

REGULAR COUNCIL AGENDA

C-16/2020 Regular Council

Monday, October 5, 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.

Pages

1. Call to Order and Declaration of Quorum
2. Approval of Agenda
3. Disclosure of Pecuniary Interests and General Nature Thereof
4. Hearing of Presentation, Delegations, Regional Report
 - 4.1 Presentations
 - 4.2 Delegations
 - 4.2.1 COVID Update - Community Emergency Management Co-Ordinator
B. Lymburner

4.2.2 COVID Update - Recreation, Culture and Wellness

V. vanRavenswaay - See Information Report

4.2.2.1 RCW Covid update, 2020-0142-Recreation 7 - 11

4.2.3 COVID Update - CAO

D. Cribbs

4.2.4 Pelham Active Transportation Committee - Bea Clark, Chair 12 - 26

Active Transportation Master Plan

4.3 Report of Regional Councillor

5. Adoption of Minutes

5.1 C-15/2020 Council Minutes, September 21, 2020 27 - 40

5.2 SC-13/2020 - Special Council Minutes September 21, 2020 41 - 44

6. Business Arising from Council Minutes

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

8. Consent Agenda Items to be Considered in Block

8.1 Presentation of Recommendations Arising from COW or P&P, for Council Approval 45 - 45

1. SCOW-01/2020 - Special Committee of the Whole - Budget Open House September 23, 2020

8.2 Minutes Approval - Committee

8.2.1 SCOW-01/2020 - Special Committee of the Whole - Budget Open House September 23, 2020 46 - 48

8.3 Staff Reports of a Routine Nature for Information or Action

8.4 Action Correspondence of a Routine Nature

8.5 Information Correspondence Items

8.6 Regional Municipality of Niagara - Action Items

8.7 Committee Minutes for Information

9. Items for Separate Consideration, if Any

10. Presentation & Consideration of Reports

10.1 Reports from Members of Council:

10.2 Staff Reports Requiring Action

10.2.1 Sanitary Sewer Diversion at Summersides and Station Street, 2020-0137-Public Works 49 - 53

11. Unfinished Business

12. New Business

13. Presentation and Consideration of By-Laws 54 - 56

By-law 4282(2020) - -Being a by-law to authorize the sale of Town-owned lands to Lally Homes Ltd., or successors in title, the lands being described on Schedules A and B appended hereto; and to authorize the Mayor and Clerk to execute all necessary documents to complete the transaction.

14. Motions and Notices of Motion

Moved by Councillor Haun

Seconded by Councillor Hildebrandt

Be it resolved that Pelham Town Council endorse the following resolutions as matters of highest priority:

WHEREAS the Town of Pelham is a municipality of fewer than 18,000 persons;

AND WHEREAS the Town has already spent in excess of \$100,000 in legal and professional fees in developing a municipal, cannabis (which

includes industrial hemp) regulatory framework and is bearing the entire cost of seven separate proceedings against that framework before the Superior Court of Justice, the Normal Farm Practices Protection Board, and/or the Local Planning Appeal Tribunal ("LPAT"), which are currently estimated to cost the taxpayer over \$300,000 to litigate;

AND WHEREAS hundreds of residents have suffered ongoing adverse effects (particularly light and odour pollution) from cannabis facilities in the Town, and the Town will have to incur ongoing enforcement costs in order to have any hope of mitigating these adverse effects;

AND WHEREAS the Town of Pelham is not the only municipality in Niagara, or in Ontario, that has suffered these adverse effects from these cannabis facilities which operate on an industrial scale;

AND WHEREAS at present residents of the Town of Pelham are on track to pay 100% of the costs of civil cases that are precedential in nature and will impact neighbouring communities, all of Niagara, and ultimately have a provincial impact;

NOW THEREFORE Pelham Town Council formally requests that the Region of Niagara seek "Party" status in the various LPAT proceedings that have been initiated by Woodstock Biomed Inc., CannTrust Holdings and Redecan Pharm as against Town of Pelham. As a Party, the Region can offer direct evidence, planning expertise and testimony in support of the Town of Pelham's recently amended Official Plan and Zoning Bylaw, which were adjusted with the approval of Regional Staff;

AND FURTHER Pelham Town Council requests that Member of Provincial Parliament Sam Oosterhoff be requested to champion the Town's plight with the Provincial Government so as to result in the Ministry of Municipal Affairs and Housing seeking "Party" status in the various LPAT proceedings that have been initiated by Woodstock Biomed Inc., CannTrust Holdings and Redecan Pharm as against Town of Pelham and a financial contribution from the Provincial Government towards the Town's litigation costs in recognition of the broader provincial public interest being represented;

AND FURTHER that Niagara West MP Dean Allison be requested to

champion the Town of Pelham's plight in the legislature (after it recommences sitting) and further pressure Health Canada to satisfy its own obligations with respect to enforcement of standards and regulations as they pertain to odour emissions from cannabis facilities, including providing a financial contribution towards the Town's litigation and enforcement costs in recognition of the broader public interest being represented.

AND FURTHER that Niagara West MP Dean Allison be requested to obtain a clear and satisfactory answer from Health Canada as to why, after a year since CannTrust Holdings has acknowledged growing cannabis in a manner that contravened its license, no penalty or fine has been formally levied nor have charges been laid.

AND FURTHER Pelham Town Council formally requests that the City of Welland and the City of Thorold each be asked to voluntarily contribute \$15,000 (which represents 5% of the estimated litigation costs) towards defense of the aforementioned legal actions as Pelham has received complaints from residents of both those municipalities pertaining to light and/or smell associated with the industrial production of Cannabis.

- 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**
 1. Municipal Act Section 239(2)(e) - litigation or potential litigation, including matters before administrative tribunals, affecting the municipality - File L02-19-2019
 2. Municipal Act Section 239(2)(b) personal matters about an identifiable individual, including municipal or local board employees - 1 item
- 17.1 Staff Report File L02-19-2019, 2020-0141-Planning**
- 18. Rise From In Camera**
- 19. Confirming By-Law**

20. Adjournment

Subject: Recreation, Culture & Wellness Covid 19 Update

Recommendation:

BE IT RESOLVED THAT Council receive Report #2020-142 Recreation, Culture and Wellness COVID-19 Update, for information.

Background:

This is an update report on RCW Facilities, Programs and upcoming events as of Monday September 28, 2020. Staff will also give a Covid 19 verbal update on Monday October 5 Council meeting. The EOC Committee has approved the programs and events outlined below. All rentals, programs and events are offered with the understanding cancellation is possible due to Covid 19 conditions.

MCC Facility Rentals

Ice Pads - Prime time on both ice pads are fully booked for the season. All main licensed user groups, Pelham Minor Hockey Association; Niagara Centre Skating Club; Jr. B Hockey Club; AAA Southern Tier Admirals, have started their season. Private rental groups have filled in whatever prime time ice was available. As the season continues, Pelham Minor Hockey will also be taking early weekday mornings for practices before school.

Beginning Monday September 28 the following programs began using daytime ice:

- Women's learn to play hockey
- Shinny
- Stick & Puck - variety of ages and time slots
- Adult Skate
- Adult & preschool skate

As of Sunday October 4th Public skating will be offered. Reservations to hold a spot by phone (905-732-7872) is available with limited spaces of 50 (see attached MCC Fall Schedule).

Gymnasiums – Pelham Basketball Association fall/winter season has begun. The association has booked all available prime time in both gyms except for Monday

and Friday evenings, leaving time for pickle ball.

Beginning Monday September 28 the following programs will be offered:

- Brock fit program – gymnasium 3 x a week during the day
- Pickle Ball – gymnasium during the day
- Chair Yoga – Accursi room once a week during the day
- Yogalates – Accursi room once a week in the evening
- Hatha Yoga – Accursi Room once a week.

Additional programs will be introduced over the next couple of months.

Accursi & Kinsmen rooms

Both rooms are being offered for rentals according to the new occupancy levels.

Walking Track is open for use 7 days a week from 7am – 10pm.

Old Pelham Town Hall

The EarlyOn program is expected to start up again in the near future. Private rentals will not be allowed at this time due to Covid 19 guidelines for non-supervised events.

