

## REGULAR COUNCIL AGENDA

**C-19/2020 - Regular Council**

**Monday, November 16, 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](http://www.youtube.com/townofpelham/live) and subsequent publication to the Town's website at [www.pelham.ca](http://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
    - 4.1.1. COVID Update - Community Emergency Management Co-Ordinator  
B. Lymburner
    - 4.1.2. COVID Update - Treasurer

T. Quinlin

**4.1.3. COVID Update - CAO**

D. Cribbs

**4.2. Delegations**

**4.2.1. Brock University, Dr. Fearon, President and Vice-Chancellor and Dr. Wells, Provost and Vice President Academic** 6 - 19

Information Presentation

**4.2.2. Vanessa Baran and Bobby Kozjan** 20 - 25

Short Term Vacation Rental

**4.2.3. Carol Nagy, Hospice Niagara** 26 - 30

Grant Request Presentation

**4.3. Report of Regional Councillor** 31 - 42

Regional Councillor Huson - November 2020 Report

**5. Adoption of Minutes**

**5.1. SC-15/2020 - Special Council Minutes of November 2, 2020** 43 - 46

**5.2. C-18/2020 - Regular Council Minutes of November 2, 2020** 47 - 61

**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**

**8.2. Minutes Approval - Committee**

**8.3. Staff Reports of a Routine Nature for Information or Action**

8.3.1.	Tax Write-Off Under Municipal Act, Section 357 & 358	62 - 62
8.3.2.	2020 MarCom Individual Achievement Platinum Award, 2020-0170-Clerks	63 - 64
8.3.3.	Information Report - Comprehensive Zoning By-law Review Public Consultation, 2020-0167-Planning	65 - 67
8.3.4.	Pelham Street North Speed Study Results, 2020-0171-Public Works	68 - 73
8.3.5.	September 2020 Financial Reports, 2020-0165-Corporate Services	74 - 95
8.4.	Action Correspondence of a Routine Nature	
8.5.	Information Correspondence Items	
8.5.1.	Ministry of Municipal Affairs - Amendment 1 to A Place to Grow: Growth Plan for the Greater Golden Horseshoe	96 - 97
8.6.	Regional Municipality of Niagara - Action Items	
8.7.	Committee Minutes for Information	
8.7.1.	Cannabis Control Committee Minutes September 30, 2020	98 - 100
8.7.2.	Committee of Adjustment Minutes February 25, 2020 March 3, 2020 July 21, 2020 August 11, 2020 August 17, 2020	101 - 144
8.7.3.	Pelham Finance and Audit Committee September 9, 2020	145 - 152

## 9. Items for Separate Consideration, if Any

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

### **10.1. Reports from Members of Council:**

#### **10.1.1. Niagara Federation of Agriculture Annual Regional Meeting**

Councillor Olson

#### **10.1.2. Update on Committees**

Councillor Stewart

### **10.2. Staff Reports Requiring Action**

<b>10.2.1. Assumption of Rosewood Estates, 2020-0164-Public Works</b>	<b>153 - 155</b>
---	------------------

<b>10.2.2. Procedure By-law Amendment - Extension of Virtual Meetings of Council and Committees to August 31, 2021, 2020-0160-Clerks</b>	<b>156 - 163</b>
--	------------------

## **11. Unfinished Business**

## **12. New Business**

<b>13. Presentation and Consideration of By-Laws</b>	<b>164 - 174</b>
--	------------------

1. By-law 4289(2020) - Being a By-law to appoint an Engineer to update the mapping and assessment schedules for the Big Creek Municipal Drain.

2. By-law 4290(2020) - Being a by-law to amend By-law #4068(2019) confirming various appointments to Boards, Commissions, and Committees of the Town of Pelham; And to remove and appoint members to the Committee of Adjustment/ Property Standards Committee (Schedule C); And to remove members from the Pelham Active Transportation Committee (Schedule F); And to remove and appoint members to the Pelham Seniors' Advisory Committee (Schedule G); And to remove members from the appointed Fenceviewers (Schedule I); And to remove and appoint members to the Pelham Summerfest Committee (Schedule N); And to remove and appoint members to the Pelham Public Art Committee



(Schedule O); And to appoint a Council representative to the Finance and Audit Committee (Schedule Q).

3. By-law 4291(2020) - Being a by-law to dedicate lands as public highway.

**14. Motions and Notices of Motion**

1. Councillor Hildebrandt will provide a Notice of Motion
2. Councillor Stewart will provide a Notice of Motion: Legacy Projects

**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 Section 239(2)(c) - proposed or pending acquisition or disposition of land by the municipality - File L07-2019-02-S

**17.1. Closed Session Report, 2020-0156**

**18. Rise From In Camera**

**19. Confirming By-Law**

175 - 175

**20. Adjournment**

Name: Dr. Gervan Fearon, President & Vice-Chancellor & Dr. Lynn Wells, Provost & Vice President Academic	
Address: 1812 Sir Isaac Brock Way	
Postal Code: L2S3A1	Telephone #: 905-688-5550 x 3333
Email Address: jcrowley@brocku.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	
<p>PLEASE INDICATE THE DATE OF THE COUNCIL MEETING YOU WISH TO ATTEND AS A DELEGATION:          Regular Council: 1<sup>st</sup> and 3<sup>rd</sup> Monday of the month; 5:30 p.m. (except summer schedule)</p> <p>DATE: <u>October 19, 2020</u></p> <p>Please identify the desired action of Council that you are seeking on this issue:          No action required. Information Update.</p> <p>_____</p> <p>_____</p> <p>_____</p>	
<p>I have never spoken on this issue before. Key points of my deputation are as follows:  <b>(Presentation must accompany the request)</b>          Brock University Update &amp; Strategic Plan          Brock's community impact - Economic Recovery &amp; COVID-19          Areas of potential partnership</p> <p>_____</p> <p>_____</p> <p>_____</p>	
<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><b>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.</b></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 <a href="mailto:NJBozzato@pelham.ca">NJBozzato@pelham.ca</a> in accordance with the deadlines outlined above.</p>	
<small>member 0449/26-1773-4880 948-1893/532/16 245/5278-588-4796 AAZD-988/83142270</small>	<p style="text-align: right;">October 6, 2020</p> <p>_____ Date</p>
<p>_____ Signature</p>	

**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.



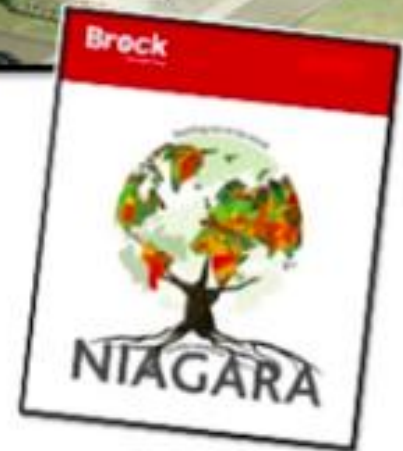
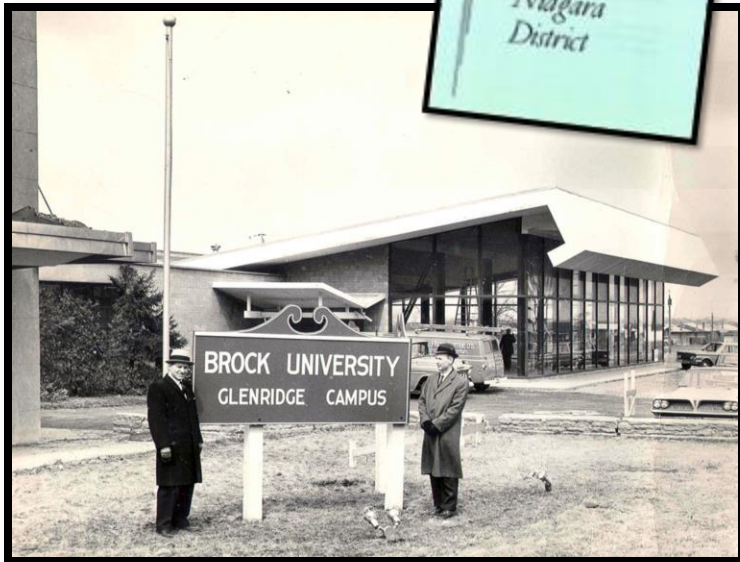
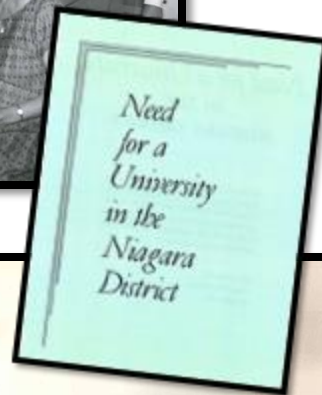
# Brock University Presentation to Pelham Town Council

Dr. Gervan Fearon, President and Vice-Chancellor  
& Dr. Lynn Wells, Provost & Vice-President, Academic  
October 2020





# History of success & engagement

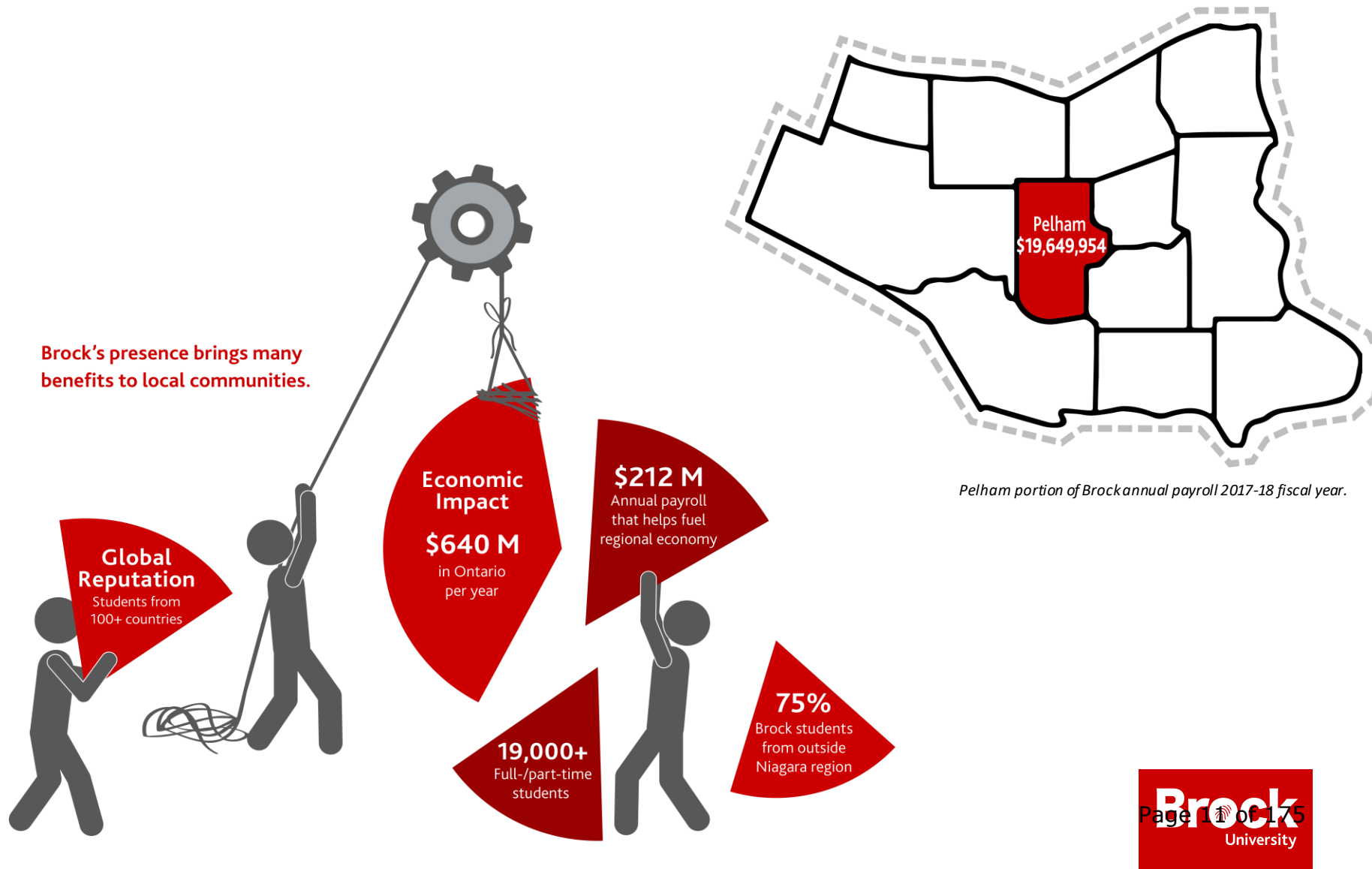


# Brock today

- In 2019, Brock had a sizeable increase in number of students (domestic & international)
  - 19,000 students
  - 100,000+ grads
- COVID-19 has impacted University enrollment & ancillary
- 2nd largest employer in Niagara



# Brock's economic impact in Niagara





# Brock University Institutional Strategic Plan: four key priorities



Offer a transformational and accessible academic and university experience



Build research capacity across the university



Enhance the life and vitality of our local region and beyond



Foster a culture of inclusivity, accessibility, reconciliation and decolonization



# Strategic Priority: Enhance the life and vitality of our local region and beyond

## Addressing the needs of local businesses

### Brock LINC

- 41,000 additional square feet to Brock's campus that is dedicated to enhancing research, innovation, commercialization, and entrepreneurship in the Niagara Region
  - Extending the University's capacity to support commercialization and the application of new technologies for start-ups and SME's in Niagara



### Brock-Niagara Validating, Prototyping and Manufacturing Institute (VPMI)

- will enable area businesses to access the University's researchers, expertise and advanced technology
- research and innovation
- testing and prototyping
- training



# Strategic Priority: Enhance the life and vitality of our local region and beyond cont'd

## Community Partnerships

- Supporting the well-being of the region, as well as addressing workforce development challenges.

## Continuing Education

### *Meeting labour market needs*

- Traditional programming
  - Engineering
- Continuing Education
  - skills upgrades, certificates, etc.

## Niagara Skills Survey

- Brock has developed a survey alongside the GNCC and Southern Chambers to better understand the needs of local businesses



Sept 22, 2020 MOU signing event with Niagara Workforce Planning Board.



# Brock's research impact on industry

## Example: Cool Climate Oenology and Viticulture Institute

- CCOVI partners with local wineries and grape growers to provide invaluable research support that impacts the local and Ontario economy
- 2014-15 economic impact study, found that CCOVI:
  - \$58m to local industry and \$91m to Ontario economy
  - Created 307 local jobs
  - Labour income of nearly \$17 million
  - Total crop loss avoidance of 3,362 tonnes of grapes



# Community Engagement Strategic Plan: Regional Community Builder Model

Community Engagement Goal	Institution's Strategic Priority
<b>Foster a Culture of Meaningful Community Engagement</b>	Enhance the life and vitality of our local region and beyond
<b>Support Knowledge Mobilization</b>	Build research capacity across the University
<b>An Open and Accessible Community Resource</b>	Foster a culture of inclusivity, accessibility, reconciliation and decolonization
<b>Communicate and Connect with the Community</b>	Enhance the life and vitality of our local region and beyond
<b>Support Experiential Learning and Educational Pathways</b>	Provide a transformational and accessible academic and University experience

**Brock**  
University



**Regional Community Builder**  
Brock University Community Engagement Strategic Plan

[Brocku.ca/CommunityEngagement](https://brocku.ca/CommunityEngagement)



# Brock's impact on the community



*Brock Centre for Health and Well Being*

## Health Impact

- Programming for seniors & those with specific health issues
- Functional health programming at Meridian Community Centre - Pelham

## Social Impact

- Formal partnerships with our local municipal and community partners
  - Brock Lincoln Living Lab
  - Niagara Adapts
  - Niagara Health
  - Pathstone Mental Health



*Niagara Adapts Inaugural Workshop June 2019*

# Economic Recovery & COVID-19

## Local Support

- Face shields and other PPE to local health care workers
- Brock LINC
- Engagement with business community
- Updates & communications with local municipalities
- **How can we help?**



Brock University Makerspace 3D printed face shield mount for health workers in Niagara



Various PPE supplies donated to local hospitals in early March

## Research

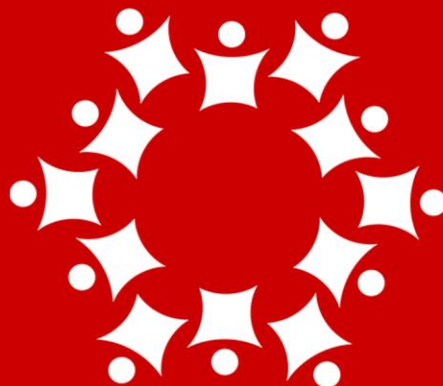
[Brock studying vaccine strategies](#)

[Personality Traits & COVID-19](#)

[Children & COVID-19](#)

[Lying & COVID-19](#)

[COVID-19 & Active Canadians](#)



**Regional Community Builder**

# Thank You

**Contact:**  
Jayne Crawley  
[jcrawley@brocku.ca](mailto:jcrawley@brocku.ca)

[brocku.ca/strategic-plan](http://brocku.ca/strategic-plan)

Name: Vanessa Baran & Bobby Kozjan	
Address: 615 Canboro Road RR5, Fenwick, ON	
Postal Code: L0S 1C0	Telephone #: 905-329-7119
Email Address: vanessa@bobbythebuilder.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	
<p>PLEASE INDICATE THE DATE OF THE COUNCIL MEETING YOU WISH TO ATTEND AS A DELEGATION:          Regular Council: 1<sup>st</sup> and 3<sup>rd</sup> Monday of the month; 5:30 p.m. (except summer schedule)</p> <p>DATE: <u>First available date</u></p> <p>Please identify the desired action of Council that you are seeking on this issue:  <u>The new By-Law No 4257-2020 has shut down my current VRBO short term accomodat</u>  <u>We are looking to proceed with our current business model without having to rezone ou</u>  <u>the Licensing Application.</u></p>	
<p>I have never spoken on this issue before. Key points of my deputation are as follows:  <b>(Presentation must accompany the request)</b>  <u>Successful operation of an owner occupied Short Term Rental in Fenwick with 0 compl</u>  <u>Spent over \$75,000 to convert from long term rental to a fully furnished short term renta</u>  <u>Increased property value not only for our residence but our neighbourhood.</u>  <u>Had families visiting our local stores, restaurants and businesses.</u>  <u>Business is supporting my 67 year old mother in a long term care facility suffering from</u></p>	
<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><b>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.</b></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 <a href="mailto:NJBozzato@pelham.ca">NJBozzato@pelham.ca</a> in accordance with the deadlines outlined above.</p>	
Vanessa Baran _____ Signature	Oct. 20/2020 _____ 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.

# 707 Welland Road

...

## By-Law No. 4257-2020

# History


- Purchased in 2009 by long, established local residents; 707 was occupied by long term tenants and 709 to house my mother who was immobile due to a brain tumour
- When my mother went into a long term care facility at \$2800/month, we used the rental income to support her.
- In early 2018, we evicted the tenants in 707, renovated and converted it to a short term vacation rental, to solve the problem of property degradation that comes with long term tenants
- We invested over \$75,000 to fully update, furnish and create the new VRBO business as a 2 bedroom, 2 Bathroom Oasis

# Successfully Operated as Short term rental for over 2.5 years

- Had families stay and visit and support local businesses like the grocery stores, restaurants and cafes
- Increased the value of our property and for our neighbours
- Never had any noise or neighbour complaints
- Had local residents use it to house their extended families for reunions and functions
- We are able to maintain the property as we can go in between stays and make the necessary repairs
- To see pictures of unit, look up VRBO #1294314

# By-Law No. 4257 - 2020 and its implications to 707

- In order to continue to operate as we currently do, we do not qualify as “grandfathering” and must spend over \$20,000 to rezone, survey and make amendments to the Local and Regional Plans
- The \$20,000 may be lost as it can still be turned down by council and the mayor
- This is over and above the strict Licensing process that is also imposed at rate of \$600 and all its requirements
- This is unfair to cripple and monetarily punish an existing business to solve problems that you are having elsewhere in the town
- Looking for 707 Welland Road to continue to as a Short Term Rental subject only to the new Licensing Requirements that have been imposed
- When building codes change, existing structures don’t need to change to comply, why should we have to change when we had a successful business in place first!

