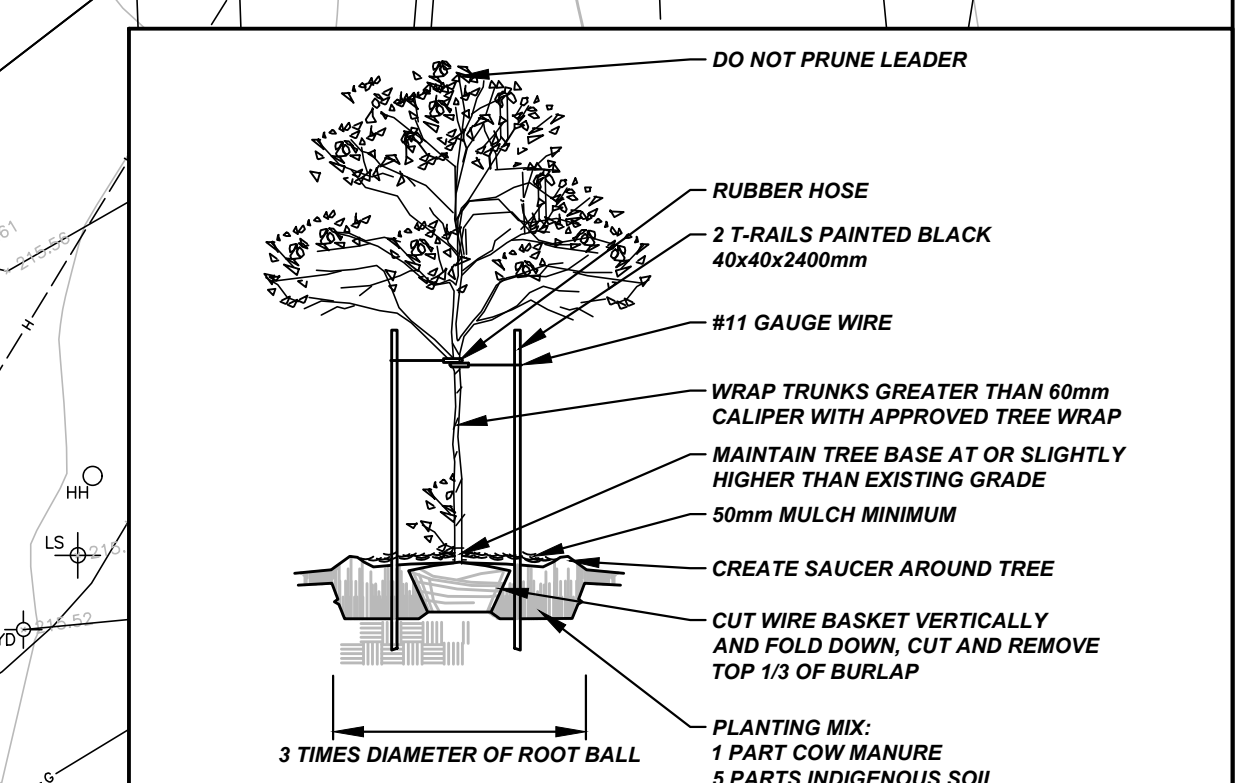