Upcoming Community Events

Outdoor Christmas Market – Friday December 4th

As the anchor event of the Christmas in Pelham season, the Town annually delivers an Outdoor Christmas Market on the first Friday of December. This event is held at Pelham Town Square from 4pm to 9:30pm. Modeled on traditional European Christmas Markets, the market features local artisans and their seasonal offerings, alongside local businesses. The event provides Town residents with the opportunity to enjoy the spirit of the season while engaging in local shopping, visits with Santa and various other seasonal activities. With the impact of COVID-19 on the requirements for events, the annual Outdoor Christmas Market proposed to move forward, with physical distancing and limited entry to adhere to provincial regulations, similar conditions as the Pelham Farmers Market. A further report will be coming in the next couple of weeks.

Santa Claus Parade – Saturday December 12th

The Santa Claus Parade in Fenwick, is held on the second Saturday in December and is hosted by the Fenwick Lions Club with support from Town staff. Covid 19 restrictions, and limits of outdoor gatherings restrict the viability of a traditional parade. An alternate plan, "Reverse Parade" has been proposed, which instead follows the Drive In/Drive Thru event guidelines and doesn't have a limit on participants. How the reverse parade works is the parade floats that would

traditionally travel a route are instead stationary along a route. Spectators of the parade, instead of sitting and watching a parade go by, would drive through the stationary floats while remaining in their vehicle. Spectators remain in their enclosed vehicle for the duration of the event. This style of event has had success in other areas across Ontario and allows participants to enjoy elements of events from the safety of their vehicles. It's proposed this event will take place in Centennial Park. Staff are in discussions with Fenwick Lions to work towards the safe implement of a Reverse Parade.

Analysis:

All rentals, programs and events are offered under Provincial and Public Health Guidelines and are approved by our EOC Committee, recognizing guidelines could change, resulting in cancelation.

Financial Considerations:

Facility rentals and recreational programming result in much needed revenues to meet budget expectations.

Events will be offered and aligned with 2020 budget.

Alternatives Reviewed: Alternative would be not to offer programming or events.

Strategic Plan Relationship: Build Strong Communities and Cultural Assets

By opening our facilities and offering rentals; programming; and community events under approved guidelines it gives residents a sense of community pride and security.

Consultation: Province, Public Health, Festivals & Events Ontario and EOC Committee

Other Pertinent Reports/Attachments: MCC Fall Schedule

Prepared and Recommended by:

Vickie vanRavenswaay, RRFA
Director of Recreation, Culture and Wellness

Prepared and Submitted by:

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

Meridian Community Centre

FALL SCHEDULE




SEPTEMBER - OCTOBER
REVISED: SEPTEMBER 28, 2020

See reverse side for all programming start dates

All dates, times and locations are subject to change.

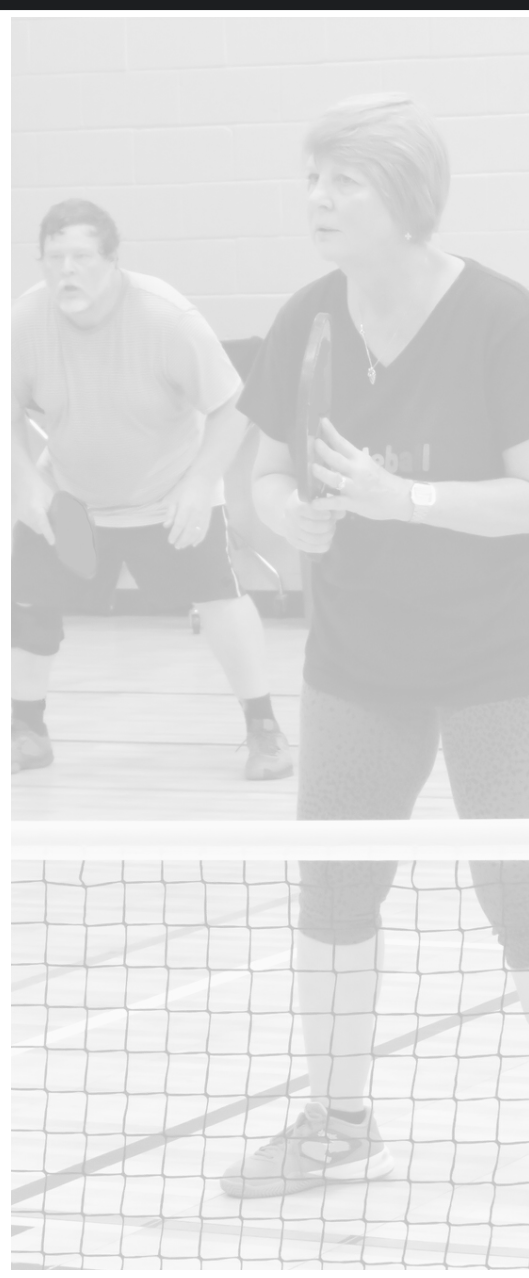
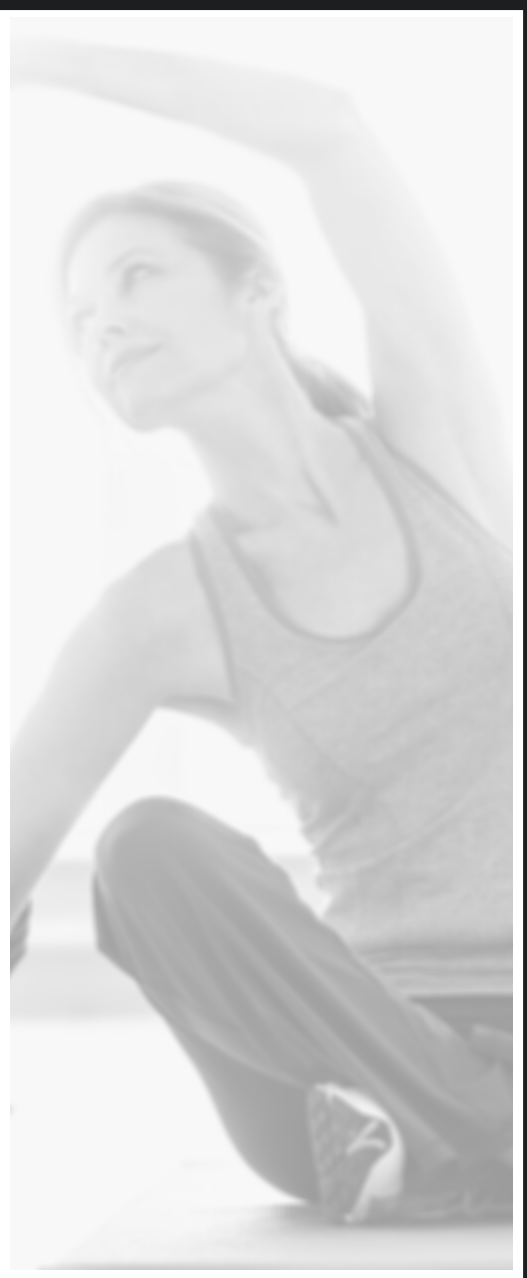
Arena Schedule

Arena programs are subject to a 50 minute min hour to allow time for ice flood.
Please visit our website for full details and applicable fees.

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
<div>Public Skate * 1:00-2:20PM</div> 	<div>Women's Learn to Play 9:45-10:30AM</div> <div>Women's Shinny 10:30-11:20AM</div> <div>60+ Stick & Puck 10:00-10:50AM</div> <div>Adult Skate 2:00-2:50PM</div> <div>Stick & Puck (Age 6 & Under) 2:45-3:35PM</div> <div>7-12 Stick & Puck 3:45-4:35PM</div>	<div>Men's Shinny 9:00-9:50AM</div> <div>Adult & Pre-School Skate 1:00-1:50PM</div> <div>Stick & Puck (Ages 13-17) 4:00-4:50PM</div>		<div>Adult & Pre-School Skate 9:30-10:20AM</div> <div>Women's Shinny 9:45-10:35AM</div> <div>60+ Stick & Puck 10:30-11:20AM</div> <div>Adult Skate 1:00-1:50PM</div>	<div>Men's Shinny 9:00-9:50AM</div> <div>Men's 60+ Shinny 10:00-10:50AM</div> <div>18+ Stick & Puck 4:15-5:15PM</div> <div>Public Skate* 7:30-8:20PM 8:30-9:20PM</div>	

*Public Skate (50 Max) preregistration is required by calling 905-732-7872

Program Schedule

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	<div>Brock Fit 9:00-10:00AM Gym</div> <div>Pickle Ball (All Levels) 11:00AM-2:00PM Gym</div> <div>Pickle Ball (Beginner) 7:45-10:15PM Gym</div>	<div>Walking Club 9:00AM Atrium Lobby</div> <div>Chair Yoga 11:15AM-12:15PM Accursi Room</div> <div>Yogalates 6:00-7:00PM Accursi Room</div>	<div>Brock Fit 9:00-10:00AM Gym</div> <div>Pickle Ball (All Levels) 11:00AM-2:00PM Gym</div> <div>Hatha Yoga 6:30-7:30PM Accursi Room</div>	<div>Walking Club 9:00AM Peace Park Pavillion</div> <div>Pickle Ball (All Levels) 9:00AM-12:00PM Gym</div>	<div>Brock Fit 9:00-10:00AM Gym</div> <div>Pickle Ball (All Levels) 11:00AM-2:00PM Gym</div> <div>Pickle Ball (All Levels) 7:45-10:15PM Gym</div>	

For cancellations, please visit pelham.ca/cancellations



/townofpelhamontario



/townofpelhamontario



/townofpelham



/townofpelham

Adult/Senior Programming

We will not be able to lend out any program equipment at this time. Sorry for any inconvenience.

Brock Fit

Mondays, Wednesday and Friday 9:00am - 10:00am

This will be a supervised cardiovascular, strength and balance class designed to help with everyday living.

\$135.00 including tax - 12 week program.

Registration is required.

Pickle Ball

Mondays from 11:00am - 2:00pm (All Levels), 7:45pm-10:15pm (Beginner)

Wednesdays from 11:00am - 2:00pm (All Levels)

Thursday from 9:00am - 12:00pm (All Levels)

Fridays from 11:00am - 2:00pm (All Levels), 7:45pm - 10:15pm (All Levels)

Co-ed, recreational pickle ball - players must be 18 or older to participate.

Drop in fee \$6.00 or activity punch pass \$80.00 for 20 drop in classes

Yoga

Please bring your own mat, blocks and strap.

Must be 18 or older to participate.

Drop in \$6.00 or Activity punch pass \$80 for 20 drop in classes.

Hatha Yoga: Yoga helps tone, lengthen, and strengthen muscles.

This gentle form of yoga is perfect for beginners and those with experience. This drop-in class focuses on alignment and breathing.

Wednesdays from 6:30pm - 7:30pm

Chair Yoga: Chair yoga is a gentle form of yoga that is practiced sitting on a chair, or standing using a chair for support. Though yoga is beneficial for all, Chair yoga is the perfect way for seniors to discover yoga.

Tuesdays from 11:15am - 12:15pm

Yogalates

Please bring your own mat, blocks and strap

Yogalates is a fitness routine that incorporates both yoga posture, breathing techniques, and pilates exercises. Co-ed. Must be 18 years or older to participate.

Tuesdays from 6:00pm - 7:00pm

Drop in \$6.00 or activity punch pass \$80.00 for 20 drop in classes.

Programming Start Dates

September 28, 2020

- Women's Learn to Play- Monday 9:45-10:30AM
- 60+ Stick & Puck- Monday 10:00-10:50AM
- Women's Shinny- Monday 10:30-11:20AM
- Adult Skate- Monday 2:00-2:50PM
- Stick & Puck (Age 6 & Under) Monday 2:45-3:35PM
- 7-12 Stick & Puck- Monday 3:45-4:35PM
- Pickle Ball (All Levels)- Mon, Wed, Fri 11:00AM-2:00PM
- Brock Fit- Mon, Wed, Fri 9:00-10:00AM

September 29, 2020

- Men's Shinny- 9:00-9:50AM
- Adult & Pre-school Skate- 1:00-1:50PM
- Stick & Puck (Ages 13-17)- 4:00-4:50PM

October 1, 2020

- Adult & Pre-School Skate- 9:30-10:20AM
- Women's Shinny- 9:45-10:35AM
- 60+ Stick & Puck- 10:30-11:20AM
- Adult Skate- 1:00-1:50PM
- Pickle Ball (All Levels)- 9:00-12:00PM

October 2, 2020

- Men's Shinny- 9:00-9:50AM
- Men's 60+ Shinny- 10:00-10:50AM
- 18+ Stick & Puck- 4:15-5:15PM

October 4, 2020

- Public Skate- 1:00-2:20PM

October 5, 2020

- Pickle Ball (Beginner) 7:45-10:15PM

October 6, 2020

- Walking Club- 9:00AM
- Chair Yoga- 11:15AM-12:15PM
- Yogalates- 6:00-7:00PM

October 9, 2020

- Pickle Ball (All Levels) 7:45-10:15AM
- Public Skate- 7:30-8:20PM and 8:30-9:20PM

October 14, 2020

- Hatha Yoga- 6:30-7:30PM

Name: Bea Clark, Chair, Pelham Active Transportation Committee	
Address: 3 Sherri Lee Cres	
Postal Code: L0S 1E4	Telephone #: 905.862.8238
Email Address: beaclarke@cogeco.ca	
The Council Chambers Is equipped with a laptop and projector. Please Check your audio/visual needs: <input type="checkbox"/> Laptop <input type="checkbox"/> Speaker <input type="checkbox"/> Internet Connection	
PLEASE INDICATE THE DATE OF THE COUNCIL MEETING YOU WISH TO ATTEND AS A DELEGATION: Regular Council: 1 st and 3 rd Monday of the month; 5:30 p.m. (except summer schedule) DATE: <u>October 5, 2020</u>	
Please identify the desired action of Council that you are seeking on this issue: <u>PATC is requesting that Council: A) accept this high-level review of the AT Master Plan</u> <u>B) Support four priorities: complete a sidewalk gap analysis, develop wayfinding and</u> <u>signage, continue to review progress on the ATMP and ensure capital budget</u> <u>allocations are included in long-term capital budgets to address ATMP items</u>	
I have never spoken on this issue before. Key points of my deputation are as follows: (Presentation must accompany the request) <u>Active Transportation Master Plan review of progress to date</u> <u>PATC overview and highlights</u> <u>Request of Council to accept the ATMP review and support four priorities</u>	
<p>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.</p> <p>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.</p> <p>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.</p> <p>I also understand that presentation materials must be submitted with this deputation form. Electronic presentations must be e-mailed to NJBozzato@pelham.ca in accordance with the deadlines outlined above.</p>	
<u>Bea Clark</u> Signature	<u>September 21, 2020</u> Date

DEPUTATION PROTOCOLS:

The Town of Pelham is an Open, Welcoming and Inviting Community, committed to supporting the strategic theme of ensuring that we are an engaged Community. To assist in achieving this goal, a Deputation Protocol has been developed to allow residents to make their views known to Council, based on the requirements of the Town of Pelham Procedural By-law. The views of interested citizens are valued and input is welcome, along with comments and constructive suggestions. Council must consider a large number of issues and concerns at any given time, thus the following protocol is observed:

Before:

- ✓ Please provide Clerk with a final and complete copy of your presentation to be included on the agenda for the meeting. MS PowerPoint is preferred. Failure to provide the final presentation will result in the deferral of your delegation.
- ✓ Presentations will be livestreamed. Therefore any PowerPoint presentation should move forward with your speaking points for the ease of the online public audience.
- ✓ Please arrive at the meeting by 5:15 p.m.

During:

- ✓ When called upon, please proceed immediately to the podium.
- ✓ Please keep your presentation brief and to the point. The maximum allowable time is 10 minutes.
- ✓ Please, only discuss the matters indicated on your submission and present in a respectful, temperate manner.
- ✓ If appearing as a group, please designate a spokesperson.
- ✓ Rules of decorum apply during your delegation in accordance with the Procedural By-law.

After:

- ✓ Upon completion of your presentation, please remain in position to allow for questions from Council members.

In Addition:

- ✓ Thank you for participating in this public meeting process.
- ✓ Your submission will form part of the public record on this matter.
- ✓ Deputation will not be permitted on items that are or have been subject of a Public Meeting under the Planning Act, unless exceptional circumstances apply. Persons should present such concerns and opinions at the scheduled public meeting.

This form may contain personal information as defined under the Municipal Freedom of Information and Protection of Privacy Act. This information is collected under the legal authority of the Municipal Act, S.O. 2001 c.25, as amended and may be publicly released. Questions should be directed to the Clerk, 905.892.2607, ext. 315.

Active Transportation Master Plan (ATMP), Town of Pelham

Review of Progress to date

The COVID-19 pandemic has shown us just how vital our active transportation (AT) networks are to the well-being of Pelham's residents. The safe streets, sidewalks and trails in Pelham are an important factor in the physical and mental health of residents of all ages during this challenging time. All forms of active transportation in a community – walking, cycling, moving with mobility devices – are desirable because they have a positive effect on health, the environment, the local economy and the overall quality of life.

The Town of Pelham has invested considerably in active transportation by embedding AT principles in planning policy, adding sidewalks, bicycle lanes and other AT infrastructure such as benches, bike racks and multi-use pathways and by supporting the PATC and its efforts to advise Council and to promote AT safety and education in the community. The Town of Pelham is the only community in Niagara that has achieved both Walk Friendly and Bicycle Friendly recognition. In addition, the Active Transportation Master Plan (ATMP) was commissioned and approved by Council in 2016, with significant input from the PATC and the community, to guide future planning and investments in AT.

The ATMP requires regular review and assessment 1) to ensure that progress is being made, 2) to reflect changing conditions and requirements, 3) to update short and long-term budget planning and 4) to ensure that milestones are acknowledged and celebrated.

The PATC volunteers, working with staff, agreed to undertake a high-level review of the ATMP in order comment on the progress made to-date and to identify the areas requiring more effort and attention.

The charts which follow provide comments based on this high-level review, as of April 2020. In fact, the ATMP references more than a dozen areas requiring ongoing review. It is important to acknowledge that progress has been achieved in many areas and that there is still much more to do to ensure that our community remains safe for all residents and all road users.

Respectfully submitted,

**The Pelham Active Transportation Committee
June 2020**

Recommendation #1: PRIORITIES

TOP should prioritize the implementation of active transportation infrastructure, policies, programs and protocols, including easy to implement short-term facilities as well as the integration of active transportation into day to day decision making. This includes winter maintenance, the implementation of walking and cycling routes identifying both commuter and recreational/touring routes and the completion of the 10 priority projects listed below.

Priority Actions	Progress
East Fonthill AT Linkages	In process. Ongoing input required as developments are planned and constructed.
Steve Bauer Trail surface upgrade	Paving of section from Port Robinson Road to Line Avenue, 2020
In-boulevard trail on Station St.	In-process. Completion expected 2023.
Urban signed bicycle routes	None to date. Recommend TOP/PATC strategy session to develop and recommend solutions for all routes, trails
Paved shoulder along Foss Rd	Long term goal. Unlikely.
Signed bike route on River Rd	None to date. Recommend TOP/PATC strategy session
Sidewalk to E.L. Crossley	Completed 2018
Signed route on Maple & Church St.	None to date. Recommend TOP/PATC strategy session
Sharrows at Highway 20 and Pelham St	Not desirable and no longer recommended. Designate alternate routes/options for cyclists
Highway 20 Bike lanes and sharrows	Not desirable and no longer recommended. Designate alternate routes/options for cyclists

Recommendation #2: PLANNING

TOP should strategically plan for future active transportation improvements and changes by adopting the system, actions and recommendations outlined in the AT Plan and updating policies to reflect AT planning principles. This includes protecting unopened road allowances, using proposed AT Plan maps for multi-year planning and phasing in route improvements and extensions.

Priority Actions	Progress
AT in new development areas	High priority and underway.
AT in established neighbourhoods	Sidewalk gap analysis to be done Neighbourhood Traffic Management Practices drafted and under review
Risk management and liability, ensuring that standards are met, written tracking of monitoring and maintenance, and proper insurance coverage	Pedestrian crossings in school zones are a concern. Asset Management Plan used to track and monitor conditions of roads and trails. Town of Pelham insurance coverage
Integrating with Land-use planning	Yes. Land use policies support AT.

Recommendation #3: PROCESS

TOP works in a collaborative and coordinated manner to implement active transportation infrastructure, policies and programs. Town staff should work together to establish a process that engages internal and external partners in day to day decision making. This includes updating mapping and the GIS database annually, ensuring design guidelines meet or exceed provincial standards, identifying an annual budget for AT maintenance and investment, exploring external funding opportunities and seeking opportunities for partnerships to execute the AT Plan.

Priority Actions	Progress
Establishing an implementation process. Implementation process to include preliminary review, feasibility assessment, detailed design, tender and implementation, monitoring and updating of AT Plan.	None to date.
Co-ordination with Municipal Class EA	Yes, this occurs.
Maintenance and Operation, which includes an annual budget for operation and maintenance of AT facilities and capital allocations for future AT improvements.	Annual budget for operation and maintenance, including sidewalk snow clearing and trail maintenance. Some capital allocations planned.
Monitoring and Evaluation to document what is achieved and what is still to be done, on an annual or semi-annual basis.	2020 PATC/Staff review is first to be done. Staff are encouraged to formalize this process.

Recommendation #4: PROMOTION

TOP should continue to promote and educate residents and visitors of the importance of living active and healthy lifestyles and developing complete communities. Staff should work with community partners to identify and implement local program and initiatives that encourage people to be more active for both recreational and day-to-day purposes.

Priority Action	Progress
Signing: Signage & wayfinding strategy	None to date. Recommend TOP/PATC strategy session to develop a plan
Developing AT Hubs/Staging areas, which include amenities such as restrooms, shade, benches, bike racks	Recommend TOP/PATC strategy session to develop a plan.
Mapping and Promotional tools	Cycling map published in 2018. Both Steve Bauer Trail maps and cycling in Pelham maps require updating.
Design & encourage through network enhancement	Pavement markings at pedestrian intersections and trail crossings to be improved.
Designing and implementing bicycle parking	Bike parking available at all community events. Additional bike racks installed throughout TOP. Designated overnight parking for visitors in Pelham Town Square municipal lot.

Pelham Active Transportation Committee

Presentation to Council, Town of Pelham, September 2020

PATC Overview

- ▶ Formed by Council in 2008
- ▶ Citizen volunteers plus TOP staff, TOP Councillor, Regional Councillor
- ▶ 10 meetings per year plus additional activities
- ▶ Terms of Reference:
 - ▶ Develop a list of priorities that support AT, for Council's consideration, as part of the budget cycle
 - ▶ Act in an advisory capacity to Council and Planning and Public Works transportation policy development
 - ▶ Create and highlight opportunities for residents to learn about and advocate for AT in Pelham

PATC Highlights

- ▶ Regular outreach to residents, using input to advise Council
- ▶ Advocated for new sidewalks, trails, bicycle infrastructure, snow clearing and traffic calming
- ▶ Achieved Bicycle Friendly (Silver) and Walk Friendly (Bronze) designations, the only community in Niagara with both
- ▶ Completion of Active Transportation Master Plan
- ▶ Prepared input for various PICs
- ▶ Founding member of Pelham Summerfest, including the Active Zone
- ▶ Participation in community events to promote AT, safety and education throughout the year, including the Home Show, Farmer's Market, Summerfest, Christmas Market, Thursday night bike valet, Slow Rolls

PATC Highlights

- ▶ Obtained numerous grants to support pedestrian and cyclist safety in Pelham
- ▶ Developed and printed new “Cycling in Pelham” map
- ▶ Collaboration with other AT committees, including Welland and Thorold
- ▶ Supported walk and bike to school activities at local schools
- ▶ Member of Active Transportation Niagara Network
- ▶ Representation on Regional Active Transportation Sub-committee

Active Transportation Master Plan

- ▶ *Walk. Bike. Roll. Hike. Let's make Pelham Active*
- ▶ Significant guiding document for the Town of Pelham, approved in 2016
- ▶ ATMP identifies short, medium-and long-term goals, priorities, budgets
- ▶ The ATMP requires regular review and assessment to ensure progress, to reflect changing conditions, to update budget planning and to ensure milestones are met and celebrated
- ▶ In 2018, Council approved a review of progress to-date. The PATC members volunteered to assist in the review
- ▶ High level review completed June 2020, though more must be done

Active Transportation Master Plan

Pelham Active Transportation Committee is requesting that Council:

- Accept this high-level review of the AT Master Plan
- Support the following four priorities:
 - Complete a sidewalk gap analysis
 - Move forward with wayfinding and signage
 - Continue to review progress on the ATMP
 - Ensure capital budget allocations are included in the long-term capital budget plan to incrementally address items outlined in the ATMP

Pelham Active Transportation Committee Members

- ▶ Brian Baty, Vice-Chair
- ▶ Bea Clark, Chair
- ▶ Rhys Evans
- ▶ Bob Fish
- ▶ Lisa Gallant
- ▶ Dave Nicholson
- ▶ Barbara Rybiak
- ▶ Diane Huson, Regional Councillor and John Wink, Councillor, Town of Pelham
- ▶ MYAC representative
- ▶ TOP staff - Tolga Aydin, Jason Marr

Pelham Active Transportation Committee

Sincere thanks to...

- ▶ Council Members: for your support, participation and encouragement
- ▶ TOP Staff Members: for your support, expertise and guidance
- ▶ Residents, Town of Pelham: Your interest, comments, concerns, ideas and participation make a difference.

REGULAR COUNCIL MINUTES

Meeting #: C-15/2020
Date: Monday, September 21, 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
Wayne Olson
Marianne Stewart
John Wink

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

1. Call to Order and Declaration of Quorum

Noting that a quorum was present, the Mayor called the meeting to order at approximately 6:00 pm, delayed due to a previously scheduled meeting.

2. Ceremonial Oath of Office - Ward One Councillor

Newly elected Councillor Wayne Olson took the Oath of Office, Councillor Ward One.

3. Approval of Agenda

Moved By Ron Kore

Seconded By Marianne Stewart

BE IT RESOLVED THAT the agenda for the September 21, 2020 Regular meeting of Council be adopted.

	For	Against
Marvin Junkin	X	
Lisa Haun	X	
Bob Hildebrandt	X	
Ron Kore	X	
Wayne Olson	X	
Marianne Stewart	X	
John Wink	X	
Results	7	0
		Carried (7 to 0)

4. Disclosure of Pecuniary Interests and General Nature Thereof

4.1 Marianne Stewart - Mandatory face covering bylaw extension 2020, 2020-0134-Fire Dept

Councillor Stewart stitches face masks, mainly for charitable purposes, however does sell some masks to recover costs. She did not participate in the discussion or voting relating to this matter.

5. Hearing of Presentation, Delegations, Regional Report

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

No one appeared or submitted written comments.

Moved By John Wink

Seconded By Bob Hildebrandt

BE IT RESOLVED THAT Council receive the Taxes Written-Off Report from the Corporate Services Department; and THAT Council approve the Taxes Written-Off Report in the amount of \$5363.93 as per the Municipal Act, Sections 357 and 358.

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

Wayne Olson	X	
Marianne Stewart	X	
John Wink	X	
Results	7	0
Carried (7 to 0)		

5.2 Presentations

5.2.1 COVID-19 Update - Community Emergency Management Coordinator

An update on current COVID-19 pandemic information relating to the Province of Ontario was presented by B. Lymburner, Fire Chief and Community Emergency Management Co-Ordinator.

Moved By Lisa Haun

Seconded By Wayne Olson

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

	For	Against
Marvin Junkin	X	
Lisa Haun	X	
Bob Hildebrandt	X	
Ron Kore	X	
Wayne Olson	X	
Marianne Stewart	X	
John Wink	X	
Results	7	0
Carried (7 to 0)		

5.2.2 Corporate Administration COVID-19 Update

The Chief Administrative Officer, David Cribbs, provided a corporate update relating to the COVID-19 pandemic. He highlighted public skating events and how this will be facilitated throughout the pandemic period. He indicated

that it may be necessary to have individuals pre-book attendance. Various alternatives are being explored.

Moved By Ron Kore
Seconded By Lisa Haun

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

	For	Against
Marvin Junkin	X	
Lisa Haun	X	
Bob Hildebrandt	X	
Ron Kore	X	
Wayne Olson	X	
Marianne Stewart	X	
John Wink	X	
Results	7	0
Carried (7 to 0)		

5.3 Delegations
None

5.4 Report of Regional Councillor
No Report

6. Adoption of Minutes
Councillor Olson did not participate in the vote to adopt minutes.
Moved By Marianne Stewart
Seconded By Ron Kore

BE IT RESOLVED THAT the following minutes be adopted as printed, circulated and read:
1. C-14/2020 - Regular Council Minutes - September 8, 2020; and
2. SC-12/2020 - Special Meeting of Council Minutes - September 8, 2020.

	For	Against
Marvin Junkin	X	
Lisa Haun	X	
Bob Hildebrandt	X	
Ron Kore	X	
Marianne Stewart	X	
John Wink	X	
Results	6	0

Carried (6 to 0)

7. Business Arising from Council Minutes

None

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

The Mayor lifted Item 9.4.1 - Royal Canadian Legion Branch #613 - Poppy Campaign Request 2020

9. Consent Agenda Items to be Considered in Block

Moved By John Wink

Seconded By Ron Kore

BE IT RESOLVED THAT the Consent Agenda items as listed on the September 21st, 2020 Council Agenda be received and the recommendations contained therein be approved, as applicable.

9.4 Action Correspondence of a Routine Nature

~~9.4.1 Royal Canadian Legion Branch #613 - Poppy Campaign Request 2020~~

~~BE IT RESOLVED THAT Council receive correspondence, dated September 8, 2020 from the Royal Canadian Legion Branch 613 regarding the 2020 Poppy Campaign;~~

~~AND THAT Council support the canvassing of businesses and citizens in Pelham through the placement of poppy boxes subject to business owner approval during the campaign period of October 30, 2020 to November 11, 2020;~~

~~AND THAT the Royal Canadian Legion Branch 613 shall prepare a COVID-19 Safety Plan to be approved by the Fire and By-Law Services Department of the Town of Pelham prior to actively campaigning and~~

~~the distribution of the said poppy boxes.~~ (lift4ed for separate consideration)

9.5 Information Correspondence Items

9.5.1 D. France - Cannabis Grow Operations

BE IT RESOLVED THAT Council receive, for information, correspondence from D. France regarding Cannabis Grow Operations.

9.7 Committee Minutes for Information

9.7.1 Pelham Finance and Audit Committee Minutes - July 9, 2020

BE IT RESOLVED THAT Council receive the Pelham Finance and Audit Committee minutes, dated July 9, 2020 for information.

	For	Against
Marvin Junkin	X	
Lisa Haun	X	
Bob Hildebrandt	X	
Ron Kore	X	
Wayne Olson	X	
Marianne Stewart	X	
John Wink	X	
Results	7	0
		Carried (7 to 0)

10. Items for Separate Consideration, if Any

10.1 Royal Canadian Legion Branch #613 - Poppy Campaign Request 2020

Moved By John Wink
Seconded By Ron Kore

BE IT RESOLVED THAT Council receive correspondence, dated September 8, 2020 from the Royal Canadian Legion Branch 613 regarding the 2020 Poppy Campaign;

AND THAT Council support the canvassing of businesses and citizens in Pelham through the placement of poppy boxes subject to business owner approval during the campaign period of October 30, 2020 to November 11, 2020;

AND THAT the Royal Canadian Legion Branch 613 shall prepare a COVID-19 Safety Plan to be approved by the

Fire and By-Law Services Department of the Town of Pelham prior to actively campaigning and the distribution of the said poppy boxes.

	For	Against
Marvin Junkin	X	
Lisa Haun	X	
Bob Hildebrandt	X	
Ron Kore	X	
Wayne Olson	X	
Marianne Stewart	X	
John Wink	X	
Results	7	0

Carried (7 to 0)

11. Presentation & Consideration of Reports

11.1 Reports from Members of Council:

11.2 Staff Reports Requiring Action

11.2.1 Asset Management Position To Be Funded By Grant, 2020-0136-Corporate Services

Moved By Marianne Stewart
Seconded By Bob Hildebrandt

BE IT RESOLVED THAT Council receive Report # 2020-0136-Corporate Services ; and that Council approve the OCIF grant funding of the Asset Management position in order to be in compliance with Ont. Reg. 588/17 of the Asset Management Plan.

	For	Against
Marvin Junkin	X	
Lisa Haun	X	
Bob Hildebrandt	X	
Ron Kore	X	
Wayne Olson	X	

Marianne Stewart	X	
John Wink	X	
Results	7	0
Carried (7 to 0)		

11.2.2 Assumption of Rittenhouse Estates, 2020-0133-Public Works

Moved By Wayne Olson
Seconded By Ron Kore

BE IT RESOLVED THAT Council receive Report #2020-0133 ; and recommend that Council assume the municipal services in Rittenhouse Estates subdivision and open the streets within the subdivisions as ‘Public Highways’ by by-law in accordance with the Subdivision Agreement.

	For	Against
Marvin Junkin	X	
Lisa Haun	X	
Bob Hildebrandt	X	
Ron Kore	X	
Wayne Olson	X	
Marianne Stewart	X	
John Wink	X	
Results	7	0
Carried (7 to 0)		

11.2.3 July 2020 Financial Report, 2020-0130-Corporate Services

Moved By Marianne Stewart
Seconded By Lisa Haun

BE IT RESOLVED THAT Council receive Report #2020-0094-Corporate Services, July 2020 Financial Report, for information.

	For	Against
Marvin Junkin	X	
Lisa Haun	X	
Bob Hildebrandt	X	
Ron Kore	X	
Wayne Olson	X	
Marianne Stewart	X	
John Wink	X	
Results	7	0
Carried (7 to 0)		

11.2.4 Mandatory face covering bylaw extension 2020, 2020-0134-Fire Dept

Marianne Stewart declared a conflict on this item.
(Councillor Stewart stitches face masks, mainly for charitable purposes, however does sell some masks to recover costs. She did not participate in the discussion or voting relating to this matter.)

Moved By John Wink

Seconded By Bob Hildebrandt

BE IT RESOLVED THAT Council receive Report #2020-0134 ;

AND THAT Council hereby resolves to extend the mandatory face covering bylaw #4270(2020) until December 7th, 2020

	For	Against
Marvin Junkin		X
Lisa Haun	X	
Bob Hildebrandt	X	
Ron Kore	X	
Wayne Olson	X	
Marianne Stewart		
John Wink	X	
Results	5	1
Carried (5 to 1)		

11.2.5 Proposed 2021 Council Meeting Schedule, 2020-0135-Clerks

Moved By Wayne Olson
Seconded By Bob Hildebrandt

BE IT RESOLVED THAT Council receive Report #2020-0135, Proposed 2021 Council Meeting Schedule;
AND THAT the 2021 Council Meeting Schedule as provided in Appendix A to this Report be approved;
AND THAT Staff be directed to publish the schedule to the Town of Pelham Website calendar.

	For	Against
Marvin Junkin	X	
Lisa Haun	X	
Bob Hildebrandt	X	
Ron Kore	X	
Wayne Olson	X	
Marianne Stewart	X	
John Wink	X	
Results	7	0
Carried (7 to 0)		

11.2.6 Recommendation Report for Zoning By-law Amendment - 1307 Haist Street, 2020-0131-Planning

Moved By Lisa Haun
Seconded By Ron Kore

BE IT RESOLVED THAT Council receive Report #2020-131 as it pertains to 1307 Haist Street (File no. AM-05-2020); and
THAT Council approve the By-law amending the zoning of the subject property from Residential 1 (R1) to a site specific Residential Multiple 1 - 299 (RM1-299) zone.

	For	Against
Marvin Junkin		X
Lisa Haun		X
Bob Hildebrandt		X
Ron Kore		X
Wayne Olson		X
Marianne Stewart		X
John Wink		X
Results	0	7
		Defeated (0 to 7)

12. Unfinished Business

None

13. New Business

None

14. Presentation and Consideration of By-Laws

The motion to consider the by-laws was divided, so as to vote on each by-law separately.

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 4278(2020) - Being a by-law to amend Zoning By-law 1136 (1987), as amended, for lands located at the northeast corner of Haist Street and Pancake Lane, legally described as Part of Lot 2, Concession 8, Town of Pelham, Regional Municipality of Niagara, from the Residential 1 (R1) zone to a site specific Residential Multiple 1 (RM1-299) zone.Town of Pelham. File No. AM-05-20.

	For	Against
Marvin Junkin		X
Lisa Haun		X
Bob Hildebrandt		X
Ron Kore		X
Wayne Olson		X
Marianne Stewart		X
John Wink		X
Results	0	7
Defeated (0 to 7)		

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-law 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-law:

2. By-law 4279(2020) - Being a by-law to assume the subdivision known as Rittenhouse Estates Subdivision and to designate the streets as shown on Registered Plan 59M-399 as public highways and to name the street accordingly.

	For	Against
Marvin Junkin	X	
Lisa Haun	X	
Bob Hildebrandt	X	
Ron Kore	X	
Wayne Olson	X	
Marianne Stewart	X	
John Wink	X	
Results	7	0
Carried (7 to 0)		

15. Motions and Notices of Motion

Councillor Haun informed Council that she will bring a Motion to the October 5, 2020 Meeting of Council seeking support to address the growing legal costs relating to cannabis activities within the Town.

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

No closed session

19. Rise From In Camera

Not Applicable

20. Confirming By-Law

Moved By Wayne Olson

Seconded By Lisa Haun

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

Being a By-law No. 4280(2020) to Adopt, Ratify and Confirm the proceedings of Council of the Town of Pelham at its Regular Meeting held on the 21st day of September, 2020.

	For	Against
Marvin Junkin	X	
Lisa Haun	X	
Bob Hildebrandt	X	
Ron Kore	X	
Wayne Olson	X	
Marianne Stewart	X	
John Wink	X	
Results	7	0
		Carried (7 to 0)

21. Adjournment

Moved By John Wink
Seconded By Wayne Olson

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

	For	Against
Marvin Junkin	X	
Lisa Haun	X	
Bob Hildebrandt	X	
Ron Kore	X	
Wayne Olson	X	
Marianne Stewart	X	
John Wink	X	
Results	7	0
Carried (7 to 0)		

Mayor: Marvin Junkin

Town Clerk: Nancy J. Bozzato

SPECIAL COUNCIL MINUTES

Meeting #: SC-13/2020 - Special Meeting of Council
Date: Monday, September 21, 2020, 3:30 pm
Location: Town of Pelham Municipal Office - Council Chambers
20 Pelham Town Square, Fonthill

Members Present Marvin Junkin
Lisa Haun
Bob Hildebrandt
Ron Kore
Wayne Olson
Marianne Stewart
John Wink

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

1. Call to Order and Declaration of Quorum

Noting that a quorum was present, the Mayor called the meeting to order at approximately 3:30pm.

2. Approval of the Agenda

Moved By Lisa Haun
Seconded By John Wink

BE IT RESOLVED THAT the agenda for the September 21st, 2020 Special Meeting of Council be adopted as circulated.

	For	Against
Marvin Junkin	X	
Lisa Haun	X	
Bob Hildebrandt	X	
Ron Kore	X	
Wayne Olson	X	
Marianne Stewart	X	
John Wink	X	

Results

7

0

Carried (7 to 0)

3. Disclosure of Pecuniary Interest and General Nature Thereof

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

4. Resolution to Move in Camera

Moved By Marianne Stewart

Seconded By Bob Hildebrandt

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

Municipal Act Section 239(2) (c) proposed or pending acquisition or disposition of land by the municipality or local board; and (f) - advice that is subject to solicitor-client privilege, including communications necessary for that purpose (3 items); and

Municipal Act Section 239(2)(e) - litigation; and 239(2)(f) - advice subject to solicitor-client privilege (2 items).

	For	Against
Marvin Junkin	X	
Lisa Haun	X	
Bob Hildebrandt	X	
Ron Kore	X	
Wayne Olson	X	
Marianne Stewart	X	
John Wink	X	
Results	7	0
Carried (7 to 0)		

5. Rise From In Camera

Moved By Wayne Olson

Seconded By Ron Kore

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

	For	Against
Marvin Junkin	X	

Lisa Haun	X	
Bob Hildebrandt	X	
Ron Kore	X	
Wayne Olson	X	
Marianne Stewart	X	
John Wink	X	
Results	7	0

Carried (7 to 0)

Moved By John Wink
Seconded By Lisa Haun
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 21st, 2020.

	For	Against
Marvin Junkin	X	
Lisa Haun	X	
Bob Hildebrandt	X	
Ron Kore	X	
Wayne Olson	X	
Marianne Stewart	X	
John Wink	X	
Results	7	0
		Carried (7 to 0)

6. Confirming By-law

Moved By Bob Hildebrandt
Seconded By Wayne Olson
BE IT RESOLVED THAT the following By-law be read a first, second and third time and passed:
Being a By-law No. 4280(2020) to Adopt, Ratify and Confirm the proceedings of Council of the Town of Pelham at its Special Meeting held on the 21st day of September, 2020.

	For	Against
Marvin Junkin	X	

Lisa Haun	X	
Bob Hildebrandt	X	
Ron Kore	X	
Wayne Olson	X	
Marianne Stewart	X	
John Wink	X	
Results	7	0
		Carried (7 to 0)

7. Adjournment

Moved By Ron Kore
Seconded By Marianne Stewart
BE IT RESOLVED THAT this Special Meeting of Council be adjourned until the next regular meeting scheduled for September 21, 2020 at 5:30 pm.

	For	Against
Marvin Junkin	X	
Lisa Haun	X	
Bob Hildebrandt	X	
Ron Kore	X	
Wayne Olson	X	
Marianne Stewart	X	
John Wink	X	
Results	7	0
		Carried (7 to 0)

 Mayor Marvin Junkin

 Town Clerk, Nancy J. Bozzato

Recommendations of the Committee of the Whole held September 23, 2020

BE IT RESOLVED THAT COUNCIL HEREBY approves the following Recommendations Resulting from the SCOW-01/2020 Special Committee of the Whole of September 23, 2020:

1. **THAT the agenda for September 23, 2020 special meeting of Committee be adopted.**
2. **THAT Committee receive the 2021 Budget presentation by the Treasurer, for information.**
3. **THAT THAT Committee receive the following 2021 Budget Presentations and refer to staff for inclusion in the budget considerations:**
 1. **B. Clark, Chair Pelham Active Transportation Committee**
 2. **B. Lococo, Shops of Ridgeville**
 3. **P. Pedard, Pelham Tennis Association**
 4. **Kathie Timpano**
4. **THAT this Special Meeting of Committee be adjourned.**

COMMITTEE OF THE WHOLE MINUTES

Meeting #: SCOW-01/2020 - Zoom Meeting - Budget Open
Date: House Committee of the Whole
Location: Wednesday, September 23, 2020
Town of Pelham Municipal Office - Council
Chambers
20 Pelham Town Square, Fonthill

Members Present: Marvin Junkin
Bob Hildebrandt
Wayne Olson
Marianne Stewart
John Wink

Regrets: Lisa Haun
Ron Kore

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

Other: B. Clark, Pelham Active Transportation Committee
B. Lococo, Shops of Ridgeville
P. Bedard, Pelham Tennis Association

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 Wayne Olson

THAT the agenda for September 23, 2020 special meeting of Committee be adopted. **Carried**

3. Disclosure of Pecuniary Interest and General Nature Thereof

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

4. Department Reports

4.1 2021 Budget Presentation

The Treasurer presented information on the Town of Pelham Budgets as it relates to matters that are standard costs that form the basis of the budget process.

Moved By Marianne Stewart

THAT Committee receive the 2021 Budget presentation by the Treasurer, for information.

Carried

4.2 Presentations and Public Input - 2021 Budget

4.2.1 Pelham Active Transportation Committee

The Chair of the Pelham Active Transportation Committee provided input into the 2021 budget process, outlining items that are of priority to this Committee.

4.2.2 Shops of Ridgeville

The owners of the Shops of Ridgeville presented information regarding the shortage of available parking in the Ridgeville shopping area. She submitted a sketch showing the potential for eight more parking spaces for the shops.

4.2.3 Pelham Tennis Association

Mr. P. Bedard, representing the Pelham Tennis Association, presented their vision on the future of the tennis courts presently situated in Centennial Park, Fenwick.

4.2.4 Kathie Timpano

The Clerk read into the record the correspondence requesting support for updated streetlights and tree trimming in neighbourhoods.

Moved By Bob Hildebrandt

THAT Committee receive the following 2021 Budget Presentations and refer to staff for inclusion in the budget considerations:

- 1. B. Clark, Chair Pelham Active Transportation Committee**
- 2. B. Lococo, Shops of Ridgeville**
- 3. P. Pedard, Pelham Tennis Association**
- 4. Kathie Timpano**

Carried

4.3 Committee Input - 2021 Budget

Nothing further was added by Committee.

5. Adjournment

Moved By John Wink

THAT this Special Meeting of Committee be adjourned.

Carried

Mayor: Marvin Junkin

Town Clerk: Nancy J. Bozzato

Subject: Sanitary Sewer Diversion at Summersides and Station Street

Recommendation:

BE IT RESOLVED THAT Council receive Report # 2020-0137; and

THAT Council APPROVE the additional funds required for the costs associated with the Sanitary Sewer Diversion from existing dollars in Capital Account WST 04-20; and

THAT Council APPROVE the amendment to the current purchase order with Beam Excavating Inc. to include the additional work to complete the Sanitary Sewer Diversion project in the amount of \$44,000 (excluding HST).

Background:

As part of the East Fonthill Development, the Summersides Boulevard road construction project originally included the construction of a roundabout at the intersection of Station Street, Summersides Boulevard and Pelham Town Square. Council deferred the roundabout construction to 2023; however, there are some Sanitary Sewer Improvements which are required at this intersection in order to free up capacity at the Region's Hurricane Road Pumping Station and allow development to continue in East Fonthill north of Meridian Way.

In 2019 Council approved carry forward work in the amount of \$400,000 to complete required works in the East Fonthill Development, including improvements to the Station St./Summersides Blvd Intersection. Of this \$400,000, \$14,860.48 was approved by Council for the purchase of the sanitary sewer manholes for the Station/Summersides/Pelham Town Square intersection sanitary sewer diversion. The manholes are being stored at Fire Station No. 1.

The sanitary sewer work involves the diversion of a large portion of the

sanitary catchment area currently discharging to the Region's Hurricane Road pumping station. These areas are College Street, Emmett Street and Pelham Town Square. The proposed diversion will change the discharge location to the Regionals Trunk Sanitary Sewer on Rice Road and is expected to divert approximately 13 L/s in accordance with the Engineer's Site Servicing Report provided as part of the development application submission.

In a previous report to Council (2019-0032 PW) Staff made a request to complete the sanitary diversion at Summersides and Station Street at an estimated cost of \$108,232. This estimated cost excluded the cost of the sanitary sewer manholes of \$14,860 and included a project contingency of approximately \$10,000. Council decided not to proceed with the proposed work and as a result the sanitary connection and diversion was not completed.

Analysis:

The decision to defer the round-a-bout at Station Street was made after the sanitary manholes were fabricated. Beam Excavating was awarded a contract and had an existing purchase order to complete these works with the round-a-bout construction. As a result, the Town was required to purchase the materials for the sanitary sewer upgrades as they were specifically designed and fabricated for this project based on the design. The cost of the sanitary sewer manholes was \$14,860 and has been completed.

The decision to defer the round-about at Station and Summersides Blvd. also meant the work related to the sanitary sewer diversion was not undertaken. There are now two developments in East Fonthill, Shops on 20 and the proposed Better Life Residential Retirement development that are impacted by this decision, specifically with regards to the sanitary sewer diversion project not being completed. The Region of Niagara has indicated that the Hurricane Road pumping station is experiencing surcharging during wet weather flows and are concerned about the additional sewage flows these two developments would have on the capacity of this pumping station. In order for development to proceed on these two projects it is critical that the work related to the sanitary sewer diversion be undertaken. The sanitary

sewer diversion work at the intersection of Station Street and Summersides Blvd. would divert 13 L/s of sewage flows from the Hurricane Road pumping station which would free up capacity for these two projects. It is anticipated that these two projects would result in 6.7 L/s of sewage flows going into the Hurricane Road pumping station resulting in an overall decrease in sewage flows which the Region can support and mean these two projects could proceed. If the sanitary sewer diversion project at Station Street and Summersides Blvd. does not occur this fall, then the Region will not support the approval of the Shops on 20 or the Better Life Residential Retirement development having their sanitary flows out letting into the Hurricane Road pumping station.

The Town sold these lands in East Fonthill as development ready lands with servicing capacity available to them. The delay in undertaking the sanitary sewer diversion work at Station Street and Summersides Blvd. has meant that servicing capacity with regards to sanitary sewers may not be available to these lands and puts the Town at significant risk and will result in undue delay for these two development projects which does not benefit the Town.

As a result, staff is recommending to proceed with the sanitary sewer diversion at Summersides and Station Street now in order to make use of the materials that have already been purchased and provide relief to the existing sanitary sewer system currently near capacity which would allow the developments in East Fonthill to proceed.

In addition, the improvements will help to resolve back up and flooding issues in the Hurricane Road sewer shed and will help to alleviate sewer capacity concerns in the College and Emmet area resulting from extraneous flows infiltrating the sewer system based on the age and condition of the sewer.

The Town's consultant (Upper Canada Consultants – UCC) have reviewed the previous sanitary sewer diversion design at Summersides and Station Street and have made some modifications which have a direct result of reduced costs.

The estimate received from Beam Excavating Inc. to complete the sanitary sewer diversion based on the revised design is approximately \$40,000 (excluding HST). This does not include the costs for the manholes which

were previously purchased in the amount of \$14,860 (including HST).

Staff is recommending that the additional work to complete the sanitary sewer diversion project be awarded to Beam Excavating Inc. in the amount of \$40,000 (excluding HST) and that the current scope of work to complete improvements at the intersection be amended to include the additional work. This would provide continuity of operations and can be completed in an efficient cost effective manner considering the contractor will be on-site to complete the roadway restoration project.

Financial Considerations:

In order to ensure that the Sanitary Sewer Diversion project is completed, Public Works requests the approval to move forward with this project, with provision of transferring funds from capital account WST 04-20 to cover the additional funds required. Capital Project WST 04-20 is an annual capital project which is used to address deficient or defective sanitary sewers within the Town and to make the necessary improvements. Based on discussions with Engineering and Operations there are no specific projects required at this time. The estimated cost to complete the sanitary diversion project is estimates at \$44,000 (excluding HST) and is broken down as follows:

Cost to complete sanitary sewer upgrades	\$40,000.00
Contingency (10%)	<u>\$4,000.00</u>
	<u>\$44,000.00</u>

Total amount of Transfer from capital account WST 04-20 is \$44,000 (excluding HST).

Alternatives Reviewed:

Council may choose not to proceed with the installation of the sanitary sewer at Station Street at this time. If this is the direction of Council Public Works will not be able to approve the developments for the Shops on 20 and Better Life. In addition, if flows are not diverted from the Hurricane Road sewer shed the Region will not be in a position to approve the developments discharging into the sanitary sewer on Hwy 20 based on the capacity issues at the Hurricane Road Pumping Station. This could foreseeably result in litigation.

In addition, Council may direct staff to tender the work for the sanitary sewer diversion project. This course of action is not recommended by staff since the Town already has an agreement with Beam Excavating Inc. to complete the required surface intersection repairs and upgrades as part of the East Fonthill work and Beam Excavating Inc. was originally awarded the sanitary sewer installations as part of the round-a-bout work on Station Street.

Strategic Plan Relationship: Risk Management

The approval to proceed with the sanitary sewer diversion work at Station Street and Summersides Blvd. will minimize the risk to the Town and will allow for development to proceed in the East Fonthill community as planned.

Other Pertinent Reports/Attachments:

Appendix A – Estimate from Beam Excavating Inc. for the Sanitary Sewer Diversion project at Summersides and Station Street.

Report 2019-0032 PW – Report on Completing the Sanitary Sewer Improvements at Station Street and Summersides Blvd.

Consultation:

Region of Niagara, Director of Infrastructure Planning and Development Engineering

Upper Canada Consultants

Director of Community Planning and Development

Prepared and Recommended by:

Jason Marr, P. Eng. Director of Public Works

Approved and Submitted by:

David Cribbs, Chief Administrative Office

THE CORPORATION OF THE
T O W N O F P E L H A M
BY-LAW #4282 (2020)

Being a by-law to authorize the sale of Town-owned lands to Lally Homes Ltd., or successors in title, the lands being described on Schedules A and B appended hereto; and

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

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

AND WHEREAS Council has previously determined that the lands therein described are surplus to the Town's needs through the passage of By-law #4010(2018);

AND WHEREAS Council deems it desirable to effect the sale of said lands to Lally Homes Ltd., or successors in title, for development in keeping with the zoning requirements for said lands, in accordance with the Agreement of Purchase and Sale dated September 22nd, 2020 and as endorsed by Council at a meeting of September 21, 2020;

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

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

- (1) THAT the sale of lands described in Schedule "A" to Lally Homes Ltd., or successors in title, be and is hereby authorized; and
- (2) THAT the Mayor and Clerk be and are hereby authorized to execute all documents necessary to complete the transactions for the sale of said lands.

ENACTED, SIGNED & SEALED THIS
5th DAY OF OCTOBER, 2020

M. JUNKIN, MAYOR

NANCY J. BOZZATO, TOWN CLERK

SCHEDULE A
To By-law #4282 (2020)

Property Description:

Having a frontage of 271 feet more or less by a depth of 617 feet, irregular, containing 4.453 acres more or less, as shown on Schedule "B" hereto

The Property being legally described as:

Part of Lot 3, Concession 9, Geographic Township of Pelham, now in the Town of Pelham, Regional Municipality of Niagara and shown as Parts 1, 2, 3, and 4 on Plan 59R-16183 (Schedule B hereto), being part of PIN 64033-0356(LT).

SCHEDULE

PART	LOT	CONCESSION	P.L.N.	AREA
1				685.8 sq.m
2				685.8 sq.m
3				742.9 sq.m
4	PART OF 3	9 (TOWNSHIP OF PELHAM)	ALL OF 64033-0356 (LOT)	1.5914 Ha
5				1.5926 Ha

REGISTERED

LOT 49
PIN 64033-0309

LOT 48
PIN 64033-0308

LOT 47
PIN 64033-0307

LOT 46
PIN 64033-0306

LOT 45
PIN 64033-0305

LOT 44
PIN 64033-0304

LOT 43
PIN 64033-0303

LOT 11
PIN 64033-0476

LOT 10
PIN 64033-0475

LOT 9
PIN 64033-0474

LOT 8
PIN 64033-0473

LOT 7
PIN 64033-0472

LOT 6
PIN 64033-0471

LOT 5
PIN 64033-0470

LOT 4
PIN 64033-0469

LOT 3
PIN 64033-0468

LOT 2
PIN 64033-0467

LOT 1
PIN 64033-0466

PLAN 59R-10707
PIN 64033-0467

PLAN 59R-13073
PIN 64033-0468

PLAN 59R-13072
PIN 64033-0469

PLAN 59R-13071
PIN 64033-0470

PLAN 59R-13070
PIN 64033-0471

PLAN 59R-13069
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PLAN 59R-13068
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PLAN 59R-13067
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PLAN 59R-13064
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PLAN 59R-13063
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PLAN 59R-13062
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PLAN 59R-13061
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PLAN 59R-13060
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PLAN 59R-13040
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PLAN 59R-13039
PIN 64033-0502

PLAN 59R-13038
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PLAN 59R-13037
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PLAN 59R-13036
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PLAN 59R-13035
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PLAN 59R-13002
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PLAN 59R-13001
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PLAN 59R-12999
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PLAN 59R-12992
PIN 64033-0549

PLAN 59R-12991
PIN 64033-0550

PLAN 59R-12990
PIN 64033-0551

PLAN 59R

THE CORPORATION OF THE
T O W N O F P E L H A M
BY-LAW #4284(2020)

**Being a by-law to adopt, ratify and confirm the actions of
the Council at its regular meeting held on the 5th day of
October 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 5th day of October, 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 5th DAY OF October 2020 A.D.

MAYOR MARVIN JUNKIN

TOWN CLERK, NANCY J. BOZZATO