Name: Hospice Niagara / Carol Nagy, Executive Director	
Address: 403 Ontario Street, Suite 2, St. Catharines, ON	
Postal Code: L2N 1L5	Telephone #: 905 984 8766 Ext. 225
Email Address: cnagy@hospiceniagara.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	
<p>PLEASE INDICATE THE DATE OF THE COUNCIL MEETING YOU WISH TO ATTEND AS A DELEGATION:          Regular Council: 1<sup>st</sup> and 3<sup>rd</sup> Monday of the month; 5:30 p.m. (except summer schedule)</p> <p>DATE: <u>November 16, 2020</u></p>	
<p>Please identify the desired action of Council that you are seeking on this issue:          One time contribution toward the expansion of Hospice Care and Community Services across the Region</p> <hr/> <hr/> <hr/>	
<p>I have never spoken on this issue before. Key points of my deputation are as follows:  <b>(Presentation must accompany the request)</b></p> <p>Why it is important for Municipalities to Invest now in Hospice Palliative Care</p> <hr/> <p>Economical Planning and Sustainable Growth</p> <hr/> <p>Capital Campaign Contributions</p> <hr/> <p>Improved Care for South Niagara</p> <hr/>	
<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><b>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.</b></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 <a href="mailto:NJBozzato@pelham.ca">NJBozzato@pelham.ca</a> in accordance with the deadlines outlined above.</p>	
<div style="display: flex; justify-content: space-between; align-items: flex-end;"> <div style="text-align: center;">   <hr style="width: 30%; margin: 0;"/> </div> <div style="text-align: right;"> <p>November 4, 2020</p> </div> </div>	
<p>Signature</p>	

**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.

October 8, 2020

Mayor Marvin Junkin  
Town of Pelham  
20 Pelham Town Square  
Fonthill, ON  
L0S 1E0

**Request:** One-time contribution toward the expansion of Hospice Care and Community Services Across the Region

Dear Mayor Junkin,

Thank you for taking time from your busy schedule to meet with me earlier this week.

As per our discussion, please accept this letter as a formal request submitted by Hospice Niagara, a not-for profit organization that has served the entire Niagara Region for over 27 years. The attached brief supplements this letter, requesting \$85,000 to be paid over a 3-year (or 4-year) period, beginning in 2021 as the Town of Pelham's contribution toward two new Hospice Palliative Care facilities in Fort Erie and Welland.

All Municipalities in Niagara are being asked to support this capital project as one strong voice of support as we advocate for full provincial approval and capital funding toward this project. The Towns of Fort Erie and Wainfleet, along with the cities of Welland, Port Colborne and Thorold are in the process of working with their respective Council to support the same per capita request (\$4.83 per person, according to the 2016 census), as part of their respective 2021 budget process.

I would be available to present at a Council meeting to provide further information and answer any questions, if you determine this request is within the financial ability of the Town's budget.

Pelham's commitment will add strength to Niagara's unified voice, as we advocate for a provincial grant of \$4 million to support this expansion and for compassionate care available to everyone across the Region.

In closing, on behalf of Hospice Niagara Board of Directors, Staff and Volunteers, thank you for your time in championing this request.

Sincerely,



Carol Nagy,  
Executive Director  
Hospice Niagara  
CC Amber LaPointe, City Clerk

**The Stabler Centre**

403 Ontario Street, Unit 2, St. Catharines, ON L2N 1L5  
T: 905-984-8766 | F: 905-984-8242

**Welland Office**

555 Prince Charles Drive, 2<sup>nd</sup> Floor, Welland, ON L3C 6B5  
T: 905-984-8766 | F: 905-735-1703

info@hospiceniagara.ca | hospiceniagara.ca | Charitable Registration # 899716294RR0001

We rely on your donations to provide our programs and services throughout Niagara.  
Official income tax receipts are provided for donations of \$20 or more.



## **Briefing Note: Hospice Palliative Care Expansion in Niagara Region**

Hospice Niagara is currently in the planning phase with the Ministry of Health for expansion of 20 new hospice beds within Centers of Excellence in Hospice Palliative Care. These centres, located in Fort Erie and Welland, will provide exceptional end-of-life care for which Hospice Niagara has become known, along with expansion of in-home hospice care, education and volunteer support across the Region.

## **Why it's important for Municipalities to Invest Now in Hospice Palliative Care**

This expansion will provide residents of Pelham increased care within their home and increased accessibility to two hospices located in St. Catharines and north Welland.

It is important to invest in this expansion now, given this Region's aging demographic, and the limit hospital resources. St. Catharines hospital does not have any designated end-of-life care beds. The future of existing end-of-life beds at Port Colborne, Fort Erie and Welland hospitals, are unknown. Also, it is important to note the Ministry has also designated Hotel Dieu Shaver as a Rehabilitation hospital only, and will not be approving expansion of the end-of-life beds located within this hospital. This alone leaves our Region short 17 hospital end-of-life beds within the next 5-years. Most importantly, 80% of Canadians prefer to die at home or in hospice, not in hospital rooms and hallways.

Currently, the hospice residence bed count in Niagara is 3 beds per 100,000 residents. The Auditor General has recommended 7-10 beds per 100,000. The Ministry of Health agrees that the first step to addressing the issue of hallway medicine is to build effective community solutions, rather than locate more beds within hospitals. As such, the Ministry has approved operational funding for 20 additional Hospice residential beds; 10 in Fort Erie and 10 in Welland. This will better address our hospice bed shortage and open capacity for admissions at the St. Catharines site for neighbouring communities. This is of the upmost importance given that requests for hospice beds at the St. Catharines site have been over capacity for the past 10 years. Currently, this 10-bed residence accommodates only half of those who choose hospice care, and these requests continue to increase by at least 15% each year.

Hospice care is delivered at a fraction of the cost of hospital care. The average cost of a hospice bed is \$465 per day, while a hospital bed costs over \$1,100 per day, saving our health care system millions of dollars each year. While dying in hospital may be some people's preference, or due to necessity, hospices provide people and their families with individual care, input into all care decisions and most important, maintains their dignity at end-of-life.

## **Economical Planning**

The typical cost of building a stand-alone hospice residence falls within the range of \$10M - \$14M. Building alongside the expansion of two larger not-for-profit long-term care homes decreases the build cost by half, as the hospice 10-bed portion advantages economies of scale.

If approved, the Ministry of Health will provide Hospice Niagara with \$2M capital grant for each site, to offset the total capital build cost.

Once approved, opening for both sites will occur in 2023.

### **The Stabler Centre**

403 Ontario Street, Unit 2, St. Catharines, ON L2N 1L5  
T: 905-984-8766 | F: 905-984-8242

### **Welland Office**

555 Prince Charles Drive, 2<sup>nd</sup> Floor, Welland, ON L3C 6B5  
T: 905-984-8766 | F: 905-735-1703

info@hospiceniagara.ca | hospiceniagara.ca | Charitable Registration # 899716294RR0001

We rely on your donations to provide our programs and services throughout Niagara.  
Official income tax receipts are provided for donations of \$20 or more.

## Sustainable Growth

Hospice Niagara plans to manage increased operating costs of these two new facilities by integrating and/or contracting most of its infrastructure and back-end operating costs through its long-term care partners. In this way, the organization is ensuring that the services it provides today will be available to future generations.

Integration planning between Hospice Niagara and long-term care operators will provide:

- Opportunity for shared use of amenities and services (where possible);
- Potential for shared services (laundry, housekeeping, grounds keeping, parking, utilities, building maintenance, etc.);
- Opportunity for back-end integration of administrative functions, such as Information Technology (IT), maintenance, payroll, communications, etc.

## Capital Campaign Contributions

Hospice Niagara's capital campaign has launched, with a target of raising \$14M toward the build costs for the Fort Erie and Welland sites. Hospice Niagara is working to secure contributions from every municipality, along with the Region, not only because this expansion benefits all of Niagara, but this broad-based commitment will send a very strong message to the province, as it considers allocating a provincial grant funding (\$4M in total) toward the project.

## Improved Care for South Niagara

Niagara's much needed Hospice expansion is important to every community. This expansion model creates a template for other communities in Niagara to plan alongside Hospice Niagara for future hospice resource expansions.

Most importantly, for people living in Pelham, expansion means:

- Increased local access to weekly hospice wellness programs, caregiver and bereavement support;
- Influx of palliative care professionals working in south communities;
- Two south-Niagara facilities that serve this geographic area, which has one of the highest proportions of aging population (in all age categories over 65 years old), with complex health issues (i.e. underserved communities);
- The expansion of francophone programs and services;
- Onsite expert consultations to help people living in southern LTC homes avoid hospital admissions due to pain crisis and complex end-of-life care and;
- Better planning, transitions and improved quality of life for patients and families, who will have local access to vital hospice and community palliative care services.

These projects are community and provincial investments that will maintain Hospice Niagara's proven record in providing exceptional care according to best practice standards, while ensuring sustainable expansion through partnerships and integration.

<b>The Stabler Centre</b>	<b>Welland Office</b>
403 Ontario Street, Unit 2, St. Catharines, ON L2N 1L5	555 Prince Charles Drive, 2 <sup>nd</sup> Floor, Welland, ON L3C 6B5
T: 905-984-8766   F: 905-984-8242	T: 905-984-8766   F: 905-735-1703
info@hospiceniagara.ca   hospiceniagara.ca   Charitable Registration # 899716294RR0001	



# Report of Regional Councillor

---

Diana Huson

# Overview of Updates

COVID Financial Impact Update

Budget Timelines

South Niagara Falls Waste Water  
Treatment Plant

Woodland Conservation Bylaw

Waste Collection Changes

CAO Recruitment

*Table 2: 2020 COVID-19 Financial Impact Summary*

(in millions)	Levy	Water/ Wastewater	Waste Management	Total
<b>Total Gross Cost</b>	\$ 53.9	\$ 1.1	\$ 0.7	\$ 55.7
Less: Confirmed Funding Matched to Expenses	(18.0)	-	-	(18.0)
<b>Net Cost to Region</b>	<b>35.9</b>	<b>1.1</b>	<b>0.7</b>	<b>37.7</b>
Less: Strategic and Other Mitigations	(10.8)	(0.4)	(1.0)	(12.2)
Less: Redeployed resources	(20.0)	(0.2)	(0.0)	(20.2)
<b>Net budget deficit/(surplus)</b>	<b>\$ 5.1</b>	<b>\$ 0.5</b>	<b>\$ (0.3)</b>	<b>\$ 5.3</b>

*Table 1: 2020 Funding Scenarios*

(in millions)	<b>Worst Case</b>	<b>Likely Case</b>	<b>Best Case</b>
2020 Forecasted Deficit	\$ (5.3)	\$ (5.3)	\$ (5.3)
Year end transfers from rate reserves	0.2	0.2	0.2
2020 Possible Public Health Funding	-	3.5	5.9
2020 Possible Transit Funding	-	-	Unknown
Safe Restart Municipal Funding - Phase 1	12.2	12.2	12.2
Safe Restart Municipal Funding - Phase 2	-	-	Unknown
Funds available for 2021 Budget	\$7.1	\$ 10.6	\$ 13.0

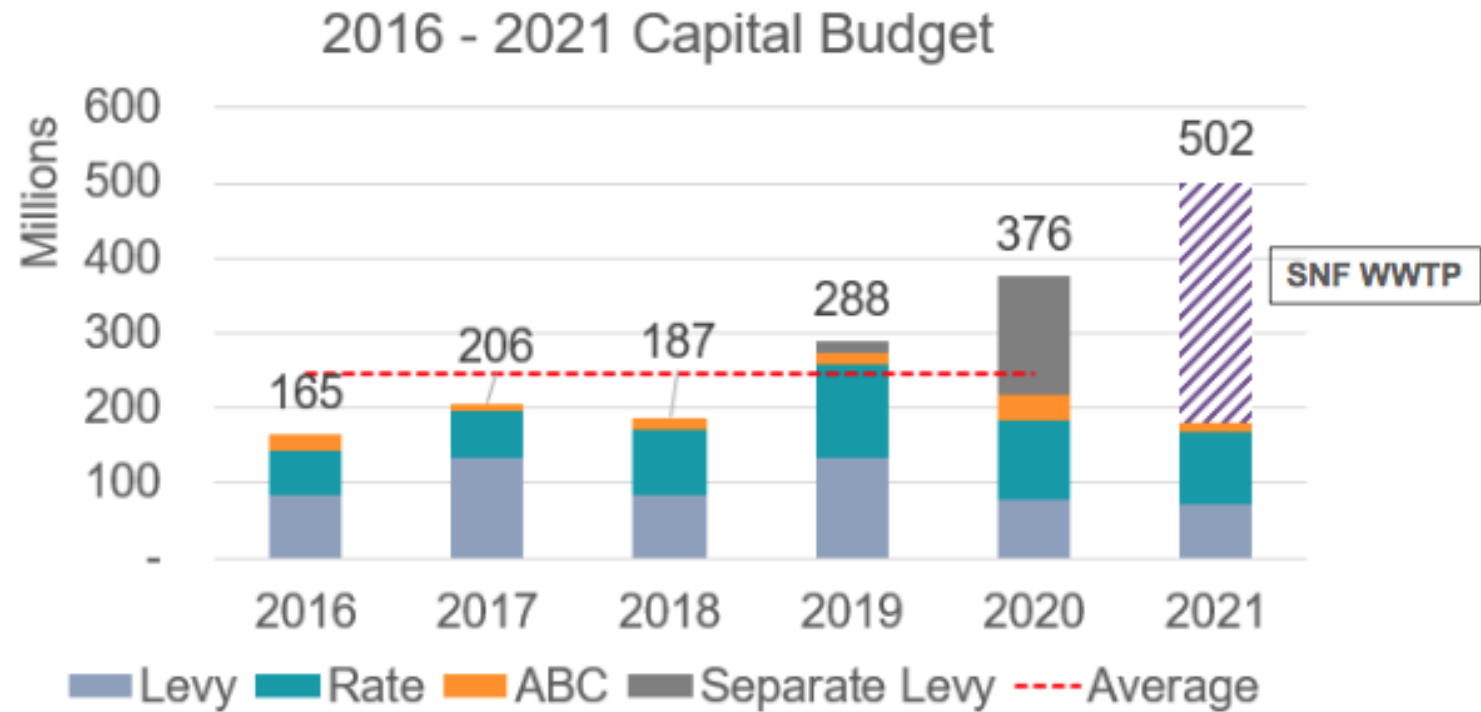
## Option A

Meeting Type	Subject/Topic	Date
<b>BRCOTW</b>	Budget Planning	June 25, 2020, 4:00 p.m.
<b>Budget Workshop</b>	Capital	October 1, 2020, 4:00 p.m.
<b>BRCOTW</b>	Capital	October 15, 2020, 6:30 p.m.
<b>Budget Workshop</b>	Rate	November 19, 2020, 6:30 p.m.
<b>Budget Workshop</b>	Council Authority over ABCs	*November 26, 2020, 4:00 p.m.
<b>BRCOTW</b>	Rate	*November 26, 2020, 6:30 p.m.
<b>BRCOTW</b>	ABCs	December 10, 2020, 6:30 p.m.
<b>Council</b>	Rate By-laws	December 17, 2020, 6:30 p.m.
<b>Budget Workshop</b>	Levy	*January 7, 2021, 9:00 am
<b>BRCOTW</b>	Consolidated Levy	January 14, 2021, 6:30 p.m.
<b>Council</b>	Levy, Capital, User Fee By-laws	January 21, 2021, 6:30 p.m.

\*all dates align with Council and Committee meeting weeks except November 26 and January 7

# Capital Budget Trend

5-year historical and 2021 recommended



2021 NIAGARA REGION BUDGET

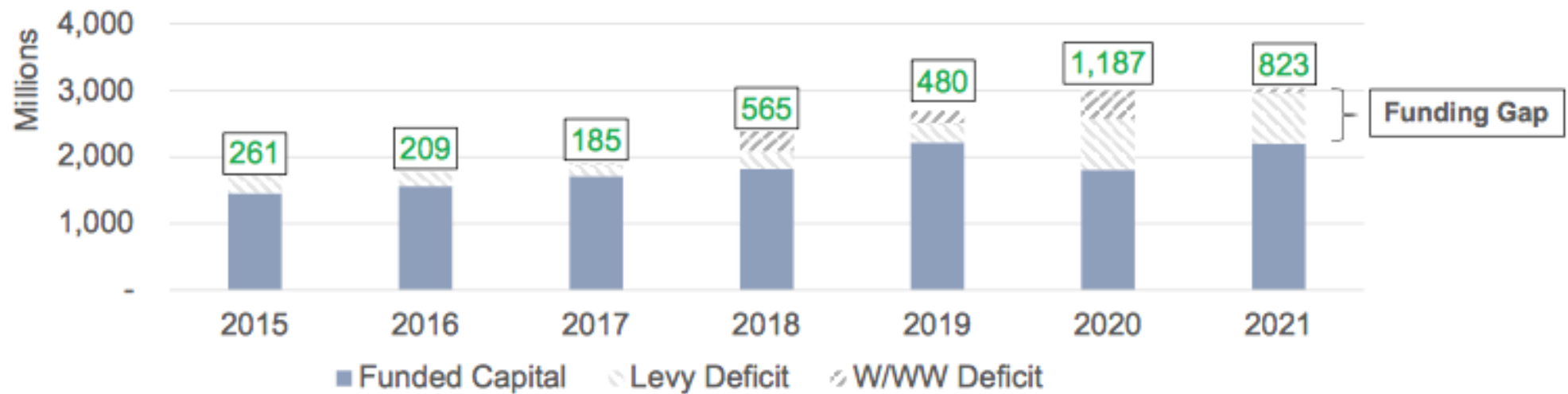
10



# Multi-year Financing Strategy

For \$7.4 Billion in Regional Levy and Rate capital assets

10-year infrastructure Gap is decreasing



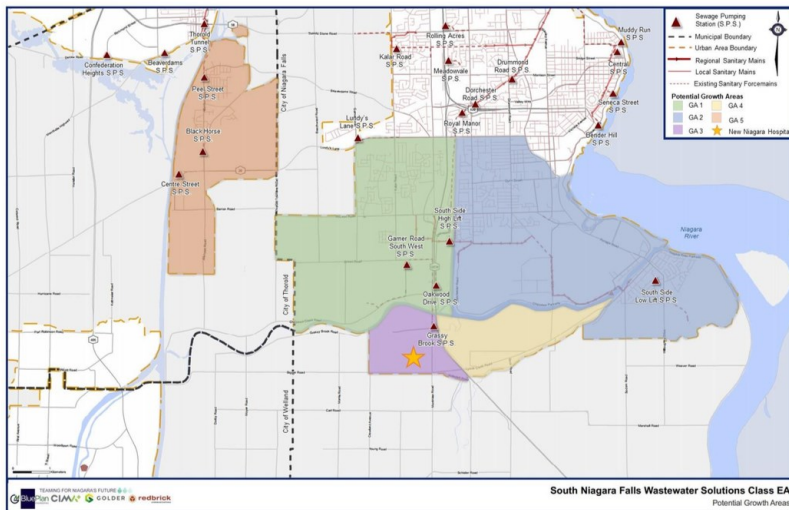
2021 NIAGARA REGION BUDGET

# South Niagara Falls Waste Water Treatment Plant

8



- Total Project Cost = \$320 Million
  - \$108 External Funding
  - \$148 Development Charges
  - \$64 Debt
- \$33 Million realized in the 2021 Capital budget
- Anticipated growth of 97,000 people and jobs
- Construction to begin in 2025



# Woodland Conservation Bylaw



- Bylaw needed to be updated to address:
  - Existing gaps
  - Removal of delegation
- Region underwent a review and public consultation to revise the bylaw
- January 31<sup>st</sup> Enforcement of the Bylaw will be conducted by the Region
- Size determines qualification (1 hectare or greater)
- Pelham does not have a tree bylaw

# Waste Collection Changes

- Waste Collection changes took place on October 19<sup>th</sup>
- Collection for some residents changed from a Wednesday to a Monday
- No complaints
- Garbage now picked up every other week with all other services picked up weekly.
- Niagara Region Waste App
  - Dates and services ->



# CAO

## Recruitment



- Acting CAO has been in place for 2 years
- Hiring process put on hold in March
- Will be resuming our search for a permanent staff member to fill the role.