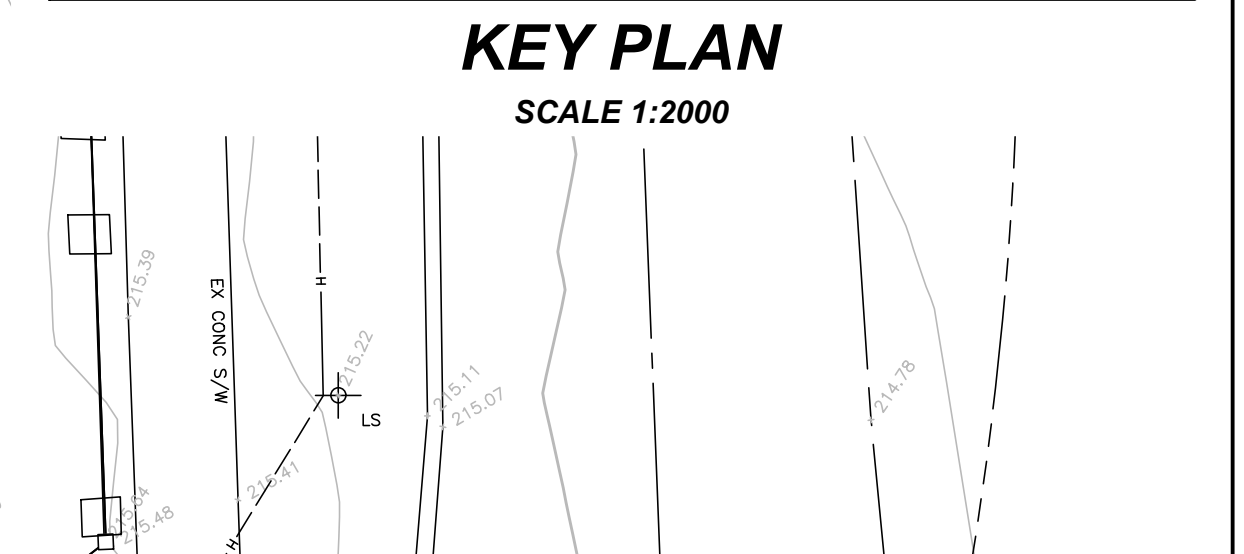
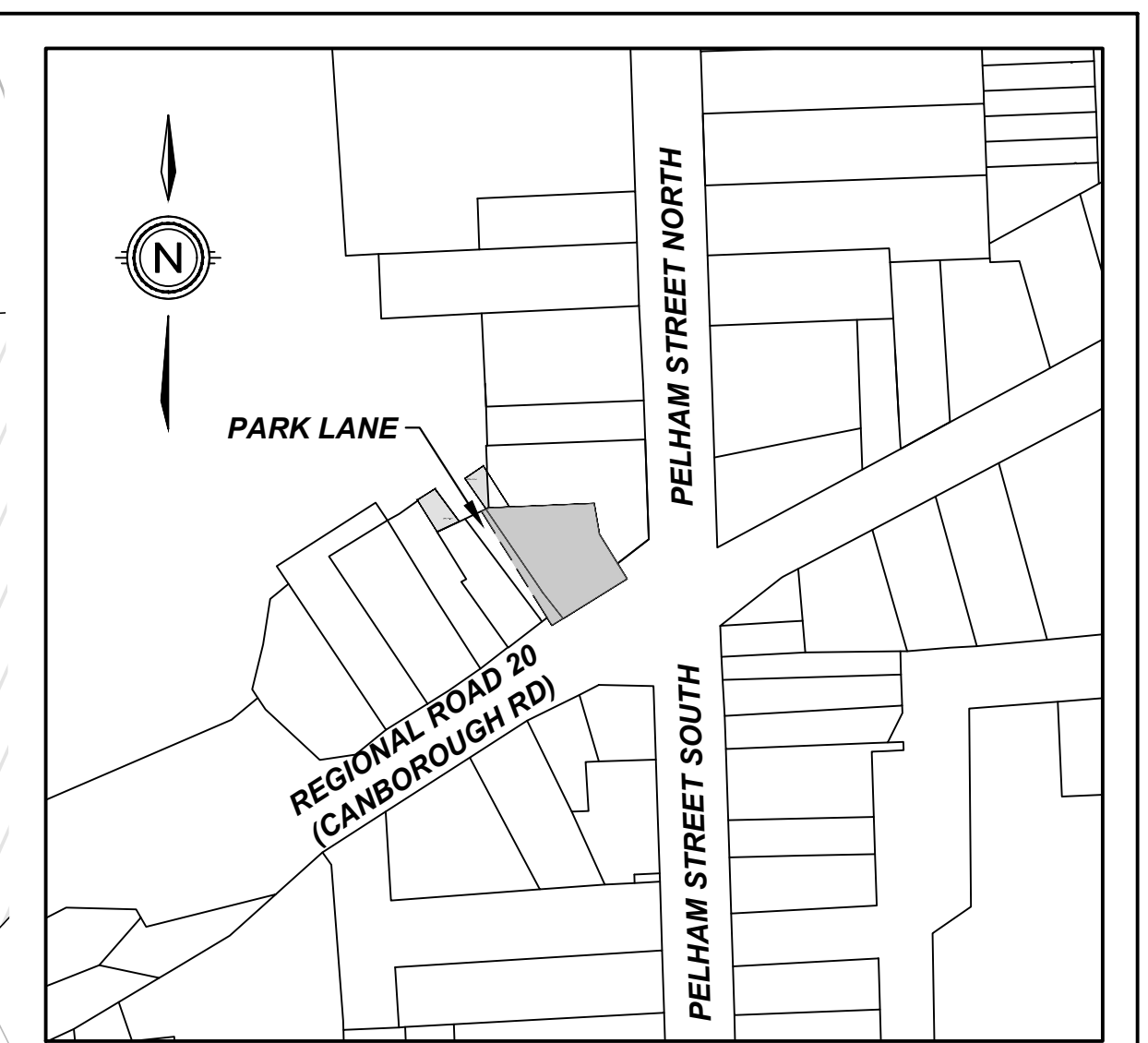
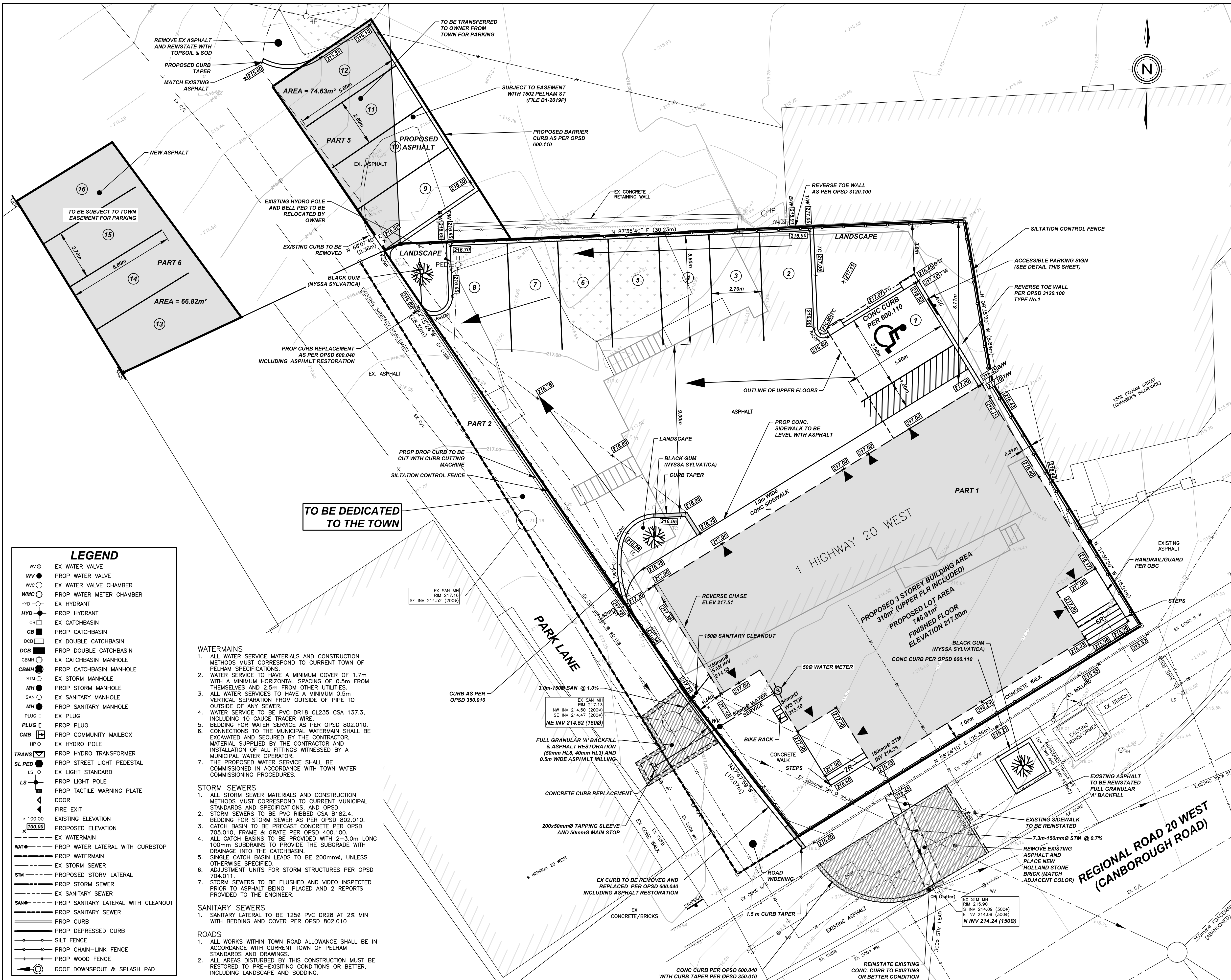


30 Hanover Drive Unit 3  
St. Catharines, Ontario  
L2W 1A3  
Phone: (905) 688-8400  
Fax: (905) 688-5274

1 HWY 20 WEST, FONTHILL  
TOWN OF PELHAM  
SITE & LANDSCAPE PLAN

CONSULTANT FILE No.	1842
DATE	2019-07-31
PRINTED	2019-07-31
SCALE	1:100 m
REF No.	
DWG No.	1842-SP
REV	5





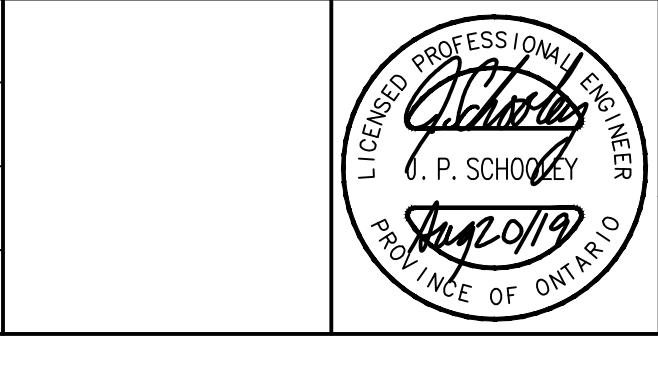
LEGEND	
WV	EX WATER VALVE
WVC	PROP WATER VALVE
WMC	PROP WATER VALVE CHAMBER
WMC	PROP WATER METER CHAMBER
HYD	EX HYDRANT
HYD	PROP HYDRANT
CB	EX CATCHBASIN
CB	PROP CATCHBASIN
DCB	EX DOUBLE CATCHBASIN
DCB	PROP DOUBLE CATCHBASIN
CBMH	EX CATCHBASIN MANHOLE
CBMH	PROP CATCHBASIN MANHOLE
STM	EX STORM MANHOLE
MH	PROP STORM MANHOLE
SAN	EX SANITARY MANHOLE
MH	PROP SANITARY MANHOLE
PLUG	EX PLUG
PLUG	PROP PLUG
CMB	PROP COMMUNITY MAILBOX
HP	EX HYDRO POLE
TRANS	PROP HYDRO TRANSFORMER
SL PED	PROP STREET LIGHT PEDESTAL
LS	EX LIGHT STANDARD
LS	PROP LIGHT POLE
LS	PROP TACTILE WARNING PLATE
LS	DOOR
LS	FIRE EXIT
LS	EXISTING ELEVATION
LS	PROPOSED ELEVATION
WAT	EX WATERMAIN
WAT	PROP WATER LATERAL WITH CURBSTOP
WAT	PROP WATERMAIN
STM	EX STORM SEWER
STM	PROP STORM LATERAL
STM	PROP STORM SEWER
STM	EX SANITARY SEWER
SAN	PROP SANITARY LATERAL WITH CLEANOUT
SAN	PROP SANITARY SEWER
SAN	PROP CURB
SAN	PROP DEPRESSED CURB
SAN	SILT FENCE
SAN	PROP CHAIN-LINK FENCE
SAN	PROP WOOD FENCE
SAN	PROP DOWNSPOUT & SPLASH PAD

- WATERMANS**
1. ALL WATER SERVICE MATERIALS AND CONSTRUCTION METHODS MUST CORRESPOND TO CURRENT TOWN OF PELHAM SPECIFICATIONS.
  2. WATER SERVICE TO HAVE A MINIMUM COVER OF 1.7m WITH A MINIMUM HORIZONTAL SPACING OF 0.5m FROM THEMSELVES AND 2.5m FROM OTHER UTILITIES.
  3. ALL WATER SERVICES TO HAVE A MINIMUM 0.5m VERTICAL SEPARATION FROM OUTSIDE OF PIPE TO OUTSIDE OF ANY SEWER.
  4. WATER SERVICE TO BE PVC DR18 CL235 CSA 137.3, INCLUDING 10 GAUGE TRACER WIRE.
  5. BEDDING FOR WATER SERVICE AS PER OPSD 802.010.
  6. CONNECTIONS TO THE MUNICIPAL WATERMAIN SHALL BE EXCAVATED AND SECURED BY THE CONTRACTOR, MATERIAL SUPPLIED BY THE CONTRACTOR AND INSTALLATION OF ALL FITTINGS WITNESSED BY A MUNICIPAL WATER OPERATOR.
  7. THE PROPOSED WATER SERVICE SHALL BE COMMISSIONED IN ACCORDANCE WITH TOWN WATER COMMISSIONING PROCEDURES.
- STORM SEWERS**
1. ALL STORM SEWER MATERIALS AND CONSTRUCTION METHODS MUST CORRESPOND TO CURRENT MUNICIPAL STANDARDS AND SPECIFICATIONS, AND OPSD.
  2. STORM SEWERS TO BE PVC RIBBED CSA B182.4, BEDDING FOR STORM SEWER AS PER OPSD 802.010.
  3. CATCH BASIN TO BE PRECAST CONCRETE PER OPSD 705.010, FRAME & GRATE PER OPSD 400.100.
  4. ALL CATCH BASINS TO BE PROVIDED WITH 2-3.0m LONG 100mm SUBDRAINS TO PROVIDE THE SUBGRADE WITH DRAINAGE INTO THE CATCHBASIN.
  5. SINGLE CATCH BASIN LEADS TO BE 200mm, UNLESS OTHERWISE SPECIFIED.
  6. ADJUSTMENT UNITS FOR STORM STRUCTURES PER OPSD 704.011.
  7. STORM SEWERS TO BE FLUSHED AND VIDEO INSPECTED PRIOR TO ASPHALT BEING PLACED AND 2 REPORTS PROVIDED TO THE ENGINEER.
- SANITARY SEWERS**
1. SANITARY LATERAL TO BE 125 PVC DR28 AT 2% MIN WITH BEDDING AND COVER PER OPSD 802.010
- ROADS**
1. ALL WORKS WITHIN TOWN ROAD ALLOWANCE SHALL BE IN ACCORDANCE WITH CURRENT TOWN OF PELHAM STANDARDS AND DRAWINGS.
  2. ALL AREAS DISTURBED BY THIS CONSTRUCTION MUST BE RESTORED TO PRE-EXISTING CONDITIONS OR BETTER, INCLUDING LANDSCAPE AND SODDING.

#	REVISION	DATE	INIT
6	REVISED WITH ADDED TREE DETAIL	2019-08-20	KA
5	REVISED WITH REMOVED FIRE PROTECTION	2019-08-14	KA
4	REVISED FOR COMMENTS	2019-07-22	JS
3	REVISED FOR COMMENTS	2019-07-03	JS
2	REVISED PER LEGAL PLAN	2019-04-04	JMD
1	REVISED PER LEGAL PLAN	2018-10-09	JS
#	ISSUED FOR REVIEW	2018-07-10	JS

- NOTES:**
1. THE POSITION OF POLE LINES, CONDUITS, WATERMANS, SEWER, AND OTHER UNDERGROUND AND OVERGROUND UTILITIES AND STRUCTURES IS NOT NECESSARILY SHOWN ON THE CONTRACT DRAWINGS AND, WHERE SHOWN, THE ACCURACY OF THE POSITION OF SUCH UTILITIES AND STRUCTURES IS NOT GUARANTEED. BEFORE STARTING WORK, THE CONTRACTOR SHALL INFORM HIMSELF OF THE EXACT LOCATION OF ALL SUCH UTILITIES AND STRUCTURES AND SHALL ASSUME ALL LIABILITY FOR DAMAGE TO THEM.
  2. PROPERTY LINES WERE PLOTTED USING REGISTERED PLANS AND BARS LOCATED IN THE FIELD. TO VERIFY THE ACCURACY OF THESE PROPERTY LINES, A LEGAL SURVEY SHOULD BE PERFORMED PRIOR TO CONSTRUCTION.
  3. ALL CONSTRUCTION MUST COMPLY WITH THE NIAGARA PENINSULA STANDARD CONTRACT DOCUMENT.

DRAFTING	JMD
DESIGN	JS
CHECKED BY	JS
APPROVED BY	JS



**UPPER CANADA CONSULTANTS**  
ENGINEERS / PLANNERS

30 Hanover Drive, Unit 3  
St. Catharines, Ontario  
L2W 1A3  
Phone: (905) 688-9400  
Fax: (905) 688-5274

1 HWY 20 WEST, FONTHILL TOWN OF PELHAM	
SITE SERVICING & GRADING PLAN	
CONSULTANT FILE No. 1842	REV 6
DATE 2019-08-20	
PRINTED 2019-08-20	
SCALE 1:100 m	
REF No.	
DWG No. 1842-SSGP	



WALL	WALL AREA (m2)	GLASS AREA (m2)	GLASS %
SOUTHEAST	206.3	66.5	32.2
NORTHWEST	206.3	56.4	27.3
SOUTHWEST	186.9	50.3	26.9
NORTHEAST	186.9	15.4	8.2
TOTAL	786.4	188.6	24

[MAIN FLOOR FRONT WALL GLAZING = 50%]



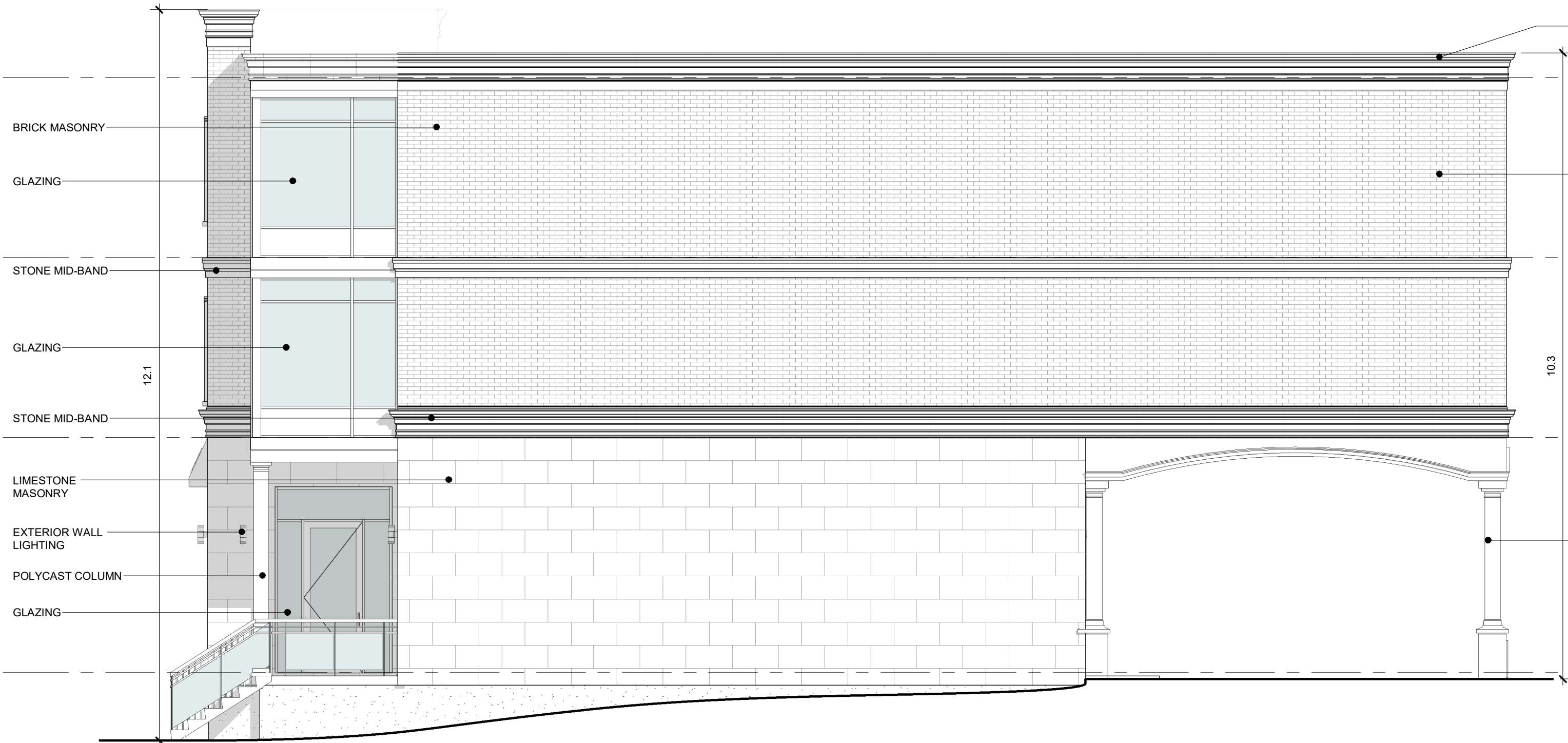
⑦ 3D View 3



⑤ 3D View 2



④ 3D View 1



⑥ NORTHEAST ELEVATION  
3/16" = 1'-0"



③ NORTHWEST ELEVATION  
3/16" = 1'-0"



② SOUTHWEST ELEVATION  
3/16" = 1'-0"



① SOUTHEAST ELEVATION  
3/16" = 1'-0"



JASON PIZZICARELLA DESIGN - ARCHITECTS INC.  
296 RIDGE ROAD N  
RIDGEWAY, ONTARIO, L0S 1N0  
T. 905-894-8300  
F. 905-894-8400  
e-mail: jpizzicarella@jpdesign.ca  
CERTIFICATE OF PRACTICE : # 4053

## PROPOSED 3 STOREY BUILDING

CANBORO ROAD/HIGHWAY 20

No.	Description	Date

### CONCEPT

7/15/19 2:33:07 PM

SHEET TITLE:

### ELEVATIONS

JOB #: 17166

SCALE: 3/16" = 1'-0"

SHEET NO: A4



THE CORPORATION OF THE  
TOWN OF PELHAM  
BY-LAW #4163(2019)

**By-law to Authorize the Execution of an Agreement with Her Majesty  
the Queen in Right of the Province of Ontario as Represented by the  
Minister of Transportation for the Province of Ontario – Community  
Transportation Grant Program**

---

WHEREAS it is deemed expedient to authorize the execution of an Agreement with Her Majesty the Queen in right of the Province of Ontario as represented by the Minister of Transportation for the Province of Ontario for funding under the Community Transportation Grant Program (CT Program).

NOW THEREFORE, THE COUNCIL OF THE TOWN OF PELHAM HEREBY ENACTS AS FOLLOWS:

1. THAT the Mayor and Clerk are hereby authorized to execute on behalf of the Town of Pelham a Transfer Payment Agreement (Agreement) with Her Majesty the Queen in right of the Province of Ontario as represented by the Minister of Transportation for the Province of Ontario for funding under the CT Program.
2. THAT the Mayor and Clerk have the delegation of authority to execute any and all required documentation on behalf of the Town of Pelham as required by the CT Program.
3. THAT the Town of Pelham commits to spending CT Program funding in accordance with all provisions specified in the Agreement.
4. THAT the Town of Pelham commits to spending CT Program funding only on implementing the approved projects identified in the Agreement.

Read, Enacted, Signed and Sealed  
This 7<sup>th</sup> Day of October, 2019 A.D.

---

MAYOR MARVIN JUNKIN

---

TOWN CLERK, NANCY J. BOZZATO

THE CORPORATION OF THE  
T O W N O F P E L H A M  
BY-LAW #4164(2019)

**Being a by-law to adopt, ratify and confirm the actions of  
the Council at its regular meeting held on the 7th 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 7th 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 7th DAY OF October, 2019 A.D.

---

MAYOR MARVIN JUNKIN

---

TOWN CLERK, NANCY J. BOZZATO