

REGULAR COUNCIL AGENDA

C-14/2020

Tuesday, September 8, 2020

5:30 PM

Town of Pelham Municipal Office - Council Chambers

20 Pelham Town Square, Fonthill

During this unprecedented global pandemic, Novel Coronavirus COVID-19, the Town of Pelham Council will continue to convene meetings in compliance with Provincial directives. Attendance by most Members of Council will be electronic. Public access to meetings will be provided via Livestream

www.youtube.com/townofpelham/live and subsequent publication to the Town's website at www.pelham.ca.

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2. Approval of Agenda
3. Disclosure of Pecuniary Interests and General Nature Thereof
4. Hearing of Presentation, Delegations, Regional Report
 - 4.1 Presentations
 - 4.1.1 COVID-19 Update - Community Emergency Management Coordinator

Fire Chief R. Lymburner
 - 4.1.2 Corporate Administration COVID-19 Update

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- 10.1 Reports from Members of Council:
- 10.2 Staff Reports Requiring Action
- 11. Unfinished Business
 - 11.1 Establishment of Municipal Heritage Committee, 2020-0055-Planning 41 - 49
- 12. New Business
- 13. Presentation and Consideration of By-Laws
- 14. Motions and Notices of Motion
 - Moved by Councillor Stewart
 - Seconded by Councillor Haun
 - BE IT RESOLVED THAT COUNCIL hereby authorizes a temporary provision under By-law #4199(2020), Section 9 (n), being a by-law prohibiting and regulating Signs in the Town of Pelham, so as to permit Read-O-Graph Mobile Signs approved on a temporary basis to permit a total of six (6) thirty (30) day periods throughout the remainder of the COVID-19 pandemic period.
- 15. Matters for Committee of the Whole or Policy and Priorities Committee
- 16. Matters Arising Out of Committee of the Whole or Policy and Priorities Committee
- 17. Resolution to Move in Camera
 - Pursuant to Municipal Act, Section 239(2):
 - (d) labour relations or employee negotiations (1 item)
- 18. Rise From In Camera
- 19. Confirming By-Law 50 - 50
- 20. Adjournment



Report of Regional Councillor

Diana Huson

Overview of Updates

Niagara Regional Police Services

Natural Environmental Work Program

Child Care Motion

KPMG Sustainability Review

AMO Conference

Waste Management Reminder

Niagara Regional Police Services

Presentation delivered by Chief MacCulloch & Tara McKendrick, CMHA, to provide information respecting the NRP's culture of diversity, equity and inclusion. Topics of the presentation included:

- Culture of Diversity, Equity and Inclusion
- Chief of Police - Community Inclusion Council (CoP-CIC)
- Focused Recruiting Efforts
- Use of Force Continuum
- Accountability/Oversight
- Calls for Service - Mental Health
- ***Mobile Crisis Rapid Response Team (MCRRT)***
- Situational Tables/Community Safety Well Being Plan
- Foot Patrol
- Calls for Service
- Strategic Plan Aligns with Council Priorities
- Funding Sources/Operating Budget by Service
- Police Operations Breakdown by Functional Area
- Body Worn Cameras
- Collection of Identifying Information (Street Checks)

Planning

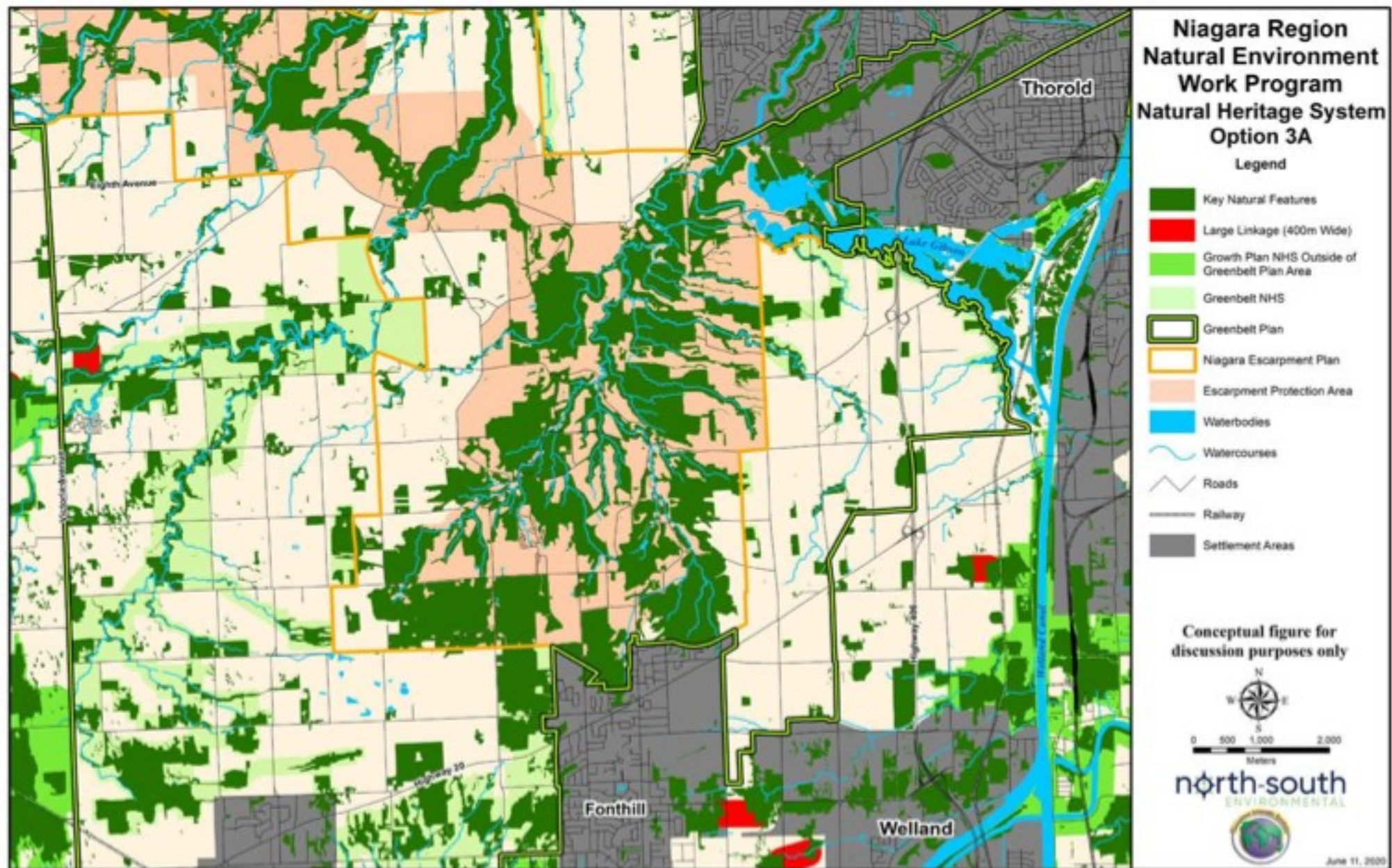
Natural Environment Work Program

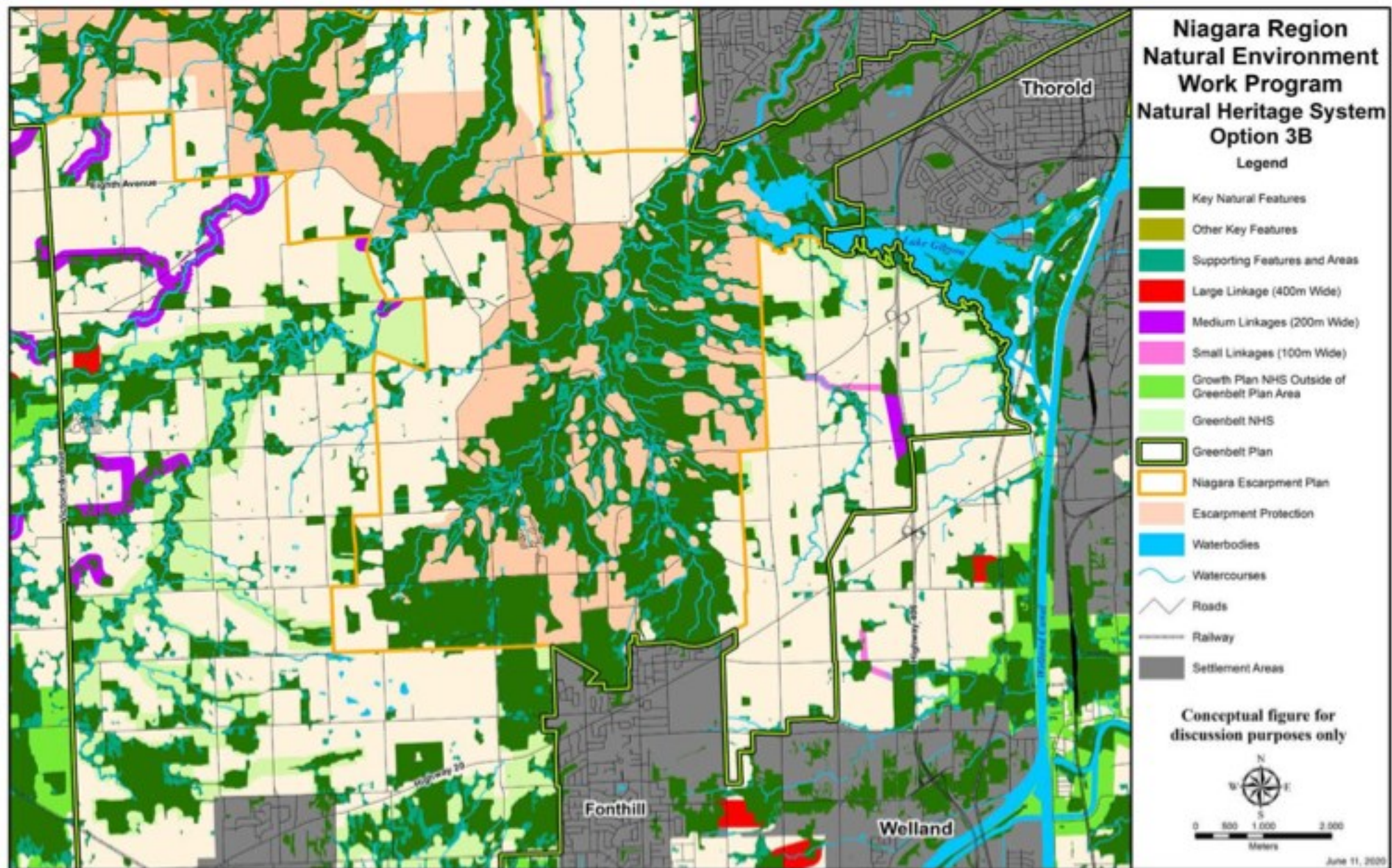
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Working towards establishing a direction for 1) the natural heritage system and 2) water resource system. Currently on Phase 4: Identification and Evaluation of Options

- Initiating a 2nd point of engagement with the public, stakeholders and Indigenous groups
- Options need to “conform” with provincial requirements but Council has shown an interest in adopting a more robust mapping strategy.

Represents a systems approach to managing our green spaces instead of considering these sites in isolation of one another.





Motion

Child Care

Child Care Motion

WHEREAS the Region of Niagara and Niagara's twelve local area municipalities jointly declared a state of emergency on April 3, 2020 to protect the health of our communities;

WHEREAS the COVID-19 pandemic has taken a destructive toll on Niagara's economy, resulting in business closures, job losses or a reduction of wages for Niagara residents and families;

WHEREAS women have been disproportionately impacted by these economic impacts, or have had to leave the labour market altogether in order to provide child care or home-schooling;

WHEREAS the provision of child care benefits employers, is proven to support economic recovery, but also leads to greater workforce participation by women and supports their return to the workforce;

WHEREAS the economic recovery of the Niagara Region and Ontario is dependent on families having access to safe, reliable, and affordable child care that incorporates early learning principles; and

WHEREAS a 2012 study on the economic value of child care identified that every dollar invested in child care in Ontario has a direct regional economic output of \$2.27.

Motion

Child Care

Child Care Motion *Continued...*

8

NOW THEREFORE BE IT RESOLVED:

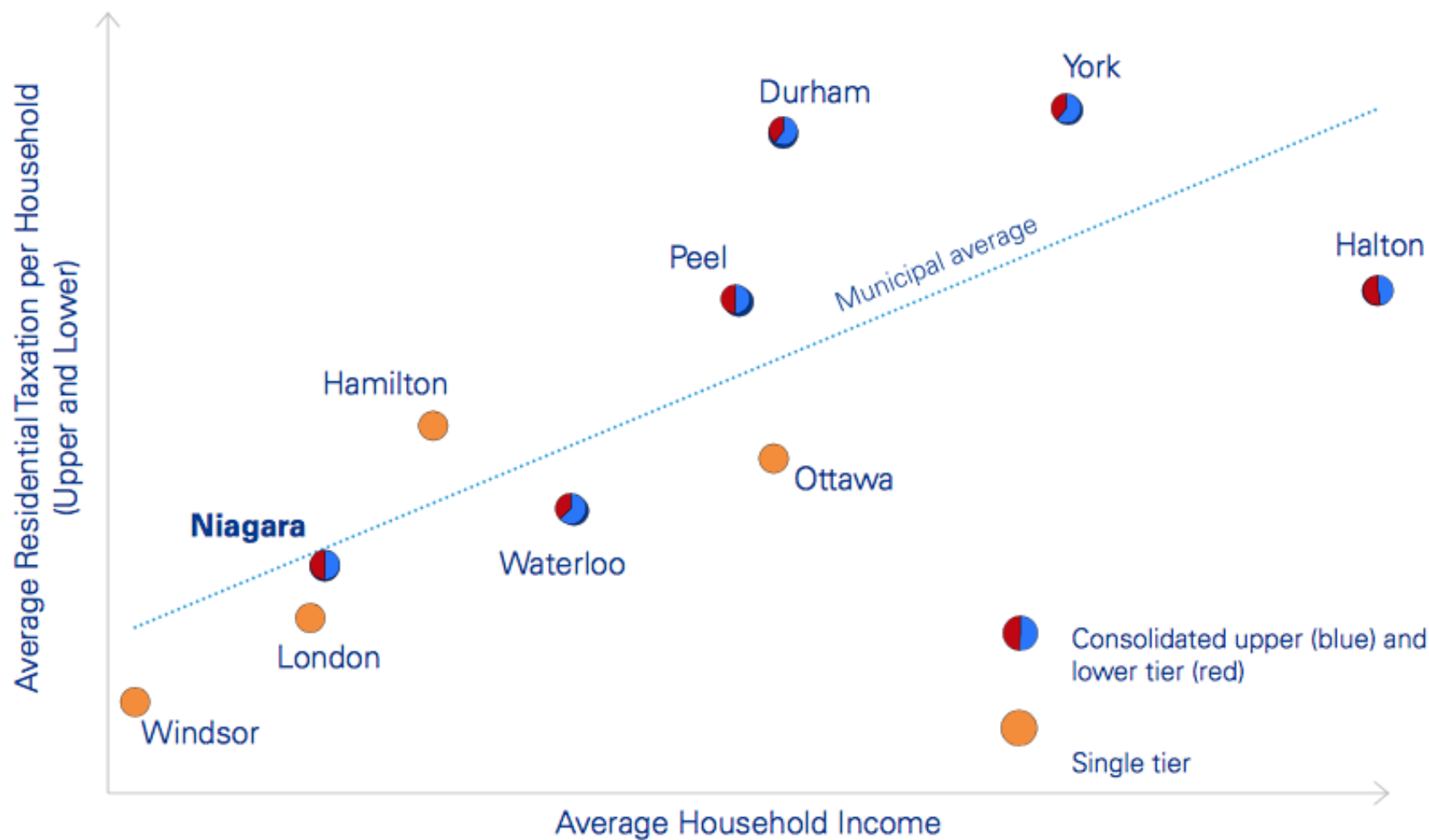
1. That the Niagara Region **REQUEST** that:
 1. The Government of Ontario prioritize children and child care as part of our overall post-pandemic recovery plan;
 2. The Government of Ontario develop, adequately fund and release publicly a comprehensive plan that can support families through the provision of licensed child care and early learning education; and
 3. The Government of Ontario and the Government of Canada work collaboratively to develop a National Child Care Strategy to make child care an essential part of our public infrastructure that can support and expedite economic recovery; and
2. That this motion **BE CIRCULATED** to those upper and single tier municipalities who are designated by the province as municipal service managers for childcare and local area MPPs and MPs.

Sustainability Review – Key Themes

- Even without the pandemic, the external environment will continue to challenge the Region's longer term sustainability
 - Regulatory changes
 - Infrastructure reinvestment requirements
 - Operating cost increases
- In comparison to larger Ontario municipalities, there does not appear to be an affordability issue with respect to upper and lower tier taxation
- A high proportion of the Region's services are either mandatory or essential, leaving limited opportunities for outright service reductions
- The majority of the Region's services appear to be delivered at a level considered to be "at standard"
- The Region's operating costs is generally consistent with other municipalities
- Where differences exist, these are primarily due to differences in the scope of services offered
- Corporate-level financial indicators, when compared to selected upper tier municipalities, are indicative of potential concerns

Key Themes from the Review

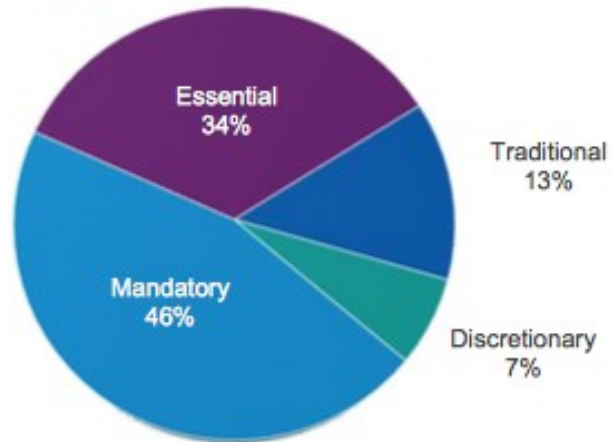
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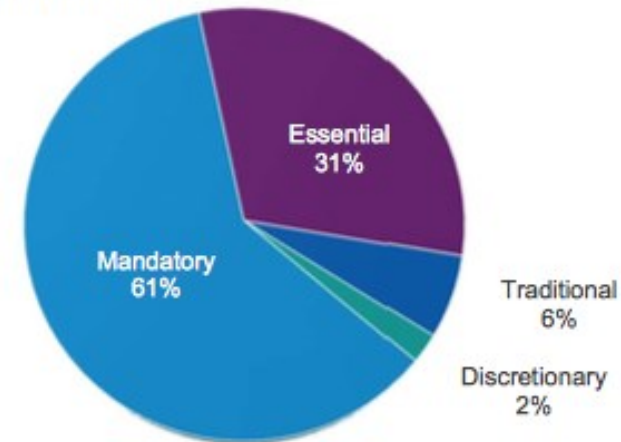
Key Themes from the Review

11

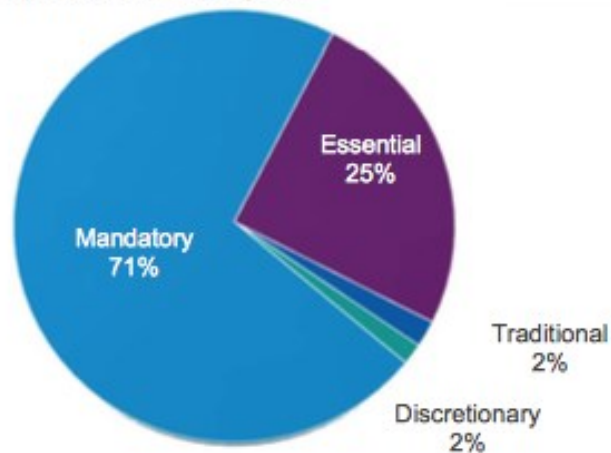
Number of Services



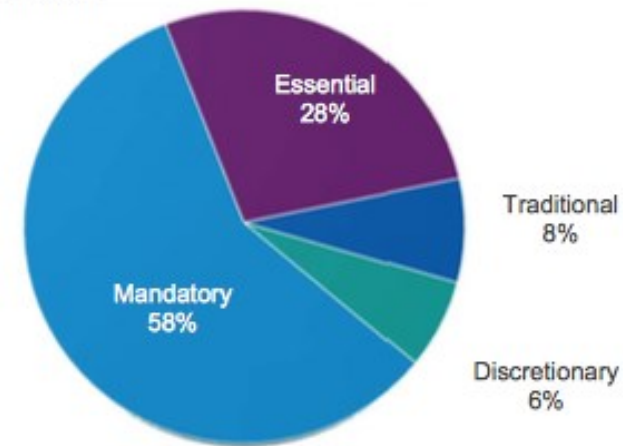
Operating Expenditures



Full-Time Equivalent Employees



Levy Requisition



Key Themes from the Review

2nd Lowest

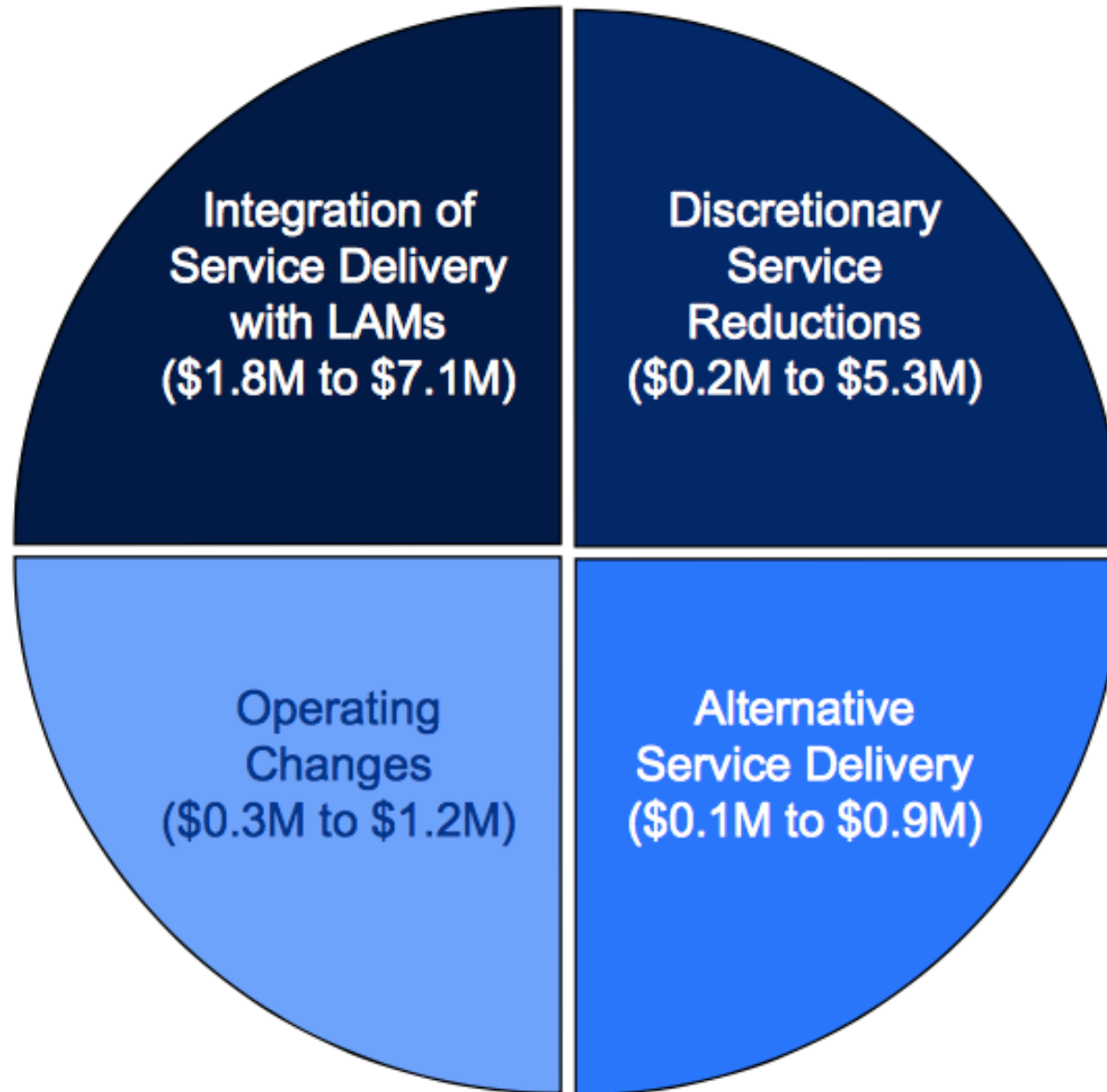
Reserves and reserve
funds per household

2nd Highest

Long-term
debt per household

Lowest

Capital additions as a
percentage of
amortization expense



AMO Conference

August 17 – 19, 2020 Virtual Event

- Minister's Forum
- Women's Leadership Forum – 1st offering
- Economic Recovery – Women, Education & Child Care
- Green Recovery – Active Transportation
- Broadband Internet – Rural and Urban Divide
- Recycling shift to Producer Responsibility

AMO – Ontario Federation of Indigenous Friendship Centres

Council endorsed the signing of the joint AMO-OFIFC Declaration of Mutual Commitment and Friendship on behalf of the Region.

- Niagara Region works with local Indigenous Friendship Centres, the Fort Erie Native Friendship Centre and the Niagara Regional Native Centre
- Motion aimed to set a “leading example” in the area of Indigenous relations

***Circulated to municipalities*

Waste Management Reminder

October 19

Collection Service Changes

Weekly garbage collection will shift starting on October 19.

- Weekly services will include organics and recycling.
- Bi-weekly services will include garbage (landfill).

Concerns over illegal dumping

- Fine has been increased from \$500 to \$1000

Questions?

REGULAR COUNCIL MINUTES

Meeting #: C-13/2020 Regular Council
Date: Monday, August 24, 2020
Time: 5:30 PM
Location: Town of Pelham Municipal Office - Council Chambers
20 Pelham Town Square, Fonthill

Members Present: Marvin Junkin
Lisa Haun
Bob Hildebrandt
Ron Kore
Marianne Stewart

Regrets John Wink

Staff Present: David Cribbs
Nancy Bozzato
Bob Lymburner
Jason Marr
Teresa Quinlin
Vickie vanRavenswaay
Barbara Wiens

1. Call to Order and Declaration of Quorum

Noting that a quorum was present, the Mayor called the meeting to order at 5:30 p.m. Attendance for all participants, save and except the Mayor and Clerk, was electronic.

2. Approval of Agenda

Moved By Ron Kore

Seconded By Bob Hildebrandt

BE IT RESOLVED THAT the agenda for the August 24, 2020 Regular meeting of Council be adopted.

Recorded	For	Against
Marvin Junkin	X	
Lisa Haun	X	
Bob Hildebrandt	X	
Ron Kore	X	

Results	4	0
		Carried (4 to 0)

3. Disclosure of Pecuniary Interests and General Nature Thereof

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

4. Hearing of Presentation, Delegations, Regional Report

4.1 Presentations

4.1.1 COVID-19 Update - Community Emergency Management Coordinator

Fire Chief and Community Emergency Management Co-Ordinator B. Lymburner provided an update relating to COVID-19 and updated Council relating to Town specific initiatives.

Moved By Bob Hildebrandt

Seconded By Lisa Haun

BE IT RESOLVED THAT Council receive the COVID-19 update presentation from B. Lymburner, Fire Chief and Community Emergency Management Co-Ordinator, for information.

Recorded	For	Against
Marvin Junkin	X	
Lisa Haun	X	
Bob Hildebrandt	X	
Ron Kore	X	
Results	4	0
		Carried (4 to 0)

4.1.2 Corporate Administration COVID-19 Update

The Chief Administrative Officer provided a corporate update relating to the COVID-19 initiatives presently underway in the Town, most specifically relating to the Recreation, Culture and Wellness programs.

Moved By Bob Hildebrandt

Seconded By Lisa Haun

BE IT RESOLVED that Council receive the COVID-19 Up-date presentation from D. Cribbs, Chief Administrative Officer, for information.

Recorded	For	Against
Marvin Junkin	X	
Lisa Haun	X	
Bob Hildebrandt	X	

Ron Kore X

Results 4 0
Carried (4 to 0)

4.2 Delegations

No delegations scheduled.

4.3 Report of Regional Councillor

No Regional Report.

5. Adoption of Minutes

Moved By Lisa Haun
Seconded By Ron Kore

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

- 1. C13a/2020 - Regular Council Minutes - August 10, 2020; and**
- 2. SC-11/2020 - Special Council Minutes - August 10, 2020.**

Recorded	For	Against
Marvin Junkin	X	
Lisa Haun	X	
Bob Hildebrandt	X	
Ron Kore	X	

Results 4 0
Carried (4 to 0)

6. Business Arising from Council Minutes

None

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

Councillor Stewart joined the meeting at this point.
There were no items lifted for separate consideration.

8. Consent Agenda Items to be Considered in Block

Moved By Marianne Stewart
Seconded By Bob Hildebrandt

BE IT RESOLVED THAT the Consent Agenda items as listed on the August 24th, 2020 Council Agenda be received and the recommendations contained therein be approved, as applicable.

8.1 Presentation of Recommendations Arising from COW or P&P, for Council Approval

BE IT RESOLVED THAT COUNCIL HEREBY approves the Recommendations Resulting from the following:

1. PCOW-04/2020 Public Meeting Under Planning Act - August 10, 2020

8.2 Minutes Approval – Committee

8.2.1 PCOW-04/2020 Public Meeting Under Planning Act - August 10, 2020

BE IT RESOLVED THAT Council receive the PCOW-04/2020 Public Meeting Under Planning Act - August 10, 2020 for information.

8.3 Staff Reports of a Routine Nature for Information or Action

8.3.1 Civil Proceedings Regarding Cannabis Related Matter, 2020-0126-Planning

BE IT RESOLVED THAT Council receive Report #2020-0126 for information.

8.3.2 Face Coverings in Enclosed Public Places Policy, 2020-0124-Chief Administrator Officer

BE IT RESOLVED THAT Council receive Report #2020-0124 for information.

Recorded	For	Against
Marvin Junkin	X	
Lisa Haun	X	
Bob Hildebrandt	X	
Ron Kore	X	
Marianne Stewart	X	
Results	5	0
		Carried (5 to 0)

9. Items for Separate Consideration, if Any

Not Applicable

10. Presentation & Consideration of Reports

10.1 Reports from Members of Council:

No reports.

10.2 Staff Reports Requiring Action

10.2.1 Delegation of Authority for Final Condominium Approval and Part Lot Control, 2020-0127-Planning

Moved By Marianne Stewart

Seconded By Lisa Haun

BE IT RESOLVED THAT Council receive Report #2020-0127;

AND THAT Council approve the Delegation of Authority By-law that delegates approval authority to the Director of Community Planning for Condominium approval and lifting of Part Lot Control approval.

Recorded	For	Against
Marvin Junkin	X	
Lisa Haun	X	
Bob Hildebrandt	X	
Ron Kore	X	
Marianne Stewart	X	
Results	5	0
		Carried (5 to 0)

10.2.2 Subdivision Agreement for Saffron Meadows Phase 1 of Subdivision 3(File No. 26T19-0218), 2020-0118-Planning

Moved By Ron Kore

Seconded By Bob Hildebrandt

BE IT RESOLVED THAT Council receive Report #2020-118; and that Council authorize execution of the Subdivision Agreement for final approval of Phase 1 of the Saffron Meadows Subdivision 3.

Recorded	For	Against
Marvin Junkin	X	
Lisa Haun	X	
Bob Hildebrandt	X	
Ron Kore	X	
Marianne Stewart	X	
Results	5	0
		Carried (5 to 0)

10.2.3 Purchase of Traffic Safety Devices in 2021, 2020-0123-Public Works

Moved By Marianne Stewart
Seconded By Bob Hildebrandt

BE IT RESOLVED THAT Council receive Report #2020-0123, Purchase of Warning Lights and Speed Display Signs for Road Safety;

AND THAT Council approve the initiative in principle and refer the purchase of traffic safety devices for consideration in the 2021 Roads Capital Budget.

Recorded	For	Against
Marvin Junkin	X	
Lisa Haun	X	
Bob Hildebrandt	X	
Ron Kore	X	
Marianne Stewart	X	
Results	5	0
		Carried (5 to 0)

11. Unfinished Business

None

12. New Business

None

13. Presentation and Consideration of By-Laws

Moved By Lisa Haun
Seconded By Ron Kore

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. Being a by-law to authorize the execution of a subdivision agreement with Hert Inc. and the Corporation of the Town of Pelham— Saffron Meadows Phase 3 Subdivision (Phase 1). Hert Inc. and the Corporation of the Town of Pelham. File No. 26T19-0218.

2. Being a by-law to delegate authority to the Director of Community Planning and Development regarding condominium approval and the lifting of part lot control.

Recorded	For	Against
Marvin Junkin	X	
Lisa Haun	X	
Bob Hildebrandt	X	
Ron Kore	X	
Marianne Stewart	X	
Results	5	0
		Carried (5 to 0)

14. Motions and Notices of Motion

None

15. Matters for Committee of the Whole or Policy and Priorities Committee: None

16. Matters Arising Out of Committee of the Whole or Policy and Priorities Committee: None

17. Resolution to Move in Camera

Moved By Ron Kore

Seconded By Lisa Haun

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

Municipal Act, 2001, Section 239(2)(d) - labour relations and employee negotiations.

Recorded	For	Against
Marvin Junkin	X	
Lisa Haun	X	
Bob Hildebrandt	X	
Ron Kore	X	
Marianne Stewart	X	

Results	5	0
		Carried (5 to 0)

17.1 2020-0128-Chief Administrator Officer Report

18. Rise From In Camera

Moved By Lisa Haun

Seconded By Bob Hildebrandt

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

Recorded	For	Against
Marvin Junkin	X	
Lisa Haun	X	
Bob Hildebrandt	X	
Ron Kore	X	
Marianne Stewart	X	

Results	5	0
		Carried (5 to 0)

Moved By Ron Kore

Seconded By Marianne Stewart

BE IT RESOLVED THAT the Chief Administrative Officer be and is hereby authorized to undertake the directions provided during the In Camera meeting of August 24, 2020.

Recorded	For	Against
Marvin Junkin	X	
Lisa Haun	X	
Bob Hildebrandt	X	
Ron Kore	X	
Marianne Stewart	X	

Results	5	0
		Carried (5 to 0)

19. Confirming By-Law

Moved By Bob Hildebrandt

Seconded By Ron Kore

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

Being a By-law No. 4275(2020) to Adopt, Ratify and Confirm the proceedings of Council of the Town of Pelham at its Regular Meeting held on the 24th day of August, 2020.

Recorded	For	Against
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Marvin Junkin	X
Lisa Haun	X
Bob Hildebrandt	X
Ron Kore	X
Marianne Stewart	X

Results	5	0	Carried (5 to 0)
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- 20. Adjournment**
- Moved By** Marianne Stewart
- Seconded By** Lisa Haun

BE IT RESOLVED THAT this Regular Meeting of Council be adjourned until the next regular meeting scheduled for September 8, 2020 at 5:30 pm.

Recorded	For
Marvin Junkin	X
Lisa Haun	X
Bob Hildebrandt	X
Ron Kore	X
Marianne Stewart	X

Against

Results	5	0	Carried (5 to 0)
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Mayor: Marvin Junkin

Town Clerk: Nancy J. Bozzato

Subject: 2020 Debenture Update**Recommendation:**

**BE IT RESOLVED THAT Council receive Report # 2020-0129-
Corporate Services for information.**

Background:

In 2016, The Regional Municipality of Niagara (Region) authorized borrowing by-law #37-2016 to a maximum aggregate principal amount of \$36,204,777, for debentures to be issued to the Ontario Infrastructure and Lands Corporation (OILC) to finance the Meridian Community Centre (MCC).

A Financing Agreement was signed on September 7, 2016 between the Region, the Town of Pelham (Town) and OILC. The Financing Agreement included the issuance of two debentures totaling \$21,204,758 and a Construction Bridge Loan up to \$15,000,019 which was to be paid with proceeds of land being sold in East Fonthill in the amount of \$12 million and donations of \$3 million. This Financing Agreement had a clause that any unpaid Construction Bridge Loan would be converted into a debenture if it was not repaid three months after the completion of the MCC. The MCC was completed in July 2018. The Construction Bridge loan outstanding at the end of October 2018 was \$13,527,443. The land sales were zero at the end of October 2018, but some donations had been collected, and the project had come in slightly below budget. The Town explained to OILC the situation with the land sales and the obstacles the Town was facing. They were very understanding and provided the Town with a one-year extension until the \$13.5M Construction Bridge Loan would convert into a 30-year debenture. In 2019, another year extension was requested and granted by OILC since the land sales were proceeding slowly but there were interested buyers. The final extension date ends October 1, 2020. Whatever balance is outstanding from the Construction Bridge Loan will be converted into a debenture. This report is to provide Council with an update that the final amount to be debentured on October 1, 2020 is \$3,450,000.

Analysis:

The total projected cost of the MCC was \$36,204,778. The MCC funding model

included the following: (1) two debentures to be issued in the amount of \$21,204,758; (2) \$12,000,000 in land sales in East Fonthill; and (3) \$3,000,000 of donations to be collected over a five-year period by 2023. These three amounts equaled the projected budget of \$36,204,778.

The actual costs were \$35,597,487. The actual MCC funding results are as follows: (1) two debentures were issued in the amount of \$21,204,758; (2) \$9,477,439 was received from the East Fonthill land sales; and (3) some donations are pledged over a 25-year period, resulting in \$914,724 donations received to date.

One of the parcels of land that was earmarked to be sold in East Fonthill was taken off the market by Council since it might be required for additional parking at the MCC. A Parking Study is being conducted to review all parking needs for the Town.

Two other amounts were applied to reduce the construction bridge loan amount outstanding. They are as follows: (1) interest revenue in the amount of \$90,455; and (2) a portion of the existing demand instalment loan in the amount of \$460,111.

As a result, the total outstanding balance of the construction bridge loan at October 1, 2020 is \$3,450,000.

Summary of Financial Transactions:

On January 16, 2017, the Town debentured \$9,066,166 to be funded by a special increase to the tax levy.

On August 5, 2017, the Town debentured \$12,138,592 to be funded by Development Charges revenue.

The Construction Bridge Loan at October 31, 2018 was \$13,527,443.

In 2019, the first proceed of land sales in East Fonthill was received in the amount of \$4,533,399.

In 2020, there were three land sales in East Fonthill totaling \$4,944,040.

The total donations received to date are \$914,724.

Interest revenue received on short-term funds invested was \$90,455.

Interest expense incurred on the construction bridge loan is \$522,726 to date, and was funded by the MCC reserve, which was set aside to cover short-term borrowing

costs.

CIBC loan applied to reduce the construction bridge loan in the amount of \$460,111.

Total amount of the Construction Bridge Loan to be debentured is \$3,450,000.

Capital Financing and Debt Management Policy No. S400-07

As per section 4.4 (a) of the policy, the Internal Debt Limit from 2020 to 2024 states that: Annual Debt Financing Charges shall not exceed 20% of Own-Source Revenues. With this new debenture of \$3,450,000 being issued as well as the full-year payments on the 2019 debenture, the estimated Annual Repayment Limit (ARL) will be 15.6%; therefore, the ARL is within the approved limits. The current ARL for 2020 is 12.8% as per the Ministry's report.

Financial Considerations:

The interest rate being proposed by OILC is approximately 1.99% for a 20-year debenture with OILC. The approximate annual repayment amount is \$240,000. A portion of this will be covered by the donations which have previously been pledged, and the other portion by an increase to the tax levy. For 2021, based on the pledges we anticipate, the principal and interest amount will be covered by funds in the MCC Reserve and in-year donations, therefore not having an impact to the 2021 tax levy.

Alternatives Reviewed:

N/A

Strategic Plan Relationship: Financial Sustainability

While the Town essentially has no choice but to proceed with this debenture, long term debt is an appropriate mechanism to finance a community asset which should last for many decades, and in turn should be paid for by both current and future taxpayers. Consequently, issuing this debt supports Pelham's goals of financial sustainability.

Consultation:

Regional Municipality of Niagara

Ontario Infrastructure and Lands Corporation

Other Pertinent Reports/Attachments:

Certificate of Treasurer Requesting Debenture Financing

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

CERTIFICATE OF TREASURER REQUESTING DEBENTURE FINANCING

IN THE MATTER OF an issue of debentures (the "**Debentures**") of The Regional Municipality of Niagara (the "**Region**") in the maximum aggregate principal amount of \$36,204,777.00 (Thirty Six Million Two Hundred Four Thousand Seven Hundred Seventy Seven Dollars as authorized by by-law #37-2016 of the Region (the "**Authorizing By-law**"), which Debentures are to be issued to the Ontario Infrastructure and Lands Corporation ("**OILC**") to finance the works described in column (2) of Schedule "A" and Schedule "B" (if applicable) to the Authorizing By-Law (individually a "**Project**" and collectively the "**Projects**")

TO: OILC

This Certificate is issued pursuant to the financing agreement between OILC, the Region, and The Corporation of the Town of Pelham (the "**Municipality**") on the 7th day of September, 2016 (the "**Financing Agreement**").

1. In accordance with section 10(b) of the Financing Agreement, I, Todd Harrison, the Treasurer of the Region, hereby notifies OILC of the Region's intention to issue and offer Debentures on behalf of the Municipality for purchase by OILC on the 1st day of October, 2020 (the "**Closing Date**") in the sum of \$3,450,000.00 (the "**Debenture Advance**").
2. The principal amount of the Debenture Advance has been calculated using Schedule "A" to this Treasurer's Certificate and all amounts used in that calculation are true and correct.
3. The principal amount of the Debenture Advance in respect of the Project(s) does not exceed the expenditures for that Project(s) as approved by the Authorizing By-law.
4. The Principal Amount of the Debenture Advance, when added to the aggregate principal amount of all outstanding Debentures and the aggregate amount of all outstanding Advances issued under the Financing Agreement will not exceed the Committed Amount.
5. The terms of the Debenture Advance to be issued by the Region are detailed in Schedule "B". In accordance with the terms of the Financing Agreement, the Region hereby confirms that charges may be incurred by the Region if it provides notice to OILC of any change to the final terms of the

Debenture Advance less than five (5) Business Days prior to the rate set date as specified in Schedule "B" hereto.

6. The representations and warranties of the Region set out in paragraph 2 of the Financing Agreement are true and correct as at the date hereof.

7. The Region is not in material default of any of its obligations under the Financing Agreement as at the date hereof and none of the events described in paragraph 12(c) of the Financing Agreement has occurred and is continuing.

8. The Region has not reached or exceeded its updated debt and financial obligation limit as at the date hereof.

9. No litigation or proceedings of any nature are now pending or threatened, attacking or in any way attempting to restrain or enjoin the long term borrowing as authorized under the Authorizing By-law, or in any manner questioning the proceedings and authority under which such borrowing will be made, or the capacity of the officers of the Region authorized there under to make such borrowing, and no authority or proceedings for such borrowing or any part of it have been repealed, revoked or rescinded in whole or in part.

10. The Region is not now subject to any restructuring order under Part V of the Act or other statutory authority; accordingly, no approval of the Authorizing By-law, the Financing Agreement, or the transactions contemplated thereby, or of the Note or the Debenture Advance is required to be given by any transition board or commission appointed in respect of the restructuring of the Region.

11. All capitalized terms not defined herein have the meanings ascribed to them in the Financing Agreement.

DATED August 12, 2020

Todd Harrison, Treasurer
The Regional Municipality of Niagara

Schedule A

<i>Upper Tier Municipality (issuing Debentures):</i>	The Regional Municipality of Niagara	<i>Program Year:</i>	2020/2021
<i>Lower Tier Municipality (authorizing Projects):</i>	The Corporation of the Town of Pelham		
<i>Date:</i>	August 12, 2020	<i>FA Number:</i>	1076

Debenture Funding Details:

<u>Project Name</u>	<u>Total Cost</u>	<u>Loan Amount</u>	<u>Expenses To Date</u>	<u>Advances to Date</u>	<u>Allowable Advance</u>	<u>New Funds</u>	<u>Conversion</u>	<u>Debenture Amount</u>
Pelham Community Centre	\$36,204,777.00	\$36,204,777.00	\$34,732,201.00	\$34,732,201.00	\$0.00	\$0.00	\$3,450,000.00	\$3,450,000.00
Total	\$36,204,777.00	\$36,204,777.00	\$34,732,201.00	\$34,732,201.00	\$0.00	\$0.00	\$3,450,000.00	\$3,450,000.00

Total maximum loan advance request	\$3,450,000.00
Amount per Treasurer's Certificate	\$3,450,000.00
*amount cannot exceed maximum above	

Teresa Quinlin, Treasurer
The Corporation of the Town of Pelham

[AFFIXSEAL]

SCHEDULE "B" - DEBENTURE WORKSHEET

Terms for the Debenture:

Principal amount of the debenture	\$3,450,000.00	Interest Rate	To Be Determined
Term	20 years	Rate Set Date	September 10, 2020
Type	Amortizing	Closing Date	October 1, 2020
Frequency	Semi-Annual	Council/Board Meeting Date	September 17, 2020

Thursday, August 27, 2020

To: Town of Pelham Council
cc: Hon. Mayor, Marvin Junkin (mjunkin@pelham.ca)
Nancy Bozzato - Administrative Clerk (nbozzato@pelham.ca)

Re: Proposed rezoning and development of property known as 1307 Haist St. (at Pancake Lane)
Part of Lot 2, Concession 8

Mr. Mayor Junkin, Town of Pelham Councillors and fellow residents in the Town of Pelham;

We the residents of Berkhout Terrace in the Town of Pelham Ward 3, hereby submit our concerns regarding the proposed rezoning of the property known as 1307 Haist St., from R1 to RM1. We understand that a previous presentation to Town Council has taken place on August 10, 2020 and this letter is to accompany the already received submissions and petitions from other local residents within Wards 2 and 3.

Our concerns are as follows:

- The proposed multi-unit dwelling will be unsightly amongst the single-family dwellings of the area.
- The proposed redevelopment will significantly effect the value of the surrounding neighbour properties due to increased traffic, noise and tight yard spaces
- The risk of losing mature trees to development in an area that already has high risk defoliation due to Gypsy Moth infestation
- Increased risk to pedestrian safety with the increase in traffic at an irregular and already dangerous intersection
- Young aged children walking to A.K. Wigg Public School will be at elevated risk due to higher volume of vehicles entering and exiting from 3 driveways where before there was only a single driveway
- The proposed redevelopment will pave the way for future properties to become multi-residential effecting other residents
- The current East Pelham expansion consists of a large amount of multi-dwelling properties which are sufficient to accommodate the higher density development models
- Multi-dwelling properties are also available in the development north of RR20 between Haist St and Lookout Street which should satisfy buyers looking for this housing type

We implore you heed our concerns and the concerns of all residents of Pelham who live in the mature neighbourhoods who face these redevelopments. By permitting rezoning of our properties, future buyers may follow the same plans for other properties which could see many family homes converted to multi-dwelling units such as this one. We are hopeful that ours and other resident's concerns will be a critical factor in deciding the outcome of this and future applications for rezoning mature single dwelling properties.

The Town has already seen applications for these types of proposals which have been denied (30 Alan Crescent), we simply ask the same result in this and future cases of this nature.

Thank you for receiving this notice and we kindly **request a notice of the result** of this rezoning application by mail to: Mark Hughes, 23 Berkhout Terrace, Fonthill, ON L0S 1E2 [REDACTED]

Signed electronically by the residents of Berkhout Terrace:

#3 Karen Storr and Terri Godin

#12 Fred Bates

#19 Theresa Schlosser

#5 Cheri Power and Paul Hewitt

#14 Marilyn & Keith Ebert

#20 Elaine and Brian Burgess

#7 Kim Duggan and Jim Thibodeau

#15 Jeanne and Richard Boc

#23 Sherree and Mark Hughes

#9 Clyde Barnhart

#17 Julie and James Horrocks

#25 Caroline and Dan Campbell

#11 Jolene and Chris Ciccarelli

#18 Courtney and Carey Maclean

MEETING DATE: Thursday Aug 13, 2020 – 5:00 PM
Zoom Meeting

Present: Vickie vanRavenswaay (Director of Recreation, Culture & Wellness)
Julie Cook (Recreation and Wellness Programmer)
Halee Braun (RCW Administrative Assistant)
Councillor Marianne Stewart
Byron Sinclair (Pelham Minor Hockey Association)
Kevin Yochim (Southern Tier Admirals)
Jessica Sackett (Niagara Centre Skating Club)
Brian Bleich (Pelham Basketball Association)
James Allen (Facility Supervisor)

Absent with Regrets: Tim Toffolo (Jr. B Pelham Panthers) Doug Freeland
(Service Club Representative) Spencer Tanguay (Pelham Raiders Lacrosse
Association)

1 WELCOME

The Chair Vickie VanRavenswaay, called the meeting to start at 5:11pm

2 ADDITIONS TO THE AGENDA

No additions to the agenda

3 ADOPTION OF THE AGENDA

Moved by: Kevin

Seconded by: Byron

THAT the agenda for the August 13, 2020, MCC User Group Roundtable Committee Meeting be approved, as presented.

CARRIED

4 APPROVAL OF MINUTES OF PREVIOUS MEETING

Moved by: Kevin

Seconded by: Brian

THAT the Minutes of the Aug 13, 2020 MCC User Group Roundtable Committee meeting be approved, as presented.

CARRIED

5 COVID-19 IMPACTS

a. Facility Update – Vickie outlined daily operations due to COVID restrictions

b. Fall/Winter Allocations

- Discussed programming plans for September
- Basketball Registration starts Monday Aug, 17 – Numbers from us to Brian by Aug, 31, Basketball requires what public programming will be held nights and weekends, by staff Aug 31st.
- Within the week OMHA will announce guidelines
- Special Requests: AAA 17 people on the ice, Synchro teams have 20 skaters, staff will respond to request by next week
- Fall/Winter facility allocation requests need to be into Julie by August 28.

6 ROUND TABLE DISCUSSION

7 OTHER BUSINESS

8 NEXT MEETING

Next meeting: at the call of the chair, Tim Toffolo

9 ADJOURNMENT

Moved by: Byron

Second by: Jessica Sackett

The meeting of the MCC User Group Roundtable Committee, Aug 13, 2020 adjourned at 6:08pm.

Chair of MCC User Group Roundtable Committee
Tim Toffolo

RCW Administrative Assistant
Halee Braun

Subject: Establishment of Municipal Heritage Advisory Committee**Recommendation:**

BE IT RESOLVED THAT Council receive Report #2020-055; and

THAT Council approve the Terms of Reference for the establishment of a Municipal Heritage Advisory Committee attached to this report; and

THAT Council direct staff proceed with the advertisement for community members to apply for the Municipal Heritage Advisory Committee; and

THAT the appointment of community members to the Municipal Heritage Advisory Committee occur after the temporary provincial and municipal coronavirus COVID-19 pandemic restrictions on meetings of advisory committees has been lifted.

Background:

On November 4, 2109 Council passed a resolution requesting that staff bring a report to Council regarding the re-establishment of a Heritage Committee. Also at the Special Council meeting of February 24, 2020 where Council established its strategic planning priority and goals for the remainder of its term, the establishment of a Heritage Advisory Committee was identified as a strategic goal of Council and at that time, Council was informed that staff would bring a report to them in April.

Analysis:Legislative Authority and Context

The *Ontario Heritage Act* provides the legislative authority for Council to establish a municipal heritage committee. Section 28 of the *Ontario Heritage Act* states that a municipality may by by-law establish a municipal heritage committee to advise and assist the Council on matters relating to Part IV and Part V of the Act and such other heritage matters as Council may specify by by-law. There is no requirement

that any municipality must have municipal heritage committee, but rather the Act is permissive and states that a municipality may establish such a committee by by-law, therefore it is at Council's discretion should it wish to establish a municipal heritage committee.

Part IV matters under the Act that a municipal heritage committee would provide advice on relate to properties that are individually designated under the *Ontario Heritage Act* by a municipality or the Minister as being of cultural heritage value or interest to the community, i.e., designated properties. The Town of Pelham currently has eight such properties:

1. 1544 Pelham Street – Kinsman House – designated in 1984
2. 495 Canboro Road – Pollard House – designated in 1985
3. 417 Tice Road – Rice Moore Home – designated in 1994
4. 1732 Cream Street – Comfort Maple – designated in 2000
5. Maple Street – Fenwick Flag Pole – designated in 2013
6. 1732 Cream Street – Comfort House – designated in 2016
7. 1141 Maple Street – Quaker Meeting House – designated in 2018
8. 808 Canboro Raod – United Church Manse – designated in 2018

Part IV of the Act also provides for the keeping of a register of non-designated properties that Council believes to be of cultural heritage value or interest that a municipal heritage committee could provide advice and assistance on. A considerable amount of work has been conducted by staff on the preparation of a register of non-designated properties, however to date it remains incomplete.

Part V matters under the Act that a municipal heritage committee would provide advice on to Council relate to heritage conservation districts. The Town does not currently have a heritage conservation district.

The Act also specifies that the Committee shall not be comprised of no fewer than 5 members appointed by Council.

In February 2015 the by-law that established the previous Heritage Pelham Advisory Committee was rescinded and the previous Committee ceased to function. Since that time, staff have been reporting directly to Council on cultural heritage matters.

Terms of Reference for Municipal Heritage Advisory Committee

Staff have prepared Terms of Reference for a Municipal Heritage Advisory Committee (MHAC) for Council's consideration. The Terms of Reference provide that the mandate of the MHAC is to advise Council on matters relating to the

conservation of significant built heritage resources and significant cultural heritage landscapes within the Town of Pelham including:

- The establishment and maintenance of a register of properties of cultural heritage value or interest under Part IV of the *Ontario Heritage Act*, and to encourage the conservation of the heritage attributes of these properties;
- The designation of individual properties by By-law under Part IV of the *Ontario Heritage Act*;
- Any amendments and repealing of Part IV designation by-laws under the *Ontario Heritage Act*;
- The establishment of heritage conservation district (s) under Part V of *Ontario Heritage Act*, and to encourage the conservation of the heritage attributes of the district(s);
- Heritage permit applications to alter or demolish cultural heritage resources of properties designated under Part IV or Part V of the *Ontario Heritage Act*;
- The establishment and maintenance, including additions and deletions, of a register of properties of cultural heritage value or interest that are not designated under the *Ontario Heritage Act* in accordance with appropriate evaluation criteria; and
- Reviewing and providing cultural heritage conservation comments to Council regarding development applications, demolitions and other municipal projects that have a direct impact on cultural heritage resources

The objective of the MHAC is to advise Council on matters of cultural heritage conservation including:

- The support of cultural heritage conservation and adaptive reuse within the community;
- The review of policies that relate to cultural heritage resources in the community, including resources owned by the Town;
- Review and evaluate potential financial incentive programs;
- The use of sound cultural heritage conservation practices in the conservation of significant built heritage resources and significant cultural heritage landscapes;
- Recommend best practices for cultural heritage conservation;
- Research and preparation of reference materials regarding the significant cultural heritage resources in the community.

The Terms of Reference state that the MHAC shall consist of five (5) members from the community at large and one (1) member of Council as an ex-officio member along with being supported by Planning Staff also as ex-officio member(s).

Appointment of members to the MHAC by Council shall be based on the applicant's demonstrated knowledge, expertise, or skill set related to conservation and/or

restoration of cultural heritage buildings, structures and/or cultural heritage landscapes. As such preference will be given to persons with experience in the following professions:

- Heritage Architect
- Structural Engineer
- Archivist
- Landscape Architect
- Restoration Tradesperson (mason, carpenter, etc.)
- Building Inspector
- Architectural Historian
- Heritage Planner
- Historian

Should Council wish to establish a Municipal Heritage Advisory Committee, staff should be directed to prepare the appropriate advertisement advertising community members to apply to be on the Committee. However, due to the current temporary restrictions in place regarding meetings and the cancellation of all Town advisory committees (except the Cannabis Control Committee that meets via teleconference), as a result of the provincial and municipal restrictions relating to the coronavirus COVID-19 pandemic, the appointment of members to the MHAC will take place once the restrictions related to the pandemic have been lifted.

Financial Considerations:

Should Council proceed with the establishment of Municipal Heritage Advisory Committee, a budget for this Committee will need to be established as part of the 2021 budget and going forward. Currently within the Planning budget there is only a budget of \$1350 for materials and supplies related to heritage that is available. A total budget of \$5,000 per annum is recommended. The \$1,350 is likely adequate as a pro-rated amount for 2020.

Alternatives Reviewed:

The alternative is to not establish a municipal heritage advisory committee and maintain that responsibility with staff as has been the case since the previous committee was dissolved in 2015.

Strategic Plan Relationship: Build Strong Communities and Cultural Assets

The establishment of a Municipal Heritage Advisory Committee will help support building strong communities and cultural assets. The Municipal Heritage Advisory Committee will have a particular interest in support and advancement of cultural heritage matters under Parts IV and V of the *Ontario Heritage Act*.

Consultation:

The Town Clerk and CAO were consulted on the preparation of this report and the Terms of Reference for the Municipal Heritage Advisory Committee.

Other Pertinent Reports/Attachments:

Terms of Reference for Municipal Heritage Advisory Committee

Prepared and Recommended by:

Barbara Wiens, MCIP, RPP
Director of Community Planning and Development

Prepared and Submitted by:

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

Strategic Goal: Build Strong Communities and Cultural Assets**Departmental Reporting: Community Planning and Development****Goals**

The Town of Pelham Municipal Heritage Advisory Committee shall be an advisory committee providing advice and recommendations on cultural heritage matters to Council and is established in accordance with Section 28 of the *Ontario Heritage Act*.

The Committee shall be known as the Town of Pelham Municipal Heritage Advisory Committee, hereinafter called the “MHAC”.

The mandate of the MHAC is to advise Council on matters relating to the conservation of significant built heritage resources and significant cultural heritage landscapes within the Town of Pelham including:

- a) The establishment and maintenance of a register of properties of cultural heritage value or interest under Part IV of the *Ontario Heritage Act*, and to encourage the conservation of the heritage attributes of these properties;
- b) The designation of individual properties by By-law under Part IV of the *Ontario Heritage Act*;
- c) Any amendments and repealing of Part IV designation by-laws under the *Ontario Heritage Act*;
- d) The establishment of heritage conservation district (s) under Part V of *Ontario Heritage Act*, and to encourage the conservation of the heritage attributes of the district(s);
- e) Heritage permit applications to alter or demolish cultural heritage resources of properties designated under Part IV or Part V of the *Ontario Heritage Act*;
- f) The establishment and maintenance, including additions and deletions, of a register of properties of cultural heritage value or interest that are not designated under the *Ontario Heritage Act* in accordance with appropriate evaluation criteria; and
- g) Reviewing and providing cultural heritage conservation comments to Council regarding development applications, demolitions and other municipal projects that have a direct impact on cultural heritage resources

The objective of the MHAC is to advise Council on matters of cultural heritage conservation including:

- a) The support of cultural heritage conservation and adaptive reuse within the community;

- b) The review of policies that relate to cultural heritage resources in the community, including resources owned by the Town;
- c) Review and evaluate potential financial incentive programs;
- d) The use of sound cultural heritage conservation practices in the conservation of significant built heritage resources and significant cultural heritage landscapes;
- e) Recommend best practices for cultural heritage conservation;
- f) Research and preparation of reference materials regarding the significant cultural heritage resources in the community.

Membership

Consideration of appointments to the MHAC by Council shall be based on a demonstrated knowledge, expertise, or skill set related to conservation and/or restoration of cultural heritage buildings, structures and/or cultural heritage landscapes in the following professions:

- Heritage Architect
- Structural Engineer
- Archivist
- Landscape Architect
- Restoration Tradesperson (mason, carpenter, etc.)
- Building Inspector
- Architectural Historian
- Heritage Planner
- Historian

The MHAC shall consist of five (5) members from the community at large and one (1) member of Council as an ex-officio member.

Members shall have access to a computer and shall have an email address in order to receive and respond to committee communications and information.

Members shall be residents of the Town of Pelham, or work in the Town, or have a place of business in the Town.

The Staff Liaison to the MHAC shall be the Director of Community Planning and Development, or designated Town Planner as a resource.

All members shall have voting rights, except staff who serve as a resource and the ex-officio member of Council. Members shall be appointed by by-law by Council and the term of office shall be consistent with the Term of Council. Vacancies shall be replaced by Council appointment. Any Committee Member missing three (3) consecutive meetings without

reasonable cause or explanation will be deemed to have resigned and the Staff Liaison shall inform the Town Clerk to seek applications to fill such vacancy.

The Chair and Vice Chair will be elected from the Committee's membership at the first meeting of the Committee. The ex-officio member of Council is not eligible for such position.

Meeting Protocols

The following meeting protocols shall apply:

- Quorum for meetings of the Committee shall be determined according to the Town's Procedural By-law, and declared by the Chair.
- Approval of any motion shall require 50% plus one of the voting members in attendance at the meeting.
- If quorum is not attained within 15 minutes of the scheduled start time of the meeting, no actions or recommendations emanating from a meeting have any force or effect.

Minutes shall be recorded and retained by staff, and copies shall be forwarded to Town Council for information after committee approval.

The Committee reports to Council via minutes of its meetings, presentations as requested and/or as deemed necessary. Recommendations for Council shall be forwarded in resolution form, under the signature of the Chair.

Meetings shall be scheduled a minimum of quarterly and to a maximum of once per month. All meetings shall be open to the public and shall be consistent with the Town Procedural By-law, as amended with modifications where necessary, for the conduct of meetings and if so convened, shall not be held in the absence of the staff liaison. Meeting dates shall be posted on the Town website.

The Chair shall call and preside at all meetings of the MHAC. The Chair acts as the contact person between the public, media, staff liaison and the MHAC. During the absence or inability of the Chair to preside, the duties and responsibilities shall be exercised by the Vice Chair.

The MHAC shall be supported in their work by Community Planning and Development staff who will provide expert advice, technical reports, background information and resource support.

The minutes of the MHAC meeting(s) and any recommendations of the MHAC shall be reported to Council and Council will make the final determination/decision as it relates to actions of the MHAC.

The records of the MHAC shall be retained in accordance with the Town's Records Retention By-law.

Financial Reporting

Financial reporting will be administered by the Town of Pelham Corporate Services Department. The MHAC shall maintain an annual budget as determined and approved by Council. Expenditures will be authorized by a majority of vote of the MHAC and in accordance with the Town's Purchasing Policy for initiatives that have obtained Council approval.

Committee Approval Date:

Council Approval Date:

THE CORPORATION OF THE
T O W N O F P E L H A M
BY-LAW #4277(2020)

**Being a by-law to adopt, ratify and confirm the actions of
the Council at its regular meeting held on the 8th day of
September 2020.**

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 8th day of September, 2020, 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 8th DAY OF SEPTEMBER 2020 A.D.

MAYOR MARVIN JUNKIN

TOWN CLERK, NANCY J. BOZZATO