Questions?

## **SPECIAL COUNCIL MINUTES**

**Meeting #:** SC-15/2020 Special Meeting of Council  
**Date:** Monday, November 2, 2020, 4:00 pm  
**Location:** Town of Pelham Municipal Office - Council Chambers  
20 Pelham Town Square, Fonthill

**Members Present** Marvin Junkin  
Lisa Haun  
Wayne Olson  
Marianne Stewart  
John Wink

**Regrets** Bob Hildebrandt  
Ron Kore

**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 4:00 p.m.

**2. Approval of the Agenda**

**Moved By** Marianne Stewart

**Seconded By** John Wink

**BE IT RESOLVED THAT the agenda for the November 2, 2020 Special Meeting of Council be adopted as circulated.**

	<b>For</b>	<b>Against</b>
Marvin Junkin	X	
Lisa Haun	X	
Wayne Olson	X	
Marianne Stewart	X	
John Wink	X	



**Results** **5** **0**

**Carried (5 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** Lisa Haun

**Seconded By** Wayne Olson

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

**(e) - litigation or potential litigation, including matters before administrative tribunals, affecting the municipality; and (f) - advice that is subject to solicitor-client privilege, including communications necessary for that purpose; (File L01-03-2019 and File L01, 02, 03-2020).**

	<b>For</b>	<b>Against</b>
Marvin Junkin	X	
Lisa Haun	X	
Wayne Olson	X	
Marianne Stewart	X	
John Wink	X	
<b>Results</b>	<b>5</b>	<b>0</b>

**Carried (5 to 0)**

**5. Rise From In Camera**

**Moved By** Lisa Haun

**Seconded By** Wayne Olson

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

	<b>For</b>	<b>Against</b>
Marvin Junkin	X	
Lisa Haun	X	
Wayne Olson	X	
Marianne Stewart	X	



John Wink	X	
<b>Results</b>	<b>5</b>	<b>0</b>
<b>Carried (5 to 0)</b>		

**Moved By** John Wink  
**Seconded By** Lisa Haun  
**BE IT RESOLVED THAT the Chief Administrative Officer and external legal counsel be and is hereby authorized to undertake the directions provided during the In Camera meeting of November 2, 2020.**

	<b>For</b>	<b>Against</b>
Marvin Junkin	X	
Lisa Haun	X	
Wayne Olson	X	
Marianne Stewart	X	
John Wink	X	
<b>Results</b>	<b>5</b>	<b>0</b>
<b>Carried (5 to 0)</b>		

**6. Confirming By-law**

**Moved By** Marianne Stewart  
**Seconded By** John Wink  
**BE IT RESOLVED THAT the following By-law be read a first, second and third time and passed:**  
  
**Being a By-law No. 4287(2020) to Adopt, Ratify and Confirm the proceedings of Council of the Town of Pelham at its Special Meeting held on the 02nd day of November, 2020.**

	<b>For</b>	<b>Against</b>
Marvin Junkin	X	
Lisa Haun	X	
Wayne Olson	X	
Marianne Stewart	X	
John Wink	X	
<b>Results</b>	<b>5</b>	<b>0</b>

**Carried (5 to 0)**

**7. Adjournment**

**Moved By** Marianne Stewart

**Seconded By** Lisa Haun

**BE IT RESOLVED THAT this November 2, 2020 Special Meeting of Council be adjourned until the next regular meeting scheduled for November 2, 2020 at 5:30 pm.**

	<b>For</b>	<b>Against</b>
Marvin Junkin	X	
Lisa Haun	X	
Wayne Olson	X	
Marianne Stewart	X	
John Wink	X	
<b>Results</b>	<b>5</b>	<b>0</b>

**Carried (5 to 0)**

---

Mayor Marvin Junkin

---

Town Clerk, Nancy J. Bozzato

## **REGULAR COUNCIL MINUTES**

**Meeting #:** C-18/2020 Regular Council  
**Date:** Monday, November 2, 2020  
**Time:** 5:30 PM  
**Location:** Town of Pelham Municipal Office - Council  
Chambers  
20 Pelham Town Square, Fonthill

**Members Present:** Marvin Junkin  
Lisa Haun  
Wayne Olson  
Marianne Stewart  
John Wink

**Regrets** Bob Hildebrandt  
Ron Kore

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

**Other:** T. Nohara

---

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

Noting that a quorum was present, the Mayor called the meeting to order at approximately 5:32 p.m.

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

**Moved By** Wayne Olson  
**Seconded By** John Wink

**BE IT RESOLVED THAT the agenda for the November 2, 2020 Regular meeting of Council be adopted.**

	<b>For</b>	<b>Against</b>
Marvin Junkin	X	
Lisa Haun	X	
Wayne Olson	X	
Marianne Stewart	X	
John Wink	X	
<b>Results</b>	<b>5</b>	<b>0</b>

**Carried (5 to 0)**

### **3. Disclosure of Pecuniary Interests and General Nature Thereof**

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

The Mayor announced the Ontario Hockey Association declaration of the Pelham Panthers Bantam BB Hockey Championship; informed that the Town of Pelham Bandshell Committee received a substantial donation from Enbridge Gas of Ontario toward the Peace Park project; expressed Council condolences on the recent passing of Councillor Hildebrandt's mother this past week; and announced the upcoming Pelham Cares Food Drive. The Food Drive announcement was augmented by Councillor Olson.

### **4. Hearing of Presentation, Delegations, Regional Report**

#### **4.1 Presentations**

##### **4.1.1 COVID-19 Update - Community Emergency Management Co-Ordinator**

Fire Chief, Community Emergency Management Co-Ordinator, provided an update on COVID-related information. He cautioned the community against having fires in the community centre parking lot, noting that changes will be laid if this behaviour continues. He provided an update to the statistical information related to the pandemic.

**Moved By** Marianne Stewart  
**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.**

	<b>For</b>	<b>Against</b>
Marvin Junkin	X	
Lisa Haun	X	
Wayne Olson	X	
Marianne Stewart	X	
John Wink	X	
<b>Results</b>	<b>5</b>	<b>0</b>

**Carried (5 to 0)**

#### **4.1.2 COVID-19 Update - Chief Administrative Officer**

No Report

### **4.2 Delegations**

#### **4.2.1 Tim Nohara, Cannabis Control Committee Chair**

Mr. Nohara provided an update on the Cannabis Control Committee work, summarizing the 2020 work and their work plan moving forward, as included on the agenda.

**Moved By** Lisa Haun

**Seconded By** Wayne Olson

**BE IT RESOLVED that Council receive Tim Nohara, Chair of the Cannabis Control Committee delegation, for information.**

	<b>For</b>	<b>Against</b>
Marvin Junkin	X	
Lisa Haun	X	
Wayne Olson	X	
Marianne Stewart	X	
John Wink	X	
<b>Results</b>	<b>5</b>	<b>0</b>

**Carried (5 to 0)**

### **4.3 Report of Regional Councillor**

No Regional Councillor Report.

5.     **Adoption of Minutes**  
**Moved By** Marianne Stewart  
**Seconded By** John Wink

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

**1. C-17/2020 - Regular Council Minutes of October 19, 2020**

	<b>For</b>	<b>Against</b>
Marvin Junkin	X	
Lisa Haun	X	
Wayne Olson	X	
Marianne Stewart	X	
John Wink	X	
<b>Results</b>	<b>5</b>	<b>0</b>
<b>Carried (5 to 0)</b>		

6.     **Business Arising from Council Minutes**  
None
7.     **Request(s) to Lift Consent Agenda Item(s) for Separate Consideration**  
No items lifted.
8.     **Consent Agenda Items to be Considered in Block**  
**Moved By** Wayne Olson  
**Seconded By** Lisa Haun

**BE IT RESOLVED THAT the Consent Agenda items as listed on the November 2, 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-05/2020 Public Meeting Under Planning Act - October 13, 2020



8.2 Minutes Approval – Committee

8.2.1 PCOW-05/2020 Public Meeting Under Planning Act - October 13, 2020

BE IT RESOLVED THAT Council receive the PCOW-05/2020 Public Meeting Under Planning Act - October 13, 2020 for information.

8.5 Information Correspondence Items

8.5.1 NPCA 2019 Annual Report

BE IT RESOLVED THAT Council receive the 2019 NPCA Annual Report, for information.

City of Thorold Resolution - Cannabis Legal Fees

BE IT RESOLVED THAT Council receive the resolution from the City of Thorold dated October 22, 2020 regarding Cannabis Legal Fees, for information.

Enbridge Gas Inc. - 2021 Federal Carbon Pricing Program - Notice of Application

BE IT RESOLVED THAT Council receive the Notice of Application from the Ontario Energy Board dated October 14, 2020, for information.

Committee Minutes for Information

BE IT RESOLVED THAT Council receive the Cannabis Control Committee minutes dated July 22, 2020, for information.

	<b>For</b>	<b>Against</b>
Marvin Junkin	X	
Lisa Haun	X	
Wayne Olson	X	
Marianne Stewart	X	
John Wink	X	
<b>Results</b>	<b>5</b>	<b>0</b>
<b>Carried (5 to 0)</b>		

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

None

**10. Presentation & Consideration of Reports**

**10.1 Reports from Members of Council:**

The Mayor provided a report at the outset of the meeting relating to various announcements.

**10.2 Staff Reports Requiring Action**

**10.2.1 2020 Bridge and Culvert Inspection Program and Rehabilitation and Replacement Needs, 2020-0157-Public Works**

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

**BE IT RESOLVED THAT Council receive Report #2020-0157 for information purposes.**

	<b>For</b>	<b>Against</b>
Marvin Junkin	X	
Lisa Haun	X	
Wayne Olson	X	
Marianne Stewart	X	
John Wink	X	
<b>Results</b>	<b>5</b>	<b>0</b>
<b>Carried (5 to 0)</b>		

**11. Unfinished Business**

None

**12. New Business**

None

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

No by-laws were submitted for consideration.

**14. Motions and Notices of Motion**

Councillor Stewart Chaired the meeting for Item 14.3.

**Moved By** Marianne Stewart  
**Seconded By** Lisa Haun

**WHEREAS Council for the Town of Pelham wishes to explore the potential of requiring that development proponents be mandated to engage the surrounding neighbourhood of their proposed development area in a pre-application public meeting prior to submitting development proposals to the Town for consideration and approval;**  
**AND WHEREAS Council is aware that the City of Burlington has adopted a process to successfully mandate this process;**

**AND WHEREAS Council believes this process will serve to build community confidence in a development proposal whereby developers and community stakeholders would have an opportunity to engage with each other with a view toward working together for the betterment of all;**

**AND WHEREAS it is believed that this will result in cost-savings for developers in that it will demonstrate that community concerns have been taken into consideration prior to the formal application process beginning;**

**NOW THEREFORE BE IT RESOLVED that Council direct Staff to engage with the City of Burlington to investigate the pre-application public meeting process the City has enacted and report back to Council on how the Town of Pelham might adopt a similar model to benefit the growing community of Pelham.**

	<b>For</b>	<b>Against</b>
Marvin Junkin	X	
Lisa Haun	X	
Wayne Olson	X	
Marianne Stewart	X	
John Wink	X	
<b>Results</b>	<b>5</b>	<b>0</b>
<b>Carried (5 to 0)</b>		

**Moved By** Lisa Haun  
**Seconded By** Marianne Stewart

**BE IT RESOLVED THAT Council for the Town of Pelham approve the creation of a short-term working group for the Councillor Ciolfi Dedication project. The specific purpose of this working group is to assess and make recommendations for alterations and enhancements to the second floor bar/serverly area at the Meridian Community Centre. This Working Group will be provided with an initial budget from the Ciolfi family memorial fund and fundraising through community donations;**

**AND THAT Council appoint myself, Councillor Lisa Haun to Chair said working group;**

**AND FURTHER THAT Council appoint Vickie van Ravenswaay, Director of Recreation, Culture and Wellness as staff liaison to the working group;**

**AND FURTHER THAT Council appoints Michelle Ciolfi, Patricia Shannon Chair of the Hospitality Committee and Ward One Councillor Stewart as working group members;**

**AND FURTHER THAT should other members of Council be interested and willing to participate, to indicate such interest at this time, recognizing that a maximum of three Members of Council would be appointed to ensure compliance with quorum restrictions;**

**AND FURTHER THAT Council direct a report back with recommendations by January 2021**

	<b>For</b>	<b>Against</b>
Marvin Junkin	X	
Lisa Haun	X	
Wayne Olson	X	
Marianne Stewart	X	
John Wink	X	
<b>Results</b>	<b>5</b>	<b>0</b>
<b>Carried (5 to 0)</b>		

**Moved By** Marvin Junkin  
**Seconded By** Wayne Olson

WHEREAS the Town of Pelham contains the headwaters of two branches of the Twelve Mile Creek, which is the last remaining year-round cold water stream in the Region of Niagara,

AND WHEREAS the Twelve Mile Creek is a habitat for Brook Trout;

AND WHEREAS Council for the Town of Pelham is committed to working with the environment;

AND WHEREAS Members of Trout Unlimited, an organization that the Town has a Memorandum of Understanding with, have brought to this Council’s attention that the Stormwater Management Pond located at the southwest corner of Rice Road and Regional Road 20 is not operating as designed,

AND WHEREAS two defects in the Stormwater Management Pond cited are:

Firstly, the water outflowing from the pond is causing severe erosion on the north side of Regional Road 20; and  
Secondly, the water flowing from the pond is at an unacceptable

temperature when it enters the stream flowing to the Twelve Mile Creek, as determined by sensors placed by Trout unlimited;

AND WHEREAS the erosion is causing significant sediment problems further downstream, which is negatively impacting the fish habitat;

AND WHEREAS, as the Town continues to develop the land area draining into this Stormwater Management Pond, the runoff into the pond will continue to escalate, discoursing more water into the stream in what is obviously an unsatisfactory manner;

NOW THEREFORE BE IT RESOLVED THAT Council for the Town of Pelham does hereby instruct the appropriate Town staff, in consultation with any Regional Niagara officials and any engineering firms that planned and designed this Stormwater Management Pond, to conduct a technical review of all aspects of the pond, including but not restricted to:

- 1. Determining the total land area draining into the pond and determining whether the pond is properly sized to accommodate the water being received;
- 2. Determining what mechanisms are in place to slow the outflow and investigating why are they not working;
- 3. Recommending what further steps can be taken to reduce the temperature of the outflowing waters;

AND FURTHER THAT before the report is brought to Council, all technical information be provided to Trout Unlimited for their review and comment.

**Amendment:**

**Moved By** Marvin Junkin

**Seconded By** Wayne Olson

**That the Motion be amended by striking the final paragraph, which reads: "and further that before the report is brought to Council, all technical information be provided to Trout Unlimited for their review and comment."**

	For	Against
Marvin Junkin	X	
Lisa Haun	X	
Wayne Olson	X	
Marianne Stewart	X	
John Wink	X	
<b>Results</b>	<b>5</b>	<b>0</b>

**Carried (5 to 0)**

**Moved By** Marvin Junkin  
**Seconded By** Wayne Olson

**WHEREAS the Town of Pelham contains the headwaters of two branches of the Twelve Mile Creek, which is the last remaining year-round cold water stream in the Region of Niagara,**

**AND WHEREAS the Twelve Mile Creek is a habitat for Brook Trout;**

**AND WHEREAS Council for the Town of Pelham is committed to working with the environment;**

**AND WHEREAS Members of Trout Unlimited, an organization that the Town has a Memorandum of Understanding with, have brought to this Council's attention that the Stormwater Management Pond located at the southwest corner of Rice Road and Regional Road 20 is not operating as designed,**

**AND WHEREAS two defects in the Stormwater Management Pond cited are:**

**Firstly, the water outflowing from the pond is causing severe erosion on the north side of Regional Road 20; and**

**Secondly, the water flowing from the pond is at an unacceptable temperature when it enters the stream flowing to the Twelve Mile Creek, as determined by sensors placed by Trout unlimited;**

**AND WHEREAS the erosion is causing significant sediment problems further downstream, which is negatively impacting the fish habitat;**

**AND WHEREAS, as the Town continues to develop the land area draining into this Stormwater Management Pond, the runoff into the pond will continue to escalate, discouraging more water into the stream in what is obviously an unsatisfactory manner;**

**NOW THEREFORE BE IT RESOLVED THAT Council for the Town of Pelham does hereby instruct the appropriate Town staff, in consultation with any Regional Niagara officials and any engineering firms that planned and designed this Stormwater Management Pond, to conduct a technical review of all aspects of the pond, including but not restricted to:**

- 1. Determining the total land area draining into the pond and determining whether the pond is properly sized to accommodate the water being received;**
- 2. Determining what mechanisms are in place to slow the outflow and investigating why are they not working;**
- 3. Recommending what further steps can be taken to reduce the temperature of the outflowing waters;**



	<b>For</b>	<b>Against</b>
Marvin Junkin	X	
Lisa Haun	X	
Wayne Olson	X	
Marianne Stewart	X	
John Wink	X	
<b>Results</b>	<b>5</b>	<b>0</b>

**Carried (5 to 0)**

**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** John Wink

**Seconded By** Wayne Olson

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

**Item 1: Section 239(2)(b) personal matters about an identifiable individual; 239(2)(i) - a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization; and 239(2)(j) - a trade secret or scientific, technical, commercial or financial information that belongs to the municipality or local board and has monetary value or potential monetary value (1 item)**

**Item 2: Section 239(2)(b) personal matters about an identifiable individual - various items.**

	<b>For</b>	<b>Against</b>
Marvin Junkin	X	
Lisa Haun	X	
Wayne Olson	X	
Marianne Stewart	X	
John Wink	X	
<b>Results</b>	<b>5</b>	<b>0</b>

**Carried (5 to 0)**

**18. Rise From In Camera**

**Moved By** Wayne Olson

**Seconded By** Marianne Stewart

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

	<b>For</b>	<b>Against</b>
Marvin Junkin	X	
Lisa Haun	X	
Wayne Olson	X	
Marianne Stewart	X	
John Wink	X	
<b>Results</b>	<b>5</b>	<b>0</b>

**Carried (5 to 0)**

**Moved By** John Wink

**Seconded By** Wayne Olson

**BE IT RESOLVED THAT the Chief Administrative Officer be and is hereby authorized to undertake the directions provided during the In Camera meeting of November 2, 2020.**

	<b>For</b>	<b>Against</b>
Marvin Junkin	X	
Lisa Haun	X	

Wayne Olson	X	
Marianne Stewart	X	
John Wink	X	
<b>Results</b>	<b>5</b>	<b>0</b>

Carried (5 to 0)

**Moved By** Wayne Olson  
**Seconded By** John Wink

**BE IT RESOLVED THAT Diego Lopez be appointed to the Town of Pelham Summerfest Committee Advisory Committee**  
**AND THAT the Clerk be directed to prepare the necessary By-law amendments.**

	<b>For</b>	<b>Against</b>
Marvin Junkin	X	
Lisa Haun	X	
Wayne Olson	X	
Marianne Stewart	X	
John Wink	X	
<b>Results</b>	<b>5</b>	<b>0</b>

Carried (5 to 0)

**Moved By** Marianne Stewart  
**Seconded By** Lisa Haun

**BE IT RESOLVED THAT Catherine Carr be appointed to the Town of Pelham Public Art Advisory Committee;**  
**AND THAT the Clerk be directed to prepare the necessary By-law amendments.**

	<b>For</b>	<b>Against</b>
Marvin Junkin	X	
Lisa Haun	X	
Wayne Olson	X	

Marianne Stewart	X	
John Wink	X	
<b>Results</b>	<b>5</b>	<b>0</b>
<b>Carried (5 to 0)</b>		

**Moved By** John Wink  
**Seconded By** Wayne Olson

**BE IT RESOLVED THAT Brenda Stan be appointed to the Town of Pelham Committee of Adjustment;**

**AND THAT the Clerk be directed to prepare the necessary By-law amendments.**

	<b>For</b>	<b>Against</b>
Marvin Junkin	X	
Lisa Haun	X	
Wayne Olson	X	
Marianne Stewart	X	
John Wink	X	
<b>Results</b>	<b>5</b>	<b>0</b>
<b>Carried (5 to 0)</b>		

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

**BE IT RESOLVED THAT Councillor Olson be and is hereby appointed to the Audit and Finance Advisory Committee, effective immediately.**

	<b>For</b>	<b>Against</b>
Marvin Junkin	X	
Lisa Haun	X	
Wayne Olson	X	
Marianne Stewart	X	
John Wink	X	
<b>Results</b>	<b>5</b>	<b>0</b>
<b>Carried (5 to 0)</b>		

19. Confirming By-Law

Moved By Lisa Haun  
Seconded By John Wink

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

Being a By-law No. 4288(2020) to Adopt, Ratify and Confirm the proceedings of Council of the Town of Pelham at its Regular Meeting held on the 02nd day of November, 2020.

	For	Against
Marvin Junkin	X	
Lisa Haun	X	
Wayne Olson	X	
Marianne Stewart	X	
John Wink	X	
Results	5	0
Carried (5 to 0)		

20. Adjournment

Moved By Wayne Olson  
Seconded By Marianne Stewart

BE IT RESOLVED THAT this Regular Meeting of Council be adjourned until the next regular meeting scheduled for November 16, 2020 at 5:30 pm.

	For	Against
Marvin Junkin	X	
Lisa Haun	X	
Wayne Olson	X	
Marianne Stewart	X	
John Wink	X	
Results	5	0
Carried (5 to 0)		

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

\_\_\_\_\_  
Town Clerk: Nancy J. Bozzato

Taxes Written-off Under Section 357/358 of the Municipal Act, 2016  
2020

Roll #	Address	Reason	From	To	# of Days Effective	Property Class	Original Assessment	New Assessment	Increase/ Decrease	Rate	Subtotal	Property Total
2732 030 020 07200	1304 Rice Rd	House demolished	2020-07-31	2020-12-31	154	RT	334,000	178,000	(156,000)	0.01305805	(857.12)	(857.12)
Total Taxes Written Off Under Section 357/358												(857.12)



**Subject:** Platinum 2020 Communications Individual Achievement Award**Recommendation:**

**BE IT RESOLVED THAT Council receive Report #2020-0170, Platinum 2020 Communications Individual Achievement Award, for information.**

**Background:**

Marc MacDonald, the Town of Pelham's Communications and Public Relations Specialist, has been an integral part of the Town of Pelham team since 2017. Essentially a department of one and the critical source for communications and public relations for the Town of Pelham, Mr. MacDonald serves as writer, photographer, web editor, graphic designer, speechwriter, and social media manager, along with addressing many other day-to-day public relations and communications needs.

The creativity and polished approach he lends to corporate communications has resulted in continual improvement to Pelham's communications efforts, elevating the corporate image to a new standard. The look and feel of the corporate advertisements, digital and print newsletter, communications templates, and business card design encapsulates the corporate brand into a suite of professional communications tools.

As Council is aware, recently MarCom awards were presented to the Town of Pelham, including a Platinum Award for the Town's "Moving Forward: A Framework for Reopening During COVID-19" operations and communications plan, and a Gold standard award for the Town's Annual Report.

Previously, the Town was awarded MarCom and AVA Digital Goad Award for the Town's redesigned website, which Mr. MacDonald was tasked with leading and executing. Recognizing these achievements, other Niagara municipalities have reached out to Pelham to determine how Pelham has been able to attain its communication success with such limited resources. Mr. MacDonald also secured a Hermes Creative Gold Award for Pelham's corporate communications plan, which he

researched, wrote, and designed. While these awards provide a public acknowledgment for the high standard of public relations and communications initiatives he has spearheaded on behalf of the Town of Pelham, he continually demonstrates a strong code of ethics, creativity, and professionalism.

For these reasons, Marc MacDonald was nominated for a MarCom Individual Achievement Award and recently, the Town was informed of the Platinum Award standing. MarCom Awards honour excellence in marketing and communication, administered by the Association of Marketing and Communication Professionals (AMCP), an international organization founded in 1995. While this particular award recognizes individual achievements, Mr. MacDonald attributes this honour to the entire Town of Pelham team, noting the collaboration that is achieved for the various project undertakings.

**Analysis:**

This report is for information purposes only.

**Financial Considerations:** None

**Alternatives Reviewed:**

Not applicable

**Strategic Plan Relationship: Strong Organization**

Mr. MacDonald is an integral part of the Town of Pelham team and is commended on this achievement of a Platinum MarCom Award.

**Consultation:** none

**Other Pertinent Reports/Attachments:**

An official certificate and platinum statue award are forthcoming.

**Prepared and Recommended by:**

Nancy J. Bozzato, Dipl.M.M., AMCT  
Town Clerk

**Prepared and Submitted by:**

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

## **Subject:** Comprehensive Zoning By-law Public Consultation Process and Schedule

### **Recommendation:**

**THAT Council receive this Report #2020-0167 for information as it pertains to the proposed public consultation and schedule for the Comprehensive Zoning By-law review and update.**

### **Background:**

The current Zoning By-law, By-law No. 1136 for the Town of Pelham, was originally approved in 1987. Zoning By-law No. 1136 is out of date and requires a major overhaul and consolidation of recent changes. The ZBL needs to be representative of current development trends and should be more flexible to respond to future changes. Further, the Zoning By-law needs to conform with the Town's Official Plan.

There have been some fundamental shifts in the focus of the Provincial, Regional and local policy framework since the original version of the 1987 ZBL. The Town of Pelham has the responsibility as a municipality to bring the Zoning By-law in line with current policy framework at all levels of government.

Planning Partnership was retained by the Town to prepare a new Comprehensive Zoning By-law in late 2014, however, in 2015 the project was somewhat on hiatus given changes to planning staff and workload volume. Planning Partnership completed a number of drafts, however it is not complete and Staff have now taken over the process to finalize the review and update of the Comprehensive Zoning By-law.

### **Analysis:**

The Comprehensive Zoning By-law being proposed is a hybrid model using contextual zoning primarily in the greenfield areas of the Town and conventional zoning in the built-up areas and rural agricultural areas of the Town. There will be an extensive use of graphics to illustrate the various zone provisions which is aimed at providing residents with ease-of-use. Properties that have received site-specific zoning exceptions will continue to be recognized. In addition, the General Provisions and Definitions need to be updated to reflect more contemporary standards and to eliminate discrepancies.

The Comprehensive Zoning By-law also needs to conform to the Town's Official Plan. However, it is anticipated that some amendments to the Official Plan will be required to address certain issues that have been identified during the review of the Zoning By-law. The amendments to the Official Plan would be considered to be housekeeping amendments and will be presented to Council as work progresses.

### **Financial Considerations:**

There are no current or direct financial implications as a result of the recommendations contained in this report. Previous Councils did provide a budget for the work done by the Planning Partnership, some of which is being used in the current drafting exercise. The primary cost of this exercise is the value of staff time. As part of its Phase II Covid-19 cost funding application, the Town is seeking financial assistance for software that will support better electronic public consultation, the cost of which is estimated at \$15,000. No direct funding from the levy is sought for this project.

### **Strategic Plan Relationship: Strong Organization**

On Monday, September 28<sup>th</sup> 2020, Pelham Town Council met to discuss priorities and updates to the corporate strategic plan. Council re-ranked the strategic priorities in order of importance and a new Zoning By-law was moved to the number priority for the Town.

### **Consultation:**

It is proposed that Planning staff will begin the consultation process on the Comprehensive Zoning By-law update and receive feedback from the community and agencies in the new year. Staff have held internal brainstorming sessions to prepare a public consultation plan which will consist of the following:

- In-person\* or Virtual Public Open House(s) (themed open houses). It is proposed to host a number of open houses based on themes, i.e. rural/agricultural use zoning requirements, residential use zoning requirements, commercial use zoning requirements, as potential examples, over a 3-4 month period beginning in the new year. Note: *\*if in-person Open Houses are held they will follow Public Health guidelines, safety standards, and best practices for hosting such events during the pandemic.*
- Dedicated page on the Town website pushing information out throughout the process
- Online Surveys
- Information brochures
- Scheduled one-on-one weekly appointment time with staff for individual discussions
- Meetings with stakeholders, i.e. Welland-Pelham Chamber of Commerce, Pelham Greenhouse Growers Group, development industry, etc.

- Statutory Public Meeting

Following the consultation with the community, agencies and Council, it is anticipated that the draft Comprehensive Zoning By-law will be revised to address the comments and feedback received. Following which a second round of consultation will be undertaken at which the draft Official Plan amendment(s) will also be available for review and input. The draft Comprehensive Zoning By-law will be finalized along with the housekeeping Official Plan amendments and presented to Council at a formal public meeting to be followed by adoption.

The proposed schedule for the overall Comprehensive Zoning By-law review including public consultation will be as follows:

**Proposed Comprehensive Zoning By-law Review Schedule 2021**

<b>First Quarter (January 1 – March 31)</b>	<ul style="list-style-type: none"> <li>• Commencement of Public Consultation Process outlined above</li> </ul>
<b>Second Quarter (April 1 – June 30)</b>	<ul style="list-style-type: none"> <li>• Final Round of Public Consultation and Summary Report of Comments and Feedback received</li> <li>• Reporting back to the public</li> </ul>
<b>Third Quarter (July 1 – September 30)</b>	<ul style="list-style-type: none"> <li>• Finalization of draft Comprehensive Zoning By-law and development of Housekeeping Official Plan amendment</li> <li>• Statutory Public Meeting</li> </ul>
<b>Fourth Quarter (October 1 – December 17)</b>	<ul style="list-style-type: none"> <li>• Final edits to Comprehensive Zoning By-law</li> <li>• Council Approval of Comprehensive Zoning By-law and Official Plan Amendment</li> </ul>

**Prepared and Recommended by:**

Tara Lynn O'Toole, Hons. BA  
Policy Planner

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

**Prepared and Submitted by:**

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

**Subject:** Pelham Street North Speed Study Results**Recommendation:**

**BE IT RESOLVED THAT Council receive Report #2020-0171, Pelham Street North Speed Study Results, for information.**

**Background:**

Whereas Council received a petition requesting a three-way stop sign at Pelham Street and Shorthill Place on October 19, 2020, this report serves to inform Council regarding the traffic volume and speed study results collected on this roadway.

**Analysis:**

The section of Pelham Street between the urban boundary and Regional Road 20 is largely residential. As a Collector Road, the function of Pelham Street is to move traffic to and from local roads, as well as deliver traffic from rural areas and neighbouring municipalities to the north.

The intersection of Pelham Street and Shorthill Place is approximately 200m South of the Urban Boundary. North of the Urban Boundary, Pelham Street is categorized as a Rural Road Section. South of the Urban Boundary, Pelham Street transitions into a collector road that has been recently reconstructed with curb and gutter, and includes sidewalks on both sides of the roadway starting at Shorthill Place heading south.

Under O. Reg. 239/02: MINIMUM MAINTENANCE STANDARDS FOR MUNICIPAL HIGHWAYS this section of Pelham Street is categorized a Class 5 Roadway based on the volume of traffic and its posted speed limit.

As per the Town of Pelham Neighborhood Traffic Management Policy No. S801-02 a Traffic Calming Pre-Screening Assessment was completed for Pelham Street between Shorthill Place and Hurricane Road. The roadway passed seven of the eight required criteria to move the process forward. The Traffic Calming Pre-Screening Assessment is attached as Appendix A.

Although the roadway did not pass the pre-screening assessment, due to road's section proximity to the urban/rural transition, and the petition received by Council, staff completed a vehicle traffic study in the area. Road sections near the urban/rural transition often experience higher traffic speeds and complaints.

The study commenced on October 29, 2020 at 2:00pm and concluded on October 30, 2020 at 2:00pm, lasting a total of 24 hours as per industry standards. Two Mhcorbin NC350 Traffic Analyzers were set up on Pelham Street, 50m South of Shorthill Place, to record both north and south bound traffic volume and speed data.

The total recorded volume for the 24 hour period or Annual Average Daily Traffic (AADT) was 1126 vehicles. The peak traffic volume of 23 vehicles was recorded south bound between 3:45pm and 4:00pm. During the peak time the headway, or time observed, between vehicles was 37.5 seconds. 37.5 seconds provides sufficient time for turning movements onto and off of Pelham Street, as well as pedestrian crossings. The headway time may also explain the low compliance to the stop sign at Shorthill Place, observed by staff while attending the area.

In both directions, at least half of all vehicles were travelling in the 50 to 60 km/h range or lower. The combined average speed was recorded at 53.5 km/h. North bound speeds were slightly higher with an 85<sup>th</sup> percentile of 68 km/h while the 85<sup>th</sup> percentile for south bound traffic was 61.5 km/h. The 85<sup>th</sup> percentile represents the speed, at or below, which 85 percent of all vehicles are recorded travelling. The Traffic Analyzer Summary Reports are attached as Appendix B.

The next step in the Neighbourhood Traffic Management Policy is to complete a Traffic Calming Point Assessment utilizing the traffic data and further staff investigation. The Traffic Calming Point Assessment has not yet been completed.

A Dynamic Speed Display has been installed near the intersection of Pelham Street and Shorthill Place as a passive traffic calming measure. Staff continue to evaluate its performance both as a calming measure, and its overall reliability.



**Financial Considerations:**

There are no financial considerations associated with this report.

**Alternatives Reviewed:**

No alternatives were considered in the preparation of this report.

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

This report serves to communicate the results of traffic studies resulting from a resident lead petition to install a 3-way stop sign at the intersection of Pelham Street and Shorthill Place.

**Other Pertinent Reports/Attachments:**

Appendix A – Traffic Calming Pre-Screening Assessment

Appendix B – Traffic Analyzer Summary Report

October 19, 2020 - Petition Requesting a Three-Way Stop Sign at Pelham Street and Shorthill Place

**Consultation:**

No consultation was required in the preparation of this report. The traffic data study was completed by Town of Pelham Staff.

**Prepared and Recommended by:**

Jason Marr, Director of Public Works

**Approved and Submitted by:**

David Cribbs, Chief Administrative Officer



## 6.2 Process Initiation and Pre-Screening

### Traffic Calming Pre-Screening Assessment

Location: Pelham Street / Short Hill Place Date: Oct. 28 / 2020

1.	Is this a Local, Rural or Collector Road?	Pass	Fail
	Collector Road - Rural / Urban Boundary 200m North of Short Hill Place	✓	
2.	Is the AADT (annual average daily traffic) >1000	Pass	Fail
	1126	✓	
3.	Is the posted speed 50km/h?	Pass	Fail
	Yes	✓	
4.	Has the road been assumed?	Pass	Fail
	Yes	✓	
5.	Is the road section primarily residential?	Pass	Fail
	Yes Residential & Multi-Residential	✓	
6.	Does the street provide an obvious by-pass to a major intersection or road?	Pass	Fail
	No. Near urban/rural transition, Hill to North, to other Municipalities <sup>Altonville route</sup>		X
7.	Is the section of road longer than 200m?	Pass	Fail
	Yes	✓	
8.	Have any previous efforts been made within the last 12 months?	Pass	Fail
	No	✓	

Completed by: Reed MHS Road class 5

If the roadway fails any of the 8 areas listed in the pre-screening it does not qualify for physical traffic calming.

\* Submitted petition to Council exceeds 25% of eligible properties  
Data Collection recommended Re

**MH Corbin Traffic Analyzer Study  
Computer Generated Summary Report  
City: Town of Pelham  
Street: Pelham Street  
Location: 1616 Pelham Street**

---

A study of vehicle traffic was conducted with the device having serial number 400369. The study was done in the North Bound lane at Pelham Street in Town of Pelham, On in Niagara Region county. The study began on 10/29/2020 at 02:00 PM and concluded on 10/30/2020 at 02:00 PM, lasting a total of 24.00 hours. Traffic statistics were recorded in 15 minute time periods. The total recorded volume showed 535 vehicles passed through the location with a peak volume of 20 on 10/29/2020 at [03:15 PM-03:30 PM] and a minimum volume of 0 on 10/29/2020 at [09:15 PM-09:30 PM]. The AADT count for this study was 535.

### **SPEED**

Chart 1 lists the values of the speed bins and the total traffic volume for each bin. At least half the vehicles were traveling in the 50 - 60 KPH range or lower. The average speed for all classified vehicles was 56 KPH with 80.75% vehicles exceeding the posted speed of 50 KPH. 2.45% percent of the total vehicles were traveling in excess of 89 KPH. The mode speed for this traffic study was 50KPH and the 85th percentile was 68.06 KPH.

< to 39	40 to 49	50 to 59	60 to 69	70 to 79	80 to 89	90 to 99	100 to >							
37	65	244	129	42	7	4	2							

CHART 1

### **CLASSIFICATION**

Chart 2 lists the values of the classification bins and the total traffic volume accumulated for each bin. Most of the vehicles classified during the study were Vans & Pickups. The number of Passenger Vehicles in the study was 159 which represents 30 percent of the total classified vehicles. The number of Vans & Pickups in the study was 334 which represents 63 percent of the total classified vehicles. The number of Busses & Trucks in the study was 20 which represents 4 percent of the total classified vehicles. The number of Tractor Trailers in the study was 17 which represents 3 percent of the total classified vehicles.

< to 4.9	5.0 to 7.9	8.0 to 9.9	10.0 to 12.9	13.0 to 15.9	16.0 to 18.9	19.0 to 24.9	25.0 to >							
109	391	11	9	8	2	0	0							

CHART 2

### **HEADWAY**

During the peak traffic period, on 10/29/2020 at [03:15 PM-03:30 PM] the average headway between vehicles was 42.857 seconds. During the slowest traffic period, on 10/29/2020 at [09:15 PM-09:30 PM] the average headway between vehicles was 900 seconds.

### **WEATHER**

The roadway surface temperature over the period of the study varied between 5.00 and 12.00 degrees C.

**MH Corbin Traffic Analyzer Study  
Computer Generated Summary Report  
City: Town of Pelham  
Street: Pelham Street  
Location: 1616 Pelham Street**

---

A study of vehicle traffic was conducted with the device having serial number 400680. The study was done in the South Bound lane at Pelham Street in Town of Pelham, On in Niagara Region county. The study began on 10/29/2020 at 02:00 PM and concluded on 10/30/2020 at 02:00 PM, lasting a total of 24.00 hours. Traffic statistics were recorded in 15 minute time periods. The total recorded volume showed 591 vehicles passed through the location with a peak volume of 23 on 10/29/2020 at [03:45 PM-04:00 PM] and a minimum volume of 0 on 10/29/2020 at [07:45 PM-08:00 PM]. The AADT count for this study was 591.

### **SPEED**

Chart 1 lists the values of the speed bins and the total traffic volume for each bin. At least half the vehicles were traveling in the 50 - 60 KPH range or lower. The average speed for all classified vehicles was 51 KPH with 65.06% vehicles exceeding the posted speed of 50 KPH. 1.38% percent of the total vehicles were traveling in excess of 89 KPH. The mode speed for this traffic study was 50KPH and the 85th percentile was 61.43 KPH.

< to 39	40 to 49	50 to 59	60 to 69	70 to 79	80 to 89	90 to 99	100 to >							
57	146	279	77	14	4	1	3							

CHART 1

### **CLASSIFICATION**

Chart 2 lists the values of the classification bins and the total traffic volume accumulated for each bin. Most of the vehicles classified during the study were Passenger Vehicles. The number of Passenger Vehicles in the study was 313 which represents 54 percent of the total classified vehicles. The number of Vans & Pickups in the study was 244 which represents 42 percent of the total classified vehicles. The number of Busses & Trucks in the study was 15 which represents 3 percent of the total classified vehicles. The number of Tractor Trailers in the study was 9 which represents 2 percent of the total classified vehicles.

< to 4.9	5.0 to 7.9	8.0 to 9.9	10.0 to 12.9	13.0 to 15.9	16.0 to 18.9	19.0 to 24.9	25.0 to >							
236	324	8	9	3	0	1	0							

CHART 2

### **HEADWAY**

During the peak traffic period, on 10/29/2020 at [03:45 PM-04:00 PM] the average headway between vehicles was 37.5 seconds. During the slowest traffic period, on 10/29/2020 at [07:45 PM-08:00 PM] the average headway between vehicles was 900 seconds.

### **WEATHER**

The roadway surface temperature over the period of the study varied between 5.00 and 12.00 degrees C.



**Subject:** September 2020 Financial Reports**Recommendation:**

**BE IT RESOLVED THAT Council receive Report #2020-0165,  
September 2020 Financial Reports, for information.**

**Background:**

The Corporate Services Department has prepared the attached financial reports, as at September 30, 2020, for the information of Council. The MCC and Transit reports also include non-financial indicators such as hydro usage and ridership.

**Analysis:**

Appendix 1 to this report summarizes operating revenues compared to budget as at September 30, 2020, with approximately 75% of the year lapsed. Total revenues were at approximately 74% of budget. The financial impact from the closure of facilities and cancellation of programs that resulted from COVID-19 are evident in transit and MCC revenues as well as certain miscellaneous user fees and charges for services. Most other revenue sources such as grants, transfers from reserves, and property taxation are in keeping with the budget. The MCC opened on July 6 with one ice pad and summer programming. On July 27, the second ice pad opened due to the high demand for summer ice in the Niagara region. Eight months of water and wastewater had been billed and are at 72% of budget because consumption tends to be higher in the summer months. The Safe Restart COVID-19 funding of \$159,016 has been included in the report to offset the direct COVID-19 expenses incurred to September 30, 2020.

Appendix 2 to this report summarizes operating expenditures compared to budget at September 30, 2020. Total expenses were at approximately 70% of budget and appeared to be on track because there are still significant debenture principal and interest payments to be paid. This report includes \$159,016 of direct costs related to COVID-19 such as purchase of computer equipment and additional cleaning costs.

Appendix 3 summarizes the revenues and expenditures related to the MCC at September 30, 2020. MCC revenues were at 62% of budget and trending below

the prior year due to closures from COVID-19 from mid-March to July 6. MCC expenses were at 65% of budget, which is below the expectation for the first eight months of the year as a result of reduced wages from the facility closure and lower hydro rates, which are partially offset by full year insurance expensed and cost of supplies that are related to the server revenues. It is anticipated that revenues for the MCC will be below budget at year-end due to the impact of the pandemic. With the opening of the MCC in July and August, the revenue from ice and summer programming is \$163,199. The ice times were booked solid for the months of July and August due to the high demand for ice since other municipalities did not have their ice pads operational. Revenues are lower in September because schools have re-opened, but are continuing at strong levels given the impact of COVID-19 on capacity limitations.

Appendix 4 summarizes revenues and expenditures related to Pelham Transit. Approximately \$154,000 in provincial gas tax funding has been received, with \$50,000 deferred and placed in a reserve fund for future expenditures, and \$100,000 of Community Transit grant has been received. Effective August 17, 2020, The Niagara Region has taken over the service delivery of the transit with on-demand service by a third party provider VIA. Transit expenditures were at 50% of budget due to reduced cost of contracted services in April and May, but any cost savings are expected to result in reduced grant funding. In addition, the Town has not yet paid the Region for contracted services for September.

Appendix 5 to this report includes the 2020 capital report at September 30, 2020. Most capital projects are proceeding, totaling \$3.7 million, and of those, 66% of the budget had been spent. \$2.7 million in projects have been deferred to 2021, and \$955 thousand in projects are red-circled pending further information or funding. Projects carried forward from prior years totaled \$3.9 million, and 83% of the carryforward amount had been spent.

### **Council-approved expenditures outside of budget**

The Town's Reserve and Reserve Fund Policy S400-08, approved by Council on January 13, 2020, states under Standard of Care in section 4.3 a) i) that Council shall ensure that any expenditure approval outside of the Budget process includes the source of funding from Reserves, Reserve Funds, or other sources as appropriate. This helps to ensure that the Town can accurately forecast and plan for its Reserves and Reserve Funds and manage cash flows, ensuring adequate funding sources for all expenditures. In addition, it helps to ensure that there are not any unavoidable or unanticipated impacts on property taxation increases in a future year.

The Municipal Act, 2001, S.O. 2001, as amended, states in section 290(4)(c)(ii)

that in preparing the budget for a year, a local municipality shall provide for any deficit of any previous year that resulted because expenses were incurred by the municipality that were not in the budget for that year and were not paid for that year from a reserve, sinking or retirement fund. The following list of expenditures have been approved by Council with no source of funding. This is in contravention of the Reserve and Reserve Fund Policy S400-08, except for item (3) for which Council suspended the Reserve and Reserve Funds Policy.

Based on the most recent year-end projections, it appears the Town will have sufficient expenditure savings and additional revenues to cover these expenditures if additional funding is received for COVID-19 related operating pressures under Phase 2 of the Safe Restart funding program. If the Town does not receive additional funding and cannot find expenditure savings or additional revenues, any resulting deficit would have to be added to the 2021 budget in order to comply with the Municipal Act, 2001.

Unbudgeted Expenditures Approved by Council with no Funding Source:

(1) Legal and Planning Consultant for Cannabis Control Committee	\$130,000
(2) Local Planning Appeal Tribunal (LPAT) Hearings	75,000
(3) Parking Study	<u>50,000</u>
Total	<u>\$255,000</u>

The 2020 budgeted general tax levy is \$14,946,487. Accordingly, a 1% increase in property taxes amounts to approximately \$150,000. The unbudgeted expenditures of \$255,000 is equivalent to a 1.7% tax levy increase for 2021. An additional \$260,000 is estimated to be incurred between 2020 and 2021 for LPAT appeals and Normal Farm Practices Protection Board (NFPPB) Hearings.

**Financial Considerations:**

Expenditures approved by Council outside of the budget without an identified funding source and the additional LPAT Appeals and NFPPB hearings could potentially result in an increase to the 2021 budget.

The Town has received \$428,500 for COVID-related operating pressures and \$18,334 for COVID-related transit pressures under Phase 1 of the Safe Restart Agreement. An application for Phase 2 funding was submitted in November, and funding announcements will be made before the end of the calendar year.

**Alternatives Reviewed:**

Not applicable.

**Strategic Plan Relationship: Strong Organization**

Be reviewing the monthly financial reports, Council can remain informed about whether there are any significant budget variances that would impact year-end financial results.

**Consultation:**

These reports have been provided to the Pelham Finance and Audit Committee for review.

**Other Pertinent Reports/Attachments:**

Appendix 1 – Monthly Revenue Report at September 30, 2020

Appendix 2 – Monthly Expenditure Report at September 30, 2020

Appendix 3 – Meridian Community Centre Report at September 30, 2020

Appendix 4 – Transit Report at September 30, 2020

Appendix 5 – Capital Projects – Third Quarter Reporting at September 30, 2020

**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



# Appendix 1

## Monthly Revenue Report at September 30, 2020 (75% of time lapsed)

	Notes	2020			2019	
		Budget	Actual at Sep 30	Actual as a % of Budget	Budget	Actual at Dec 31
<b>Taxation</b>						
General Tax Levy		\$ 14,946,487	\$ 11,209,865	75 %	\$ 13,674,386	\$ 13,674,375
Payments in Lieu		300,471	226,589	75 %	300,471	300,875
<b>Total Taxation</b>		15,246,958	11,436,454	75 %	13,974,857	13,975,250
<b>Finance Department</b>						
Penalties and Interest	(1)	270,000	152,289	56 %	270,000	261,321
Supplemental Taxation Revenues	(2)	200,000	169,703	85 %	210,000	366,800
Transfer from Building Department		79,497	59,623	75 %	77,938	77,938
Ontario Unconditional Grants		39,800	30,825	77 %	39,800	46,600
Miscellaneous		18,000	15,396	86 %	15,000	23,572
Investment Income	(3)	10,000	20,455	205 %	10,000	25,241
Safe Restart COVID-19 Funding	(4)	-	159,016	- %	-	-
<b>Total Finance Department</b>		617,297	607,307	98 %	622,738	801,472
<b>Clerk's Department</b>						
Committee of Adjustment		36,500	32,207	88 %	50,000	50,528
Miscellaneous	(5)	14,250	7,548	53 %	16,750	12,946
<b>Total Clerk's Department</b>		50,750	39,755	78 %	66,750	63,474
<b>Fire and By-law Services</b>						
Fire Department Revenues		36,450	28,694	79 %	35,450	43,019
By-law and Parking Enforcement	(6)	28,138	26,401	94 %	14,300	24,012
Provincial Offences Act Revenue	(7)	25,000	20,794	83 %	10,000	44,463
<b>Total Fire and By-law Services</b>		89,588	75,889	85 %	59,750	111,494
<b>Public Works</b>						
Non-recreation Facilities and Beautification	(8)	49,000	14,743	30 %	49,000	41,282
Aggregate Resource Grant	(9)	25,000	48,836	195 %	25,000	52,831
Transfer from Reserve - Roads	(10)	-	-	- %	-	120,766
Miscellaneous	(11)	85,500	43,418	51 %	80,500	87,515
Fonthill/Hillside Cemeteries		76,500	83,115	109 %	78,500	94,329
<b>Total Public Works</b>		236,000	190,112	81 %	233,000	396,723
<b>Recreation, Culture and Wellness</b>						
Recreation and Wellness	(12)	364,520	190,810	52 %	347,450	433,228
Special Events and Festivals	(13)	147,770	15,950	11 %	150,150	152,919
Culture and Community Enhancement	(13)	75,000	1,671	2 %	78,500	65,258
Public Transit		274,500	209,252	76 %	211,953	208,397
MCC Facility	(14)	786,342	529,245	67 %	1,052,719	1,134,460
<b>Total Recreation, Culture and Wellness</b>		1,648,132	946,928	57 %	1,840,772	1,994,262
<b>Community Planning and Development</b>						
Building Department Revenues	(15)	600,500	364,257	61 %	500,500	713,260
Planning Fees	(16)	140,340	208,000	148 %	65,340	153,085
Municipal Drainage		-	7,525	- %	-	-
<b>Total Community Planning and Development</b>		740,840	579,782	78 %	565,840	866,345
<b>Water and Wastewater</b>						
Water Revenues		2,948,982	2,131,414	72 %	2,761,884	2,576,841
Wastewater Revenues		2,161,293	1,571,852	73 %	2,014,104	1,913,948
<b>Total Water and Wastewater</b>	(17)	5,110,275	3,703,266	72 %	4,775,988	4,490,789
<b>GRAND TOTAL</b>		\$ 23,739,840	\$ 17,579,493	74 %	\$ 22,139,695	\$ 22,699,809

## Appendix 1

### Monthly Revenue Report at September 30, 2020 (75% of time lapsed)

#### Explanatory Notes:

- (1) Due to the COVID-19 pandemic, Council approved the waiving of interest and penalties on taxes from April 1 to June 30, 2020.
- (2) The majority of supplemental revenue is collected June through November, and the impact of COVID-19 on supplemental revenue is uncertain at this time.  
Supplementary/omitted taxes result from an addition, renovation, construction or class change that occurred on a property that was not previously recorded on the assessment roll. When supplementary/omitted assessment is added to the roll, additional property taxes can be collected for the current year, and if applicable, for any part of all of the two previous years as described in Section 34 of the Assessment Act.
- (3) Interest will be allocated to non-discretionary and obligatory reserves at year-end, and an estimate of the portion related to Q1-Q3 has been adjusted. There has been a significant decline in interest rates compared to the prior year.
- (4) In August, the Federal and Provincial Governments announced that under the Safe Restart Agreement, municipalities would receive emergency assistance toward financial pressures resulting from COVID-19. It was announced that under Phase 1 of the program, the Town of Pelham would receive \$428,500 to support its operating costs and pressures based on a per household allocation, as well as \$18,334 in funding toward to financial pressures in transit. Safe Restart funds receivable have been presented in this report up to the amount of direct COVID-19 expenditures spent, as the remaining funding will be needed to offset expenditures for the remainder of the year. The Town intends to apply for Phase 2 funding, which applies to municipalities whose financial pressures in 2020 exceed the Phase 1 funding.
- (5) Certain revenue streams, such as lottery and marriage licenses, are unpredictable in timing and it is anticipated that these revenues will be significantly impacted by COVID-19.
- (6) Provincial grant funding for cannabis legalization has been applied against eligible costs. Increased parking fines as well as increased administration and inspection fees related to property standards.
- (7) POA revenues, collected by the Region, received for a slight 2019 surplus distribution as well as 2020 Q1-Q2. The impact of COVID-19 on POA revenues is uncertain.
- (8) Revenue is primarily related to cost recoveries for parks from spring to fall and has decreased due to the impact of COVID-19. Hall rental revenue has also decreased.
- (9) Aggregate resource grant received in September and exceeded budget for the year.
- (10) Transfer for any shortfall in the Winter Control budget will occur at year-end if required in accordance with the Reserve and Reserve Fund policy.
- (11) It is anticipated that driveway culvert fees and other miscellaneous revenues will be below budget due to COVID-19. Approximately \$9,800 of the remaining Climate Change grant funding is expected to be collected.

Appendix 1

Monthly Revenue Report at September 30, 2020 (75% of time lapsed)

Explanatory Notes Continued:

- (12) Recreation and wellness revenue related to camps and swim, with an approximate budget of \$192,000, is collected in the summer, and is approximately 50% below budget due to the impact of COVID-19.
- (13) Most recreation special event activity normally occurs in Q2 and Q3. On May 4, Council determined that all festivals and events outside of the Farmer's Market will be cancelled up to September 30, 2020. Lost revenues will be approximately \$205,000, but there will be some expense savings to offset. The impact of COVID-19 on any other recreation and special event activity is uncertain at this time.
- (14) Arena revenues are normally higher from approximately September to February and a significant portion of fees for the first part of the year were collected during that time, but decreased significantly due to the impact of COVID-19. There has been an improvement with the reopening of the facility and both ice pads during the summer.
- (15) It is anticipated that building permit fees will be lower than budget due to the impact of COVID-19.
- (16) Significant subdivision fees collected early in the year; continued growth within the Town has resulted in revenues which have exceeded budget for the year.
- (17) Water and wastewater have been billed for January to August. Consumption tends to be higher in the summer.

## Appendix 2

### Monthly Expenditure Report at September 30, 2020 (75% of time lapsed)

	Notes	2020			2019	
		Budget	Actual at Sep 30	Actual as a % of Budget	Budget	Actual at Dec 31
<b>Administration Services</b>						
Members of Council	(1)	\$ 218,670	\$ 171,388	78 %	\$ 217,409	\$ 212,385
CAO's Office	(2)	277,310	164,326	59 %	257,512	189,147
Human Resources		86,945	62,059	71 %	86,145	90,451
<b>Total Administration Services</b>		582,925	397,773	68 %	561,066	491,983
<b>Clerk's Department</b>						
Clerk's Department and COA		356,450	259,287	73 %	364,464	363,036
Marketing and Communication	(3)	130,670	85,205	65 %	125,975	110,505
<b>Total Clerk's Department</b>		487,120	344,492	71 %	490,439	473,541
<b>Corporate Services</b>						
Finance Department		820,165	599,961	73 %	809,394	842,444
Shared Administrative Overhead	(4)	736,043	615,248	84 %	845,015	2,061,971
Shared Information Technology		514,770	396,045	77 %	448,848	437,155
COVID-19 Direct Expenditures		-	159,016	- %	-	-
<b>Total Corporate Services</b>		2,070,978	1,770,270	85 %	2,103,257	3,341,570
<b>Fire and By-law Services</b>						
Fire Services	(5)	1,434,772	866,531	60 %	1,329,511	1,337,303
By-law and Parking Enforcement		203,928	146,549	72 %	126,146	132,003
Health and Safety		8,120	2,166	27 %	7,955	8,604
Crossing Guards		48,400	17,496	36 %	42,563	44,810
Animal Control	(6)	36,800	27,675	75 %	36,000	35,850
<b>Total Fire and By-law Services</b>		1,732,020	1,060,417	61 %	1,542,175	1,558,570
<b>Public Works</b>						
General Administration		1,336,942	1,135,816	85 %	1,183,229	1,031,459
Roadway Maintenance		4,191,665	2,916,522	70 %	3,810,707	3,959,218
Non-recreation Facilities and Beautification	(7)	2,272,451	1,435,092	63 %	1,930,024	1,747,889
Street Lighting		199,789	145,741	73 %	224,789	182,683
Fonthill and Hillside Cemeteries		130,280	89,871	69 %	128,322	118,259
Niagara Central Airport	(8)	27,621	25,327	92 %	20,844	20,844
<b>Total Public Works</b>		8,158,748	5,748,369	70 %	7,297,915	7,060,352
<b>Recreation, Culture and Wellness</b>						
General Administration		371,007	258,286	70 %	357,669	353,870
Recreation and Wellness	(9)	386,775	270,713	70 %	379,270	392,110
Special Events and Festivals	(9)	271,070	103,544	38 %	270,601	274,260
Culture and Community Enhancement	(9)	157,700	46,593	30 %	158,046	160,575
Public Transit	(10)	526,570	265,331	50 %	442,390	448,203
MCC Facility	(11)	1,631,749	1,023,045	63 %	1,773,538	1,476,835
Libraries		864,218	648,163	75 %	814,218	814,218
<b>Total Recreation, Culture and Wellness</b>		4,209,089	2,615,675	62 %	4,195,732	3,920,071
<b>Community Planning and Development</b>						
Building Department		600,500	408,562	68 %	500,500	713,260
Planning and Zoning		727,810	535,821	74 %	633,487	617,087
Municipal Drainage		60,375	41,809	69 %	39,136	32,586
<b>Total Community Planning and Development</b>		1,388,685	986,192	71 %	1,173,123	1,362,933
<b>Water and Wastewater</b>						
Water		2,948,982	2,143,658	73 %	2,761,884	2,576,841
Wastewater		2,161,293	1,491,530	69 %	2,014,104	1,913,948
<b>Total Water and Wastewater</b>		5,110,275	3,635,188	71 %	4,775,988	4,490,789
<b>GRAND TOTAL</b>		\$ 23,739,840	\$ 16,558,376	70 %	\$ 22,139,695	\$ 22,699,809

## Appendix 2

### Monthly Expenditure Report at September 30, 2020 (75% of time lapsed)

#### Explanatory Notes:

- (1) Increased cost of consulting for the Cannabis Control Committee approved by Council outside of budget process, partially offset by decreased municipal grants due to facility closures and event cancellations.
- (2) Costs for volunteer recognition and Pelham Active Transportation Committee not yet incurred.
- (3) The timing of marketing expenditures has shifted later in the year due to the impact of Covid-19. The annual fall/winter Life in Pelham Guide will not be published, but there will be an increase in weekly advertisements and print advertising.
- (4) Prepaid insurance has been expensed for the full year and global wage budget has been distributed.
- (5) Volunteer firefighter stipends are paid in November.
- (6) Animal control payments have been made for Q1 to Q3.
- (7) Significant debenture principal and interest to be paid late in the year.
- (8) Operating contribution to Niagara Central Dorothy Rungeling Airport Commission has been paid. This has been reduced slightly by interest on loans.
- (9) Most recreation camp and special event activity normally occurs in Q2 and Q3. On May 4, Council determined that all festivals and events outside of the Farmer's Market will be cancelled up to September 30, 2020. There will be lost revenues and expense savings as a result. The impact of COVID-19 on any other recreation and special event activity is uncertain at this time.
- (10) Decreased cost for transit contracted services due to partnership with Niagara Region for On-Demand transit services.
- (11) Reduced labour costs during temporary facility closure.

	Notes		2020			Actual 2020											
			Budget	Actual YTD Total	Actual as a % of Budget	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
<b>MCC Revenues</b>																	
Arena Revenues	(1)		\$ 595,342	\$ 418,353	70 %	\$ 84,582	\$ 80,798	\$ 32,288	\$ (1,929)	\$ 358	\$ -	\$ 48,725	\$ 114,474	\$ 59,057	\$ -	\$ -	\$ -
Multi-Purpose Space Revenues	(2)		63,000	24,784	39 %	10,156	8,480	5,510	164	-	-	-	-	474	-	-	-
Gymnasium Revenues	(3)		63,000	30,293	48 %	7,985	7,554	3,075	(21)	-	-	840	6,520	4,340	-	-	-
Programming Revenues	(4)		129,800	57,415	44 %	2,178	8,351	1,665	-	-	33	16,872	24,291	4,025	-	-	-
Grants	(5)		42,700	32,025	75 %	10,675	-	-	10,675	-	-	-	10,675	-	-	-	-
Other Rev. - Miscellaneous	(6)		63,550	37,533	59 %	16,003	11,988	6,664	1,656	-	58	434	562	168	-	-	-
Other Revenues - Advertising	(7)		30,000	10,000	33 %	10,000	-	-	-	-	-	-	-	-	-	-	-
<b>Total Revenues</b>		(a)	987,392	610,403	62 %	141,579	117,171	49,202	10,545	358	91	66,871	156,522	68,064	-	-	-
<b>MCC Expenditures</b>																	
Salaries and Benefits	(8)		1,239,600	796,319	64 %	96,243	91,068	96,918	73,517	62,746	61,796	100,367	117,215	96,449	-	-	-
Professional Development	(9)		10,900	8,399	77 %	6,201	7,464	-	-	(1,307)	102	-	(4,061)	-	-	-	-
Associations and Memberships			7,000	2,088	30 %	1,096	379	-	613	-	-	-	-	-	-	-	-
Travel			4,500	-	- %	-	-	-	-	-	-	-	-	-	-	-	-
Hydro	(10)		400,000	246,043	62 %	28,437	30,005	23,975	17,296	15,338	15,347	33,829	44,889	36,927	-	-	-
Natural Gas			65,000	38,062	59 %	4,992	6,214	6,179	2,966	2,763	1,540	1,996	5,511	5,901	-	-	-
Water			40,000	26,340	66 %	-	7,158	-	4,577	-	5,161	-	9,444	-	-	-	-
Telephone			10,760	6,206	58 %	683	684	684	697	682	653	571	838	714	-	-	-
Office Supplies			6,650	2,227	33 %	239	398	124	405	213	176	-	292	380	-	-	-
Materials and Supplies	(11)		55,000	73,639	134 %	10,832	12,251	2,492	3,678	11,117	17,710	716	11,572	3,271	-	-	-
Furniture and Equipment	(11)		6,000	209	3 %	209	-	-	-	-	-	-	-	-	-	-	-
Materials and Supplies - Janitorial			34,488	13,853	40 %	3,033	1,299	5,468	789	72	488	1,538	783	383	-	-	-
Fuel			4,850	3,193	66 %	441	476	381	24	125	25	557	617	547	-	-	-
Internet			12,000	7,418	62 %	824	825	824	824	824	825	824	824	824	-	-	-
Insurance	(12)		49,631	49,631	100 %	49,631	-	-	-	-	-	-	-	-	-	-	-
Contract Services - Janitorial			13,500	8,850	66 %	921	1,184	794	105	106	13	104	5,248	375	-	-	-
Contract Services - Other			155,631	91,471	59 %	12,580	17,956	7,737	5,119	1,718	(1,273)	17,114	23,802	6,718	-	-	-
Repairs and Maintenance	(13)		11,500	11,409	99 %	6,098	3,811	-	-	-	193	-	1,307	-	-	-	-
<b>Total Expenditures before Debt and Other Items</b>		(b)	2,127,010	1,385,357	65 %	222,460	181,172	145,576	110,610	94,397	102,756	157,616	218,281	152,489	-	-	-
<b>Net Surplus (Deficit) before Debt and Other Items</b>		(c)= (a) - (b)	(1,139,618)	(774,954)	68 %	(80,881)	(64,001)	(96,374)	(100,065)	(94,039)	(102,665)	(90,745)	(61,759)	(84,425)	-	-	-
<b>MCC Debt Activity</b>																	
Tax Levy Debenture Interest	(14)		(282,024)	(142,107)	50 %	-	-	-	-	-	(142,107)	-	-	-	-	-	-
Tax Levy Debenture Principal	(14)		(198,227)	(98,293)	50 %	-	-	-	-	-	(98,293)	-	-	-	-	-	-
Development Charge Revenue	(15)		630,188	630,188	100 %	317,023	-	-	-	-	-	313,165	-	-	-	-	-
Development Charge Debenture Interest	(15)		(368,875)	(368,875)	100 %	(187,410)	-	-	-	-	-	(181,465)	-	-	-	-	-
Development Charge Debenture Principal	(15)		(261,313)	(261,313)	100 %	(129,613)	-	-	-	-	-	(131,700)	-	-	-	-	-
<b>Pre-MCC RCW and Facility Net Costs</b>			951,088	713,313	75 %	79,257	79,257	79,257	79,257	79,257	79,257	79,257	79,257	79,257	-	-	-
<b>One-Time Transfer from MCC Reserve</b>			100,000	75,000	75 %	8,333	8,334	8,333	8,333	8,334	8,333	8,333	8,334	8,333	-	-	-
<b>Net Debt and Other Items</b>		(d)	570,837	547,913	96 %	87,590	87,591	87,590	87,590	87,591	(152,810)	87,590	87,591	87,590	-	-	-
<b>NET SURPLUS (DEFICIT)</b>		(e)= (c) + (d)	\$ (568,781)	\$ (227,041)	40 %	\$ 6,709	\$ 23,590	\$ (8,784)	\$ (12,475)	\$ (6,448)	\$ (255,475)	\$ (3,155)	\$ 25,832	\$ 3,165	\$ -	\$ -	\$ -



## Meridian Community Centre

## Appendix 3

## Actual Results to Budget at September 30, 2020 (75% of time lapsed)

## Explanatory Notes:

The COVID-19 pandemic resulted in facility closures and some programming cancellations. The Duliban Arena ice pad has been in use since July 8, and the Accipiter Arena opened for rental commencing July 27. The MCC's gradual integration of services follows the Ontario Recreation Facilities Association's guidance for sports and recreational fitness activities during COVID-19. The impact on future revenue as a result of COVID-19 is uncertain at this time, and will be dependent on many factors including guidance from senior levels of government and Public Health guidelines.

Additional COVID-19 direct expenditures have been excluded from this report, as they are being tracked separately in order to apply for grant funding. Corresponding Safe Restart COVID-19 funding, which will offset these expenditures, has also been excluded.

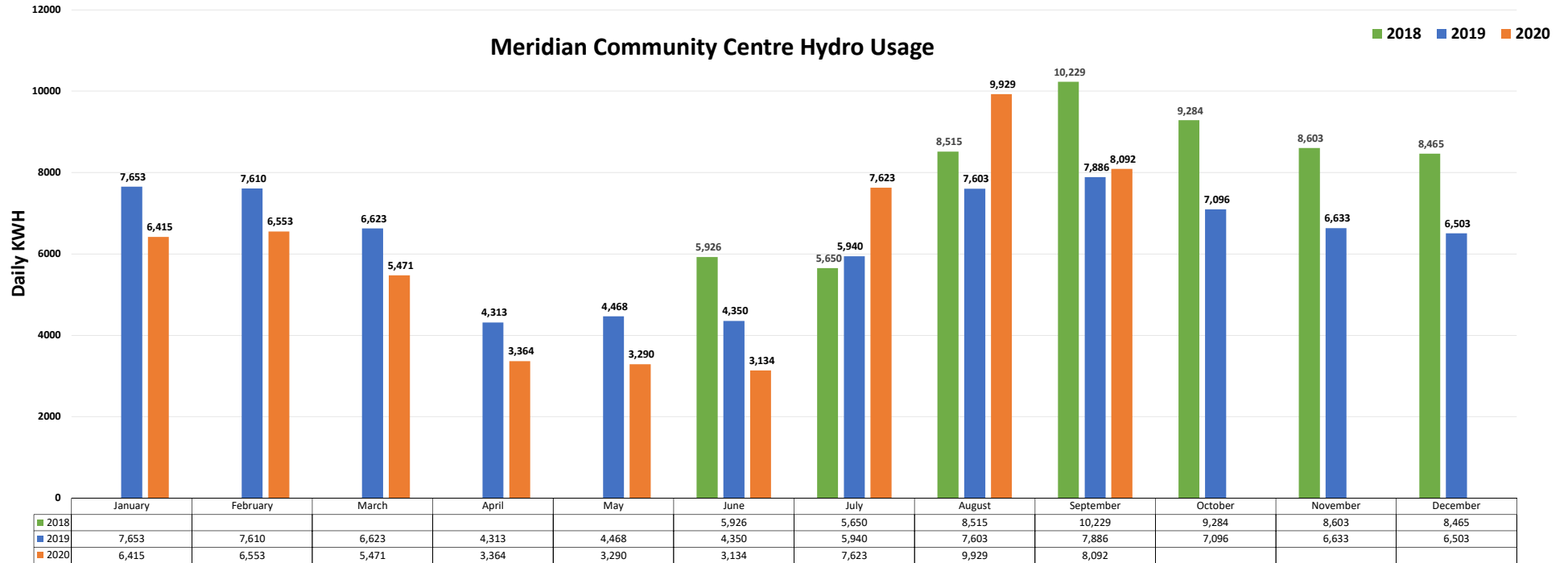
- (1) Higher ice rental revenue during hockey season; normally expected to be lower in the summer. Monthly trend in this revenue was similar to the prior year but lower in March due to closures from COVID-19. Some fees were refunded in April, and show as negative revenue. Revenue has improved July through September as a result of the ice pad re-openings.
- (2) Multi-purpose space revenue was trending above the prior year, at 38% of budget vs. 30% of budget in March 2019 but there will be no further revenue while facilities are unavailable due to COVID-19. Some programs, such as pickleball, will increase in October.
- (3) The normal expectation for gymnasium revenue would be higher during basketball season and lower in the summer, however it decreased in March due to COVID-19 closure and was nil for April.
- (4) The majority of camp revenue is normally earned in the summer, and is below budget due to the impact of COVID-19 and the associated capacity limitations.
- (5) Senior Active Living Centre grant monies received for Q1 to Q3, and online seniors programming has continued during the COVID-19 closure.
- (6) Miscellaneous revenue includes cost recoveries, equipment rentals, event revenue, donations, server sales, and other items that are individually too small to classify separately. Revenue above budget relates primarily to server sales and has related costs under materials and supplies. Revenue in April relates to recoveries of expenses in Q1 that were invoiced in April.
- (7) Advertising revenue will not be earned during facility closure.
- (8) Reduced wages during facility closure April to June and three pay periods in July. Part-time staff increased in July and August due to the opening of two ice pads.
- (9) Staff from the Recreation and Public Works departments attended courses in February from the Ontario Recreation Facilities Association. Approximately \$4,000 has been reallocated from the MCC to the Public Works department.
- (10) Hydro savings due to facility closure from the end of March to June, and reduced hydro rates due to Covid-19. Increased hydro in July and August due to the operation of two ice pads.
- (11) Increased costs relate primarily to supplies and cost of goods related to server sales revenue which is also above budget. Most of the costs in May and June relate to the new cold-water management system for ice-making in the arenas. August includes furniture for the Seniors Lounge for which there was a Senior Active Living Centre special grant received in 2019.
- (12) Prepaid insurance has been expensed in full for the year.
- (13) Predominantly relates to costs for television screens and automatic door opener for the 55+ Community Room.
- (14) Tax levy debenture payments for the MCC occur in June and December.
- (15) Development charge debenture payments for the MCC occur in January and July.

Meridian Community Centre - Revenue by Major Customer & Activity  
 Appendix 3  
 For the month ended September 30, 2020 (75% of time lapsed)

	Hours	Amount
<b>Arena Revenues</b>		
Pelham Minor Hockey Association (PMHA)	96.0	\$ 14,060
Niagara Centre Skating Club (NCSC)	26.5	3,889
Pelham Junior Hockey Club	29.0	4,046
Southern Tier Admirals AAA Hockey	40.5	5,978
Public Ice	222.0	31,016
Recreation & Wellness Programming	14.0	68
<b>Arena Revenues Subtotal</b>	<b>428.0</b>	<b>59,057</b>
<b>Multi-Purpose Space Revenues</b>		
Room Rentals	14.0	237
Recreation Programming	14.0	237
<b>Multi-Purpose Space Revenues Subtotal</b>	<b>28.0</b>	<b>474</b>
<b>Gymnasium Revenues</b>		
Pelham Panthers Basketball	207.0	4,340
<b>Camp and Multi-Space Program Revenue</b>		
Camp Revenues	40.0	4,025
<b>Other Revenues</b>		
Miscellaneous	-	168
<b>TOTAL REVENUES</b>	<b>703.0</b>	<b>\$ 68,064</b>



### Meridian Community Centre Hydro Usage



Billing Period

	Notes	2020			Actual 2020											
		Budget	Actual YTD Total	Actual as a % of Budget	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
<b>Revenues</b>																
Grants - Provincial	(1)	\$ 175,000	\$ 204,133	117 %	\$ -	\$ -	\$ -	\$ 50,000	\$ -	\$ -	\$ 115,600	\$ 25,000	\$ 13,533	\$ -	\$ -	\$ -
Grants - Other	(2)	62,500	-	- %	-	-	-	-	-	-	-	-	-	-	-	-
Other Revenues	(3)	22,000	3,119	14 %	742	919	385	30	266	418	139	144	76	-	-	-
Sponsorships	(4)	15,000	2,000	13 %	1,000	-	-	1,000	250	(250)	-	-	-	-	-	-
<b>Total Revenues</b>		274,500	209,252	76 %	1,742	919	385	51,030	516	168	115,739	25,144	13,609	-	-	-
<b>Expenditures</b>																
Salaries and Benefits	(5)	116,500	94,563	81 %	10,789	9,080	9,082	9,210	9,069	8,916	21,001	7,915	9,501	-	-	-
Materials and Supplies	(6)	5,570	239	4 %	-	-	-	-	-	239	-	-	-	-	-	-
Contract Services - Bus	(6)	400,000	170,529	43 %	54,014	42,966	35,147	9,318	6,162	7,960	8,149	6,813	-	-	-	-
Interdepartmental Transfers	(7)	4,500	-	- %	-	-	-	-	-	-	-	-	-	-	-	-
<b>Total Expenditures</b>		526,570	265,331	50 %	64,803	52,046	44,229	18,528	15,231	17,115	29,150	14,728	9,501	-	-	-
<b>NET SURPLUS (DEFICIT)</b>		\$ (252,070)	\$ (56,079)	22 %	\$ (63,061)	\$ (51,127)	\$ (43,844)	\$ 32,502	\$ (14,715)	\$ (16,947)	\$ 86,589	\$ 10,416	\$ 4,108	\$ -	\$ -	\$ -
<b>Ridership 2020</b>	(8)		2,856		796	737	551	71	51	84	91	153	322	-	-	-
<b>Ridership 2019</b>			7,895		453	464	594	786	559	783	671	797	609	834	764	581

Explanatory Notes:

- (1) To date, the Town has received \$100,000 of the MTO Community Transportation grant for the year and \$154,133 in provincial gas tax. \$50,000 of the provincial gas tax funding received in 2020 has been deferred and placed in a reserve fund for future years, as grant funding has exceeded budget for 2020.
- (2) Region contribution to link received in December.
- (3) Niagara College and Brock uPass are being collected by the Region and will be received from the Region later in the year.
- (4) Sponsorships are often paid in advanced for the full year of advertising.
- (5) There were three pays in July, as well as staff training.
- (6) The Town will be paying Niagara Region for services from late August to December in accordance with the one-year pilot agreement.
- (7) Interdepartmental transfers are allocations of costs from other department, such as facilities. These are recorded at year-end based on actual results.
- (8) Ridership lower due to impact of COVID-19. On April 14, Pelham Transit began operating as a Dial-a-Ride service, in which riders were pre-booked and pre-screened. On August 17, Pelham Transit entered into a partnership with Niagara Region Transit to provide On-Demand transit services under a one-year pilot agreement.

Town of Pelham								Appendix 5
2020 Capital Projects - Third Quarter Reporting		Cost Centre	Expenditures					Status
			Original Budget	Actual	Committed	Total (Actual & Committed)	Actual and Committed as a % of Revised Budget	
As at September 30, 2020								
GENERAL GOVERNMENT								
IT 01-20	Computer and Hardware Repair and Replacement	100170	32,000	28,181	2,634	30,815	96%	In progress.
IT 03-20	Financial Reporting Software	100172	40,000	34,598	1,900	36,498	91%	In progress.
IT 04-20	Core Switch Upgrade	100173	4,000	3,171	-	3,171	79%	Completed.
IT 05-20	Innovation Technology	100174	40,000	-	-	-	0%	In progress.
Total General Government			116,000	65,950	4,534	70,484	61%	
PROTECTION SERVICES								
FD 01-20	PPE - Bunker Gear	200114	35,000	-	30,945	30,945	88%	In progress.
FD 02-20	Communications - Replacement of Pagers	200115	8,000	5,251	-	5,251	66%	Completed.
FD 03-20	Replacement of Extrication Equipment - 2 Stations	200116	40,000	34,588	-	34,588	86%	Completed.
Total Protection Services			83,000	39,839	30,945	70,784	85%	
TRANSPORTATION SERVICES								
FACILITIES								
FAC 01-20	Concrete & Asphalt Repairs - Various Facilities	300475	10,000	3,278	-	3,278	33%	In progress.
								In progress. RFP awarded, project in process.
FAC 03-20	Facility Condition & Accessibility Assessment	300477	75,000	-	38,520	38,520	51%	
FAC 04-20	Tice Road Operations Centre - Electrical Upgrades	300478	6,500	-	-	-	0%	In progress.
								In progress. Will be installed by November 1.
FAC 05-20	MCC - Front Passive Area Fence	300479	30,000	-	20,027	20,027	67%	
FAC 06-20	Gates to Accipiter Arena Pad	300480	10,000	9,057	-	9,057	91%	Completed.
FAC 07-20	Community Information Counter	300481	5,000	5,088	-	5,088	102%	Completed.
FAC 08-20	Centennial Park Hydro Service	300482	15,000	-	15,000	15,000	100%	In progress.
FAC 10-20	Flag Poles	300483	6,000	3,765	-	3,765	63%	Completed.
ROADS								
RD 01-20	Bridge Design Program - Balfour St and 16 Road	300490	100,000	-	95,480	95,480	95%	In progress. RFP awarded to Ellis Engineering.
								Tender awarded to CRL Campbell. Contractor starting in October.
RD 02-20	Roadside Ditching	300491	75,000	-	58,160	58,160	78%	

Town of Pelham								Appendix 5
2020 Capital Projects - Third Quarter Reporting		Cost Centre	Expenditures					Status
			Original Budget	Actual	Committed	Total (Actual & Committed)	Actual and Committed as a % of Revised Budget	
As at September 30, 2020								
RD 03-20	Road Reconstruction - Pelham St: College St to Port Robinson Rd	300492	1,079,519	20,627	936,729	957,357	89%	In progress. Tender awarded to Rankin Construction. Construction to commence November 1, 2020.
RD 04-20	Bridge/Culvert Appraisal (legislated) - Retaining Walls and Easements	300493	20,000	7,694	4,740	12,434	62%	Complete. Invoices outstanding.
RD 05-20	Concrete Program	300494	125,000	-	98,665	98,665	79%	In progress. Tender awarded. Project to be completed by end of October.
RD 06-20	Culvert Replacement	300495	60,000	24,912	37,194	62,105	104%	In progress.
RD 08-20	Engineering	300497	35,000	6,670	-	6,670	19%	In progress.
RD 09-20	Road Base and Surface Repair	300498	150,000	395	150,000	150,395	100%	Complete. Invoices outstanding.
RD 10-20	Road Rehabilitation	300499	450,000	635	390,349	390,984	87%	In progress. Contract awarded to Norjohn Contracting. Project to commence in October 2020.
RD 11-20	Streetlights and Traffic Signal Maintenance	300500	55,000	25,972	25,311	51,283	93%	In progress.
RD 14-20	Station Street Storm Pond	300503	300,000	-	119,466	119,466	40%	In progress. Awarded to Duffin in spring 2020. Work has not commenced yet.
RD 16-20	Road Design - Pelham St: Port Robinson Rd to John St.	300505	50,000	50,880	-	50,880	102%	Completed.
RD 18-20	Urbanization of Lookout Street	300507	105,431	105,431	-	105,431	100%	Completed.
Total Transportation Services			2,762,450	264,403	1,989,642	2,254,045	82%	
FLEET								
VEH 01-20	Combined Lease Payments - Heavy Duty Work Truck, Small SUV Facilities, Small SUV Building	300484	32,340	24,682	8,085	32,767	101%	In progress.
VEH 02-20	Seasonal summer fleet rental - for use in Parks and Facilities	300485	25,200	15,209	-	15,209	60%	In progress.
VEH 03-20	Seasonal winter fleet rental - Tractors w/plow and spreader	300486	25,550	14,924	10,884	25,808	101%	In progress.
VEH 05-20	Work Truck - Replaces Truck 127	300488	35,000	-	34,920	34,920	100%	In progress.
VEH 06-20	Offset Boom for Bushhog	300489	6,000	5,978	-	5,978	100%	Completed.
Total Fleet			124,090	60,793	53,889	114,683	92%	

Town of Pelham								Appendix 5
2020 Capital Projects - Third Quarter Reporting		Cost Centre	Expenditures					Status
As at September 30, 2020			Original Budget	Actual	Committed	Total (Actual & Committed)	Actual and Committed as a % of Revised Budget	
HEALTH SERVICES								
CEM 01-20	Plumbing Upgrade - Fonthill Cemetery	400012	6,000	4,055	-	4,055	68%	In progress.
Total Health Services			6,000	4,055	-	4,055	68%	
WASTEWATER								
WST 02-20	Sanitary Lateral Replacement Program (5 laterals)	700171	60,000	-	36,518	36,518	61%	In progress.
WST 03-20	Sanitary Sewer Inspection, CCTV and Flushing	700172	74,000	125	41,210	41,335	56%	In progress.
WST 04-20	Sanitary Sewer Capital Construction Adjustments and Repairs	700173	80,000	-	-	-	0%	This project was approved by Council to fund the Sanitary Diversion project at Station St and Summersides. Project is currently in the tendering phase.
WST 05-20	Church St Sanitary Upgrades - Permits and Reports	700174	50,000	30,508	12,150	42,658	85%	In progress. Waiting for CP Rail's approval.
Total Wastewater			264,000	30,633	89,878	120,511	46%	
WATER								
WTR 01-20	Pelham St Watermain Replacement: College St to Port Robinson Rd	700176	13,122	-	-	-	0%	In progress. Tender awarded to Rankin Construction. Construction to commence November 1, 2020.
WTR 02-20	Water System Repair Equipment	700177	30,000	8,326	- 90	8,236	27%	In progress.
Total Water			43,122	8,326	- 90	8,236	19%	
RECREATION & CULTURAL SERVICES - PARK FACILITIES								
PRK 02-20	Forestry Services	500183	80,000	59,129	21,894	81,023	101%	In progress.
PRK 04-20	Turf Repair	500185	5,000	-	5,000	5,000	100%	In progress.
PRK 05-20	Weiland Park	500186	60,000	-	59,459	59,459	99%	In progress. Should be installed by mid November.
PRK 06-20	Field Protection	500187	25,000	24,303	770	25,073	100%	Completed.
Total Recreation & Cultural Services			170,000	83,432	87,123	170,555	100%	
COMMUNITY PLANNING & DEVELOPMENT								

Town of Pelham								Appendix 5
2020 Capital Projects - Third Quarter Reporting		Cost Centre	Expenditures					Status
As at September 30, 2020			Original Budget	Actual	Committed	Total (Actual & Committed)	Actual and Committed as a % of Revised Budget	
PLN 01-20	Community Benefits Charge Strategy	600119	40,000	-	-	-	0%	Not yet started. Provincial Regulations were released in Sept 2020. There are 2 years to undertake this work. Requires Corporate Services input.
Total Community Planning & Development			40,000	-	-	-	0%	
LIBRARY SERVICES								
LIB 01-20	Computer Services Department	500182	7,500	-	4,390	4,390	59%	In progress. Updating network security equipment, wireless access points and front desk work stations.
Total Library Services			7,500	-	4,390	4,390	59%	
MUNICIPAL DRAINAGE								
DRN 01-20	Replace Farm Culverts	600120	30,000	-	-	-	0%	Work completed invoices outstanding. We have not had any requests to replace farm culverts from farmers this year. We did have requests to remove beavers, so this money was allocated for beaver removal and that work is now complete.
DRN 02-20	Update Assessment Schedule for Big Creek Drain	600121	65,000	-	-	-	0%	In progress. Project awarded to K. Smart Associates.
Total Municipal Drainage			95,000	-	-	-	0%	
TOTAL AS PER 2020 APPROVED BUDGET			3,711,162	557,431	2,260,312	2,817,743	76%	
PROJECTS DEFERRED TO 2021								
IT 02-20	Tab Fusion Electronic Enhancement	100171	25,000	5,079	-	5,079	20%	Deferred to 2021
FAC 02-20	Masonry Repairs - Highland Ave, Hillside/Fonthill Cemetery	300476	30,000	-	-	-	0%	Deferred to 2021

Town of Pelham								Appendix 5
2020 Capital Projects - Third Quarter Reporting		Cost Centre	Expenditures					Status
			Original Budget	Actual	Committed	Total (Actual & Committed)	Actual and Committed as a % of Revised Budget	
As at September 30, 2020								
								Deferred to 2021. Not yet started. On hold. Reviewing as part of ICIP Resiliency COVID Grant.
PRK 03-20	River Estates Park Development	500184	300,000	-	-	-	0%	
RD 07-20	Effingham Storm Design - Hwy 20 to Canboro	300496	50,000	-	-	-	0%	Deferred to 2021.
RD 12-20	Stormsewer Extension - Along Quaker	300501	200,000	-	-	-	0%	Deferred to 2021. Waiting for developer.
RD 13-20	Sulphur Springs Rd Rehabilitation - Site 1 & 2	300502	300,000	-	-	-	0%	Deferred to 2021.
RD 15-20	Foss Resurfacing (linked to WST 06-20)	300504	500,000	-	-	-	0%	Deferred to 2021.
RD 17-20	Rice Road Landscaping Feature	300506	48,120	-	-	-	0%	Deferred to 2021. In progress. To be tendered in Spring 2021.
VEH 04-20	Combination Snow Plow & Spreader Unit - replaces Truck 420	300487	320,000	-	268,958	268,958	84%	Deferred to 2021. Snow plow has been ordered. Delivery date for Feb 2021.
WST 01-20	Sanitary I/I Study Program - Planned Replacements and Rehabilitation	700170	100,000	-	-	-	0%	Deferred to 2021.
WST 06-20	Foss Rd - Sanitary Sewer Installation (linked to RD 15-20)	700175	800,000	-	-	-	0%	Deferred to 2021.
Total Projects Deferred to 2021			2,673,120	5,079	268,958	274,037	10%	
CANCELLED AND RED-CIRCLED PROJECTS								
FAC 09-20	MCC Additional Parking		450,000	-	-	-	0%	Red-circled pending grant funding.
LIB 02-20	Fonthill Renovations		505,231	-	-	-	0%	Red-circled pending grant funding.
PRK 01-20	Centennial Park Diamond #3 & HBP #2 Dugout / Bullpen Enclosures		15,000	-	-	-	0%	Cancelled.
Total Cancelled and Red-Circled Projects			970,231	-	-	-	0%	
Grand Total			7,354,513	562,510	2,529,270	3,091,780	66%	

Town of Pelham										Appendix 5
Prior Year's Carry Forward Capital Projects - Third Quarter Reporting		Expenditures								Status
As at September 30, 2020		Original Budget	Prior Years Actual	Carry Forward Amount	Paid in 2020 Charged to 2019	Actual	Committed	Total (Actual & Committed)	Total to date as a % of Carry Forward	
GENERAL GOVERNMENT										
IT 04-19	Backup Generator for IT Server Room (Town Hall)	46,000	-	46,000	-	-	-	-	0%	Three quotes have been obtained.
Total General Government		46,000	-	46,000	-	-	-	-	0%	
TRANSPORTATION SERVICES										
ROADS										
RD 11-17	Road Reconstruction - Haist St: Welland Rd to Beckett Cres, including Welland Rd Haist to Edward (linked to WTR 01-19 and WST 02-19)	111,150	91,736	19,414	-	24,374	-	24,374	126%	Completed.
RD 12-18	Stormwater Facility Maintenance - Station, Timber Creek	70,000	41,328	28,672	-	5,202	22,375	27,577	96%	In progress.
RD 02-19	Concrete Repair & Replacement Program	110,000	66,208	43,792	-	132	-	132	0%	In progress. Will be completed by end of October 2020.
RD 05-19	Steve Bauer Trail Paving	121,250	-	121,250	-	-	121,250	121,250	100%	Complete. Invoices outstanding. Council approved red-circle be removed on July 13, 2020. Budget increased by \$ 21,250 due to Legacy Games Grant.
RD 06-19	Pavement Condition Index Study	27,628	11,682	15,946	-	13,198	-	13,198	83%	Completed.
RD 07-19	Road Base and Surface Repair Program	170,000	137,045	32,955	-	362	41,058	41,420	126%	Complete. Invoices outstanding.
RD 08-19	Pelham Street Storm and Road Reconstruction	2,436,055	535,744	1,900,311	-	1,452,743	333,374	1,786,117	94%	In progress. Contract with Charleton Group in progress. Construction is substantially complete. Final asphalt paving to be completed in spring of 2021.
RD 10-19	Stormwater Facility Maintenance	30,000	12,288	17,712	-	2,290	445	2,735	15%	In progress. Engineering assignment with consultant in progress. To be completed by end of December 2020.
RD 13-19	Main Street Revitalization	52,782	-	52,782	-	54,471	-	54,471	103%	Completed.
RD 14-19	Sulphur Spring Drive Repair	250,000	-	250,000	-	-	-	-	0%	In progress. Project has been awarded to Duffin. Additional funds of \$ 170K approved by Council on July 27th, 2020 for the 2021 budget.
FACILITIES										
FAC 03-18	Tice Road Operations Centre - Man Door Repairs, insulation and vapour barrier in north bay - FCA Critical 2016	37,000	20,519	16,481	-	-	-	-	0%	In progress. Project still ongoing.
FAC 03-19	Municipal Building - foundation, structural, waterproofing, exterior / interior painting - FCA Critical 2016	55,000	9,163	45,837	-	26,913	2,375	29,288	64%	Masonry work and deficiencies still outstanding. Completed. Invoices outstanding.
Total Transportation Services		3,470,865	925,714	2,545,152	-	1,579,685	520,877	2,100,562	83%	



Town of Pelham										Appendix 5
Prior Year's Carry Forward Capital Projects - Third Quarter Reporting		Expenditures								Status
As at September 30, 2020		Original Budget	Prior Years Actual	Carry Forward Amount	Paid in 2020 Charged to 2019	Actual	Committed	Total (Actual & Committed)	Total to date as a % of Carry Forward	
WASTEWATER										
WST 04-18	Foss Road Upgrade existing sewer from 350 to 450mm diam	592,800	60,954	42,559	-	4,323	29,637	33,960	80%	In progress. Detailed design assignment currently being completed. Project delayed due to CP Rail. Carry forward to 2021.
WST 01-19	Design - Church Street Upgrade	60,000	14,880	45,120	-	16,912	10,229	27,141	60%	In progress. Consultant Assignment awarded to Associated Engineering. Project delayed due to CP Rail.
WST 02-19	Haist Street: Welland Rd to Beckett (linked to RD 11-17 and WTR 01-19)	45,000	-	45,000	-	-	45,000	45,000	100%	Completed. Invoices outstanding.
WST 05-19	Sanitary Sewer Capital	80,000	-	80,000	-	16,311	36,518	52,829	66%	In progress. Project currently ongoing. Awarded to Duffin Contracting.
Total Wastewater		777,800	75,834	212,680	-	37,547	121,384	158,930	75%	
WATER										
WTR 01-18	Backflow Prevention Program	50,000	12,985	37,015	-	-	3,940	3,940	11%	In progress. Consulting work is complete. Outstanding invoices to come regarding the work. Program will continue until funds run out.
WTR 02-18	Station Street: Hwy 20 to Port Robinson, Watermain Replacement - trench only	847,652	381,950	465,702	-	185,914	286,084	471,997	101%	In progress. This project was delayed due to gas line relocation. Anticipated completion date is November 2020.
WTR 01-19	Haist Street: Welland Rd to Beckett Cres, including Welland Rd Haist to Edward (linked to RD 11-17 and WST 02-19)	644,750	414,177	230,573	-	81,556	149,150	230,706	100%	Completed. Restoration work completed and in warranty.
WTR 02-19	Water System Repair Equipment	30,000	14,747	15,253	-	-	-	-	0%	Completed. Can be closed and additional purchases can be undertaken through the 2020 capital budget.
WTR 03-19	Pelham St N Watermain Replacement	250,000	25,757	224,243	-	204,229	12,849	217,078	97%	Completed. Invoices outstanding.
Total Water		1,822,402	849,616	972,786	-	471,699	452,022	923,721	95%	

Town of Pelham										Appendix 5
Prior Year's Carry Forward Capital Projects - Third Quarter Reporting		Expenditures								Status
As at September 30, 2020		Original Budget	Prior Years Actual	Carry Forward Amount	Paid in 2020 Charged to 2019	Actual	Committed	Total (Actual & Committed)	Total to date as a % of Carry Forward	
RECREATION & CULTURAL SERVICES- PARK FACILITIES										
PRK 02-18	Ash tree removals - continued program	75,000	68,616	6,384	-	-	-	-	0%	Completed.
PRK 05-19	Centennial Park Electrical Upgrades	13,500	11,635	1,865	-	-	-	-	0%	Completed.
Total Recreation & Cultural Services		88,500	80,252	8,249	-	-	-	-	0%	
COMMUNITY PLANNING & DEVELOPMENT										
PLN 01-19	Complete East Fenwick SP	20,000	6,269	13,731	-	-	13,839	13,839	101%	In progress. Awaiting developer to complete EIS.
PLN 02-19	Complete Zoning By-law	20,000	-	20,000	-	-	9,537	9,537	48%	On hold. Consultant to complete mapping once staff have document prepared.
Total Community Planning & Development		40,000	6,269	33,731	-	-	23,376	23,376	69%	
MUNICIPAL DRAINAGE										
DRN 01-19	Brushing Swayze Drain	30,000	-	30,000	-	-	-	-	0%	Not taking place. The property owner now does not feel the brushing is necessary.
Total Library Services		30,000	-	30,000	-	-	-	-	0%	
EAST FONTHILL										
RD 01-17	Summersides: Station to Wellspring (E. Fonthill)	2,088,774	960,717	28,129	-	291	24,654	24,945	89%	In progress.
Total East Fonthill		9,962,737	4,206,991	28,129	-	291	24,654	24,945	89%	
Subtotal - excluding CANCELLED PROJECTS		16,238,304	6,144,675	3,876,726	-	2,089,221	1,142,313	3,231,534	83%	
CANCELLED PROJECTS										
Total Cancelled		-	-	-	-	-	-	-		
Grand Total		16,238,304	6,144,675	3,876,726	-	2,089,221	1,142,313	3,231,534	83%	

La version française suit.

**Ministry of  
Municipal Affairs  
and Housing**

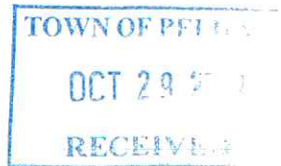
Office of the Minister

777 Bay Street, 17<sup>th</sup> Floor  
Toronto ON M7A 2J3  
Tel.: 416 585-7000

**Ministère des  
Affaires municipales  
et du Logement**

Bureau du ministre

777, rue Bay, 17<sup>e</sup> étage  
Toronto ON M7A 2J3  
Tél. : 416 585-7000



234-2020-3404

October 14, 2020

Clerk Nancy J. Bozzato  
Town of Pelham

Clerk Bozzato:

Town of Pelham	
Please Provide a Copy To:	
<input checked="" type="checkbox"/> Mayor & Council	<input type="checkbox"/> CAO
<input type="checkbox"/> Public Works	<input type="checkbox"/> Clerk
<input type="checkbox"/> Corporate Services	<input type="checkbox"/> Fire
<input checked="" type="checkbox"/> Planning	<input type="checkbox"/> RCW
Other _____	
File _____	

On June 16, 2020, our government consulted on Proposed Amendment 1 to **A Place to Grow: Growth Plan for the Greater Golden Horseshoe (A Place to Grow)**. As part of the COVID-19 economic recovery efforts, the proposed changes included updates to the population and employment forecasts and related policy changes; a change to the Plan horizon year; a change to address Major Transit Station Areas within Provincially Significant Employment Zones (PSEZ); and other policy revisions that support our government's objectives to increase housing supply, create more jobs, attract business investments and better align infrastructure. Our government also consulted on a new Land Needs Assessment methodology concurrently. Both consultation periods closed on July 31, 2020.

As a result of our recent consultation, our government has amended **A Place to Grow** and released a new market-based Land Needs Assessment methodology. The Environmental Registry of Ontario decision notices can be found at:

- Amendment 1 to **A Place to Grow: Growth Plan for the Greater Golden Horseshoe**: [019-1680](#)
- Land Needs Assessment Methodology for **A Place to Grow: Growth Plan for the Greater Golden Horseshoe**: [019-1679](#)

An office consolidation version of Amendment 1 to **A Place to Grow** can be found [here](#) and the new market-based approach to Land Needs Assessment Methodology can be found [here](#).

These changes will help municipalities anticipate and plan for growth, as well as support economic recovery from the COVID-19 outbreak. The amendments work together to provide more flexibility to your municipality as you do your long-term planning to address demographic, employment, market demand, and housing affordability trends in

the Greater Golden Horseshoe. As well, following feedback received from Indigenous partners, environmental and agricultural stakeholders, we are no longer moving forward on new mineral aggregate operation policies.

These changes will come into effect today, August 28, 2020. The date by which upper and single-tier municipalities must update their official plans to conform with the policies in **A Place to Grow** will remain July 1, 2022. For lower-tier municipalities, the deadline for conformity with this Plan will continue to be one year after the relevant upper-tier conformity amendment takes effect.

Should you or your staff have any questions about **A Place to Grow** or any of these changes, please feel free to contact the Ontario Growth Secretariat at [growthplanning@ontario.ca](mailto:growthplanning@ontario.ca).

Thank you for your ongoing commitment to strengthening the quality of life and the economic growth of your community and the province of Ontario.

Sincerely,

A handwritten signature in black ink that reads "Steve Clark". The signature is fluid and cursive, with the first name "Steve" and last name "Clark" clearly distinguishable.

Steve Clark  
Minister



**Cannabis Control Committee  
Town of Pelham**

**Minutes of Meeting  
Wednesday, September 30, 2020 – 5:00 p.m.  
Teleconference**

**PRESENT:** Bob Hildebrandt, Councillor - Town of Pelham  
Tim Nohara (Chair)  
Bill Heska  
John Langendoen  
Louis Damm  
Jim Jeffs  
Carla Baxter  
David Cribbs, CAO - Town of Pelham (arrived at 5:11 pm)  
Barbara Wiens, Director, Community Planning & Development - Town of Pelham  
Shannon Larocque, Senior Planner, Community Planning & Development - Town of Pelham  
Jodi Legros, Administrative Assistant, Community Planning & Development - Town of Pelham  
(Secretary)

**REGRETS:** Jim Steele

---

**1. Declaration of Quorum**

Chair declared quorum at 5:03 p.m.

**2. Approve Agenda**

An item was added as #7 to the Agenda for discussion regarding an email received by J. Jeffs relating to a cannabis operation on Sawmill Road.

Moved by B. Heska, seconded by J. Langendoen that the Agenda of September 30, 2020 be approved.

CARRIED

**3. Approval of Minutes of July 22, 2020**

Moved by J. Langendoen, seconded by L. Damm that the Minutes of July 22, 2020 be approved, as amended.

CARRIED

**4. Staff update relating to Local Planning Appeal Tribunal (LPAT), Court and Normal Farm Practices Protection Board (NFPPB) actions**

B. Wiens confirmed the Town received appeals by three appellants to the Official Plan and Zoning By-Law Amendments. These amendments were passed by Council in July 2020. LPAT will be in contact at a later date to schedule a Case Management Conference meeting.

LPAT has scheduled a Case Management Conference meeting for October 21 with respect to the LPAT appeal by Redecan Pharm previously filed regarding the extension of the Interim Control By-law. This is the first step in the process that deals with matters relating to the management of a hearing, i.e. identification of the parties and participants, issues, scheduling, exchange of witness statements, etc. and is handled by the legal counsel. Evidence is not provided at Case Management Conference meeting. This is also a virtual meeting.

As to the Court action concerning the Interim Control By-law and the NFPPB complaint relating to the Odorous Industries Nuisance By-law, the Town awaits the next steps. Lawyers will advise once they receive an update.

## **5. Staff update relating to Odorous Industries Nuisance By-Law**

Phil Girard was the successful consultant after the Town went to tender to hire a consultant to design the neighbourhood ambient odour monitoring program (AOMP) by a third party. The project kick-off meet was held and T. Nohara and B. Heska attended. T. Nohara and B. Heska are providing sensitive receptor site information to P. Girard. P. Girard will have the design of the AOMP drafted and in the hands of the Town a few weeks, which will be used in the scope of work for hiring the third party environmental contractor who will implement the AOMP. By-law Enforcement staff are responsible for project managing this work.

C. Baxter brought up concerns relating to the time of monitoring and issues with filing an odour complaint.

B. Wiens noted By-Law Enforcement have the Nasal Ranger and currently go out and measure at different times of the week.

D. Cribbs noted that once a complaint is received by the Town, Town staff open a file and investigate, but cannot offer an instantaneous level of response, the Town does not have that capacity. He further noted that he wants to enhance his public complaints system.

L. Damm explained that it is likely during the fall that the most intense odour will be at dusk and dawn for plant management reasons trying to avoid dew points. D. Cribbs noted that By-law is capable of responding outside of business hours and have the intention of doing so.

The ambient odour monitoring program will be conducted by a third party once retained. That program will use random testing day and night.

Considerable discussion took place around the need to get information out to the public on how to file a complaint with the Town to mitigate the present confusion that is out there. T. Nohara agreed to draft a letter and circulate to staff for feedback before having it posted in The Voice newspaper.

## **6. Discussion of Cannabis Control Committee Work Plan for Fall 2020**

The Committee circulated a draft work plan and discussed items for their Fall agenda. Included in the agenda will be suggested edits to the Dark Sky By-Law for the Town to consider. The Agenda also includes supporting the full implementation of the Odorous Industries Nuisance By-law and the development of a Resident Guide. The Committee estimates this work will keep them busy through the spring of 2021.



**7. Discussion of email received by J. Jeffs email relating to Sawmill Road operation.**

J. Jeffs received a phone call and email from a concerned resident relating to growing in a hoop house on Sawmill Rd. D. Cribbs and B. Wiens confirmed the Town does not have planning control. The Niagara Escarpment Commission is the planning approval authority for this location. It was also noted that NEC permits agricultural uses in this area and they do not make a distinction of cannabis being different than any other crop. D. Cribbs confirmed that the Town does have bylaw control throughout the Town; for example, the Odorous Industries Nuisance Bylaw also applies to the Niagara Escarpment lands.

**8. Items for Discussion at Next Meeting – meetings to be arranged**

Committee and staff agreed to set the next two meetings for Wednesday, October 28 and November 25, 2020 by teleconference with a 6:00pm start time.

**9. Adjournment**

Moved by J. Jeffs, seconded by C. Baxter that the meeting be adjourned.  
The meeting adjourned at approximately 6:17 p.m.

CARRIED

**Signed by:**

*Edited by: Tim J. Nohara*  
\_\_\_\_\_  
Tim Nohara (Chair)

*J. Legros*  
\_\_\_\_\_  
Jodi Legros, Administrative Assistant,  
Community Planning & Development-Town of Pelham (Secretary)

**Committee of Adjustment****Minutes**

**Meeting #:** CofA 5/2020  
**Date:** Tuesday, July 21, 2020  
**Time:** 4:00 pm  
**Location:** Town of Pelham Municipal Office - Council Chambers  
20 Pelham Town Square, Fonthill

**Members Present** Donald Cook  
John Klassen  
Bernie Law

**Staff Present** Nancy Bozzato  
Holly Willford  
Sarah Leach  
Curtis Thompson

**1. Attendance**

Applicants, Agents and viewing members of the public via Town of Pelham YouTube Channel by Live-streaming.

**2. Call to Order, Declaration of Quorum and Introduction of Committee and Staff**

Noting that a quorum was present, Chair Cook called the meeting to order at approximately 4:00 pm. The Chair read the opening remarks to inform those virtually present on the meeting protocols and he introduced the hearing panel and members of staff present.

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

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

**4. Requests for Withdrawal or Adjournment**

None.



## **5. Applications for Minor Variance**

### **5.1 A18/2020P - 364 Sumbler Road**

#### **Purpose of Application**

Application for relief of Section 7.7 (a) "Maximum Accessory Lot Coverage" to permit a maximum accessory lot coverage of 1.9% whereas the by-law permits 1% and Section 7.7 (d) "Maximum Building Height" to permit a maximum building height of 5.92m whereas the by-law permits 3.7m.

#### **Representation**

The Agent was electronically present.

#### **Correspondence Received**

1. Town of Pelham Planning Department
2. Town of Pelham Public Works
3. Town of Pelham Building Department
4. Niagara Region

#### **Applicant's Comments**

The Applicant's Agent, Hank Nauta, from Nauta Homes Designs advised the applicant indicated a house fire nine years ago caused the subject lands to be disturbed and therefore would like to request the requirement for an archaeological assessment be waived. The Agent indicated the applicant would like to build on a 48 inch deep frost footing opposed to a slab on grade foundation. In response, the Chair indicated this may need to be vetted by the Planning Department via records. The Chair further requested the advice of the Secretary Treasurer Ms. Nancy Bozzato as to how this application should be dealt with. In response, Ms. Bozzato indicated the condition could be imposed "if required" or the Committee could grant the application without including the condition.

Mr. Nauta indicated he could provide the Town a legal document, perhaps a statement notarized indicating the house fire occurred and the grounds were then substantially disturbed. Ms. Bozzato indicated the condition could include the words "if required" therefore, the Director of Planning can determine if the requirement is needed.

A Member indicated the Director of Planning stating the Planning Department will not waive the said condition requirement; however, the Committee may waive the condition, if they wish. The Agent indicated he was not aware of the said email and may wish to request a deferment. Mr. Curtis Thompson, Town Planner, indicated the Planning Department is not disputing the fire; rather Town staff are making a recommendation based on their professional opinion.

The Agent indicated he would be able to provide legal proof of the house fire and that the lands were substantially disturbed. A Member indicated he was a volunteer firefighter and lands are substantially disturbed from the fire clean up. The Member asked Mr. Thompson if an archaeological assessment was completed when the house was built. In response, Mr. Thompson indicated it is not likely an archaeological assessment was conducted when the home was built. Mr. Thompson indicated the planning act application triggers the ability to request an archaeological assessment. The Member indicated the fire clean up would have disturbed the entire lands and therefore the lands are no longer raw.

A Member indicated an on slab foundation would require deep digging and therefore did not see an issue with the preferred foundation (frost footings) proposed. In addition, the Member indicated he believed the requirement of an archaeological assessment was a moot point as the lands have been greatly disturbed. Another Member agreed. The Members discussed a building permit would be the only condition.

### **Public Comments**

There were no pre-registered members of the public to speak concerning this application. Ms. Holly Willford, Assistant Secretary Treasurer checked the clerks@pelham.ca email address at 4:51 pm and confirmed no e-mails has been received with regard to the subject application. Ms. Willford closed the public comment portion of the application.

### **Members Comments**

No additional comments were made.

**Moved By** Bernie Law

**Seconded By** John Klassen

**Application for relief of , Section 7.7 (a) “Maximum Accessory Lot Coverage” to permit a maximum accessory lot coverage of 1.9% whereas the by-law permits 1% and Section 7.7 (d) “Maximum**

**Building Height” to permit a maximum building height of 5.92m whereas the by-law permits 3.7m., is hereby: GRANTED.**

**The above decision is based on the following reasons:**

- 1. The variance is minor in nature as adequate land area remains available to handle stormwater runoff, the existing septic system and preserve a rear yard amenity area and given the rural context and as no negative impacts are anticipated by the adjacent neighbours.**
- 2. The general purpose and intent of the Zoning By-Law is maintained.**
- 3. The intent of the Official Plan is maintained.**
- 4. The proposal is desirable for the land as it will allow for enhanced use of the rural residential property.**
- 5. This application is granted without prejudice to any other application in the Town of Pelham.**
- 6. No objections were received from commenting agencies or abutting property owners.**
- 7. The Committee of Adjustment considered the written and oral comments and agrees with the minor variance report analysis and recommendation that this application meets the Planning Act tests for minor variance.**

**The above decision is subject to the following conditions:**

- 1. That all necessary building permits are required prior to construction commencing to the satisfaction of the Chief Building Official and shall not be approved for any living accommodations or plumbing within the accessory building.**

**Carried**

## **5.2 A19-2020P - 1328 Effingham Street**

### **Purpose of Application**

Application for relief of Section 7.4 (f) “Minimum Side Yard” to permit a minimum side yard of 0.6m whereas the by-law requires 9.0m.

## **Representation**

The Applicant was electronically present.

## **Correspondence Received**

1. Town of Pelham Planning Department
2. Town of Pelham Public Works
3. Town of Pelham Building Department
4. Niagara Region
5. NPCA

## **Applicant's Comments**

The Applicant indicated he had no further comments.

## **Public Comments**

There were no pre-registered members of the public to speak concerning this application. Ms. Holly Willford, Assistant Secretary Treasurer checked the clerks@pelham.ca email address at 5:06 pm and confirmed no e-mails has been received with regard to the subject application. Ms. Willford closed the public comment portion of the application.

## **Members Comments**

A Member asked if the Applicant will be building in the existing footprint. The Applicant confirmed this was the case. A Member asked if the neighbors are aware of the proposal. In response, the Applicant indicated they are aware.

**Moved By** Bernie Law

**Seconded By** John Klassen

**Application for relief of , Section 7.4 (f) “Minimum Side Yard” to permit a minimum side yard of 0.6m whereas the by-law requires 9.0m, is hereby: GRANTED.**

**The above decision is based on the following reasons:**

1. **The variance is minor in nature as the existing legal non-complying attached garage (situated in the same footprint) has not posed any adverse impacts to the abutting neighbours.**

2. **The general purpose and intent of the Zoning By-Law is maintained.**
3. **The intent of the Official Plan is maintained.**
4. **The proposal is desirable for the appropriate development and/or use of the land as it will allow for a second floor to be constructed above the garage.**
5. **This application is granted without prejudice to any other application in the Town of Pelham.**
6. **No objections were received from commenting agencies or abutting property owners.**
7. **The Committee of Adjustment considered the written and oral comments and agrees with the minor variance report analysis and recommendation that this application meets the Planning Act tests for minor variance.**

**The above decision is subject to the following conditions:**

1. **That all necessary building permits are required prior to construction commencing to the satisfaction of the Chief Building Official and shall not be approved for any living accommodations or plumbing within the accessory building.**

**Prior to the issuance of the Building Permit:**

2. **To the satisfaction of the Director of Public Works that:**
  1. **Submit a comprehensive overall Lot Grading Plan, illustrating overland drainage routes on the property, with special attention to how the reduced side yard will affect drainage routes along the north lot line, to the satisfaction of the Director of Public Works. Drainage is not permitted to adversely impact neighbouring properties.**

**Carried**

## **6. Applications for Consent**

### **6.1 B4/2020P - 725 Quaker Road**

#### **Purpose of Application**

Application for consent to convey 2,189.97 square metres of land (Part 2), to be added to the abutting property to the east, for future development. Part 1 is to be retained for continued residential use of the dwelling known municipally as 725 Quaker Road.

#### **Representation**

The Agent, Matt Kernahan from Upper Canada Consultants, was electronically present.

#### **Correspondence Received**

1. Town of Pelham Planning Department
2. Town of Pelham Public Works
3. Town of Pelham Building Department
4. Niagara Region
5. NPCA
6. Bell Canada

#### **Applicant's Comments**

The Agent made no further comments.

#### **Public Comments**

There were no pre-registered members of the public to speak concerning this application. Ms. Holly Willford, Assistant Secretary Treasurer checked the clerks@pelham.ca email address at 5:23 pm and confirmed no e-mails has been received with regard to the subject application. Ms. Willford closed the public comment portion of the application.

#### **Members Comments**

The Members briefly mentioned the previous related consent applications and indicated the lands will be joined for a future development.

**Moved By** John Klassen  
**Seconded By** Bernie Law

**Application is made for consent to convey 2,189.97 square metres of land (Part 2), to be added to the abutting property to the east, for future development. Part 1 is to be retained for continued residential use of the dwelling known municipally as 725 Quaker Road, is hereby: GRANTED**

**The above decision is based on the following reasons:**

- 1. The application conforms to the policies of the Town of Pelham Official Plan, Regional Policy Plan and Provincial Policy Statement, and complies with the Town's Zoning By-law.**
- 2. This Decision is rendered having regard to the provisions of Sections 51(24) and 51(25) of the Planning Act, R.S.O., as amended.**
- 3. The Committee of Adjustment considered all written and oral submissions and finds that, subject to the conditions of provisional consent, this application meets Planning Act criteria, is consistent with the Provincial Policy Statement and complies with the Growth Plan, the Niagara Region Official Plan and the Town Official Plan.**

**The above decision is subject to the following conditions:**

**To the Satisfaction of the Director of Public Works**

- 1. Confirm in writing to the Town that Part 2 does not rely on Part 1 for any servicing or drainage needs.**

**To the Satisfaction of the Director of Community Planning & Development**

- 2. Obtain and close a demolition permit for the existing detached garage on Part 2. If the existing structure is being relocated to Part 1, a demolition permit is still required**

**To the Satisfaction of the Secretary-Treasurer**

- 3. Pursuant to Section 50(12) of the Planning Act, R.S.O. 1990, as amended, it is hereby stipulated that Section 50(3) or 50(5) shall apply to any subsequent conveyance of, or other transaction involving, the identical subject parcel of land.**

Therefore, once the subject parcel of land has been conveyed to the owner of the parcel abutting to the east, the subject parcel and the said abutting parcel shall merge in title and become one contiguous parcel of land. A solicitor's written undertaking shall be provided to the Secretary-Treasurer indicating that the necessary steps to implement the conveyance will be taken, together with the registrable legal descriptions of the subject parcel and the consolidated parcel. That the Secretary-Treasurer be provided with a registrable legal description of the subject parcel, together with a copy of the deposited reference plan, if applicable, for use in the issuance of the Certificate of Consent.

4. That the final certification fee of \$395, payable to the Treasurer, Town of Pelham, be submitted to the Secretary-Treasurer. All costs associated with fulfilling conditions of consent shall be borne by the applicant.

**Carried**

7. **Minutes for Approval:** None.


8. **Adjournment**

**Moved By** John Klassen

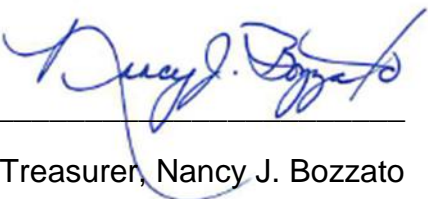
**Seconded By** Bernie Law

**BE IT RESOLVED THAT** this Meeting of the Committee of Adjustment Hearing be adjourned until the next regular meeting scheduled for August 11, 2020 at 4:00 pm.

**Carried**

A handwritten signature in black ink, reading "Donald Cook", written over a horizontal line.

Don Cook, Chair

A handwritten signature in blue ink, reading "Nancy J. Bozzato", written over a horizontal line.

Secretary-Treasurer, Nancy J. Bozzato





**Committee of Adjustment****Minutes**

**Meeting #:** CofA 8/2020  
**Date:** Tuesday, August 11, 2020  
**Time:** 4:00 pm  
**Location:** Town of Pelham Municipal Office - Council Chambers  
20 Pelham Town Square, Fonthill

**Members Present** Donald Cook  
John Klassen  
Bernie Law

**Members Absent** Sandra Marsh

**Staff Present** Nancy Bozzato  
Holly Willford  
Sarah Leach  
Curtis Thompson

**Others Present** Applicants, Agents and Preregistered Members of the Public

**1. Attendance**

Applicants and Agents.

**2. Call to Order, Declaration of Quorum and Introduction of Committee and Staff**

Ms. Holly Willford, Assistant Secretary Treasurer to the Committee of Adjustment, advised that she was experiencing technical difficulties with the Livestream technology. Ms. Willford contacted IT staff who investigated the issue and indicated the problem could not be resolved that same evening.

Ms. Nancy Bozzato, Secretary Treasurer to the Committee of Adjustment, indicated the meeting must be recessed and the applications will be rescheduled as soon as possible. Ms. Bozzato and Ms. Willford apologized to the Committee,

Applicants, Agents and preregistered members of the public and stated once a new hearing date is arranged staff will reach out to all stakeholders.

**Moved By** John Klassen

**Seconded By** Bernie Law

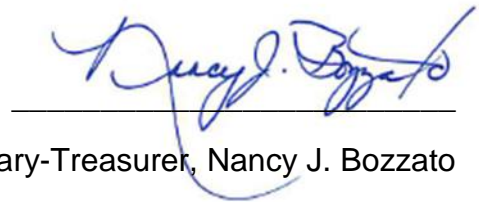
**THAT the meeting stand in recess.**

**Carried**

3. **Disclosure of Pecuniary Interest and General Nature Thereof**
4. **Requests for Withdrawal or Adjournment**
5. **Applications for Minor Variance**
  - 5.1 **A20/2020P - 1010 Canboro Road**
  - 5.2 **A21/2020P - 590 Canboro Road**
6. **Applications for Consent**
  - 6.1 **B2/2019P - 204 Canboro Road**
7. **Minutes for Approval**
8. **Adjournment**



Don Cook, Chair



Secretary-Treasurer, Nancy J. Bozzato

**Committee of Adjustment**  
**Minutes**

**Meeting #:** CofA GM 02/2020  
**Date:** Monday, August 17, 2020  
**Time:** 4:00 pm  
**Location:** Town of Pelham Municipal Office - Council Chambers  
20 Pelham Town Square, Fonthill

**Members Present** Donald Cook  
John Klassen  
Sandra Marsh  
Bernie Law

**Staff Present** Nancy Bozzato  
Holly Willford

**1. Attendance**

Members of the Committee and the Secretary and Assistant Secretary Treasurer to the Committee were in attendance.

**2. Call to Order, Declaration of Quorum and Introduction of Committee and Staff**

Noting that a quorum was present, Chair Cook called the meeting to order at approximately 4:00 pm.

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

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

**4. Election of Vice Chair Position: Period of September, 2020 to November, 2022 or until successors are appointed**

Ms. Holly Willford, Assistant Secretary Treasurer to the Committee called for nominations for the position of Vice Chair. A Member nominated Mr. John Klassen. Mr. Klassen accepted the said nomination.

**Moved By** Sandra Marsh  
**Seconded By** Bernie Law

**THAT John Klassen be appointed as Vice-Chair of Committee of Adjustment.**

**Carried**

**5. Minutes for Approval**

None.

**6. Adjournment**

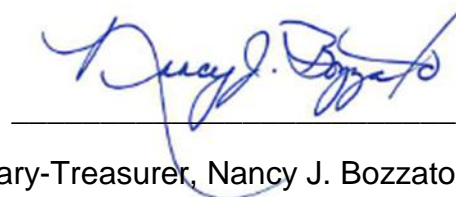
**Moved By** Bernie Law  
**Seconded By** Sandra Marsh

**BE IT RESOLVED THAT this Meeting of the Committee of Adjustment Hearing be adjourned until the next regular meeting scheduled for September 1, 2020 at 4:00 pm.**

**Carried**

A handwritten signature in blue ink, reading "Donald Cook", positioned above a horizontal line.

Don Cook, Chair

A handwritten signature in blue ink, reading "Nancy J. Bozzato", positioned above a horizontal line.

Secretary-Treasurer, Nancy J. Bozzato

**Committee of Adjustment****Minutes**

**Meeting #:** Special CofA 2/2020  
**Date:** Tuesday, February 25, 2020  
**Time:** 5:30 pm  
**Location:** Town of Pelham Municipal Office - Council Chambers  
20 Pelham Town Square, Fonthill

Members Present Donald Cook  
Bill Sheldon  
Bernie Law

Members Absent John Klassen  
Sandra Marsh

Staff Present Nancy Bozzato  
Holly Willford

Others Present Barb Wiens  
Curtis Thompson  
Derek Young

**1. Attendance**

Applicant, agent and Interested members of the public.

**2. Call to Order, Declaration of Quorum and Introduction of Committee and Staff**

Noting that a quorum was present, Chair Cook called the meeting to order at approximately 5:30 pm. The Chair read the opening remarks to inform those present on the meeting protocols and he introduced the hearing panel and members of staff present.

The Chair requested the agenda be amended to hear application B11/2019P prior to minor variance files A28/2019P and A29/2019P. The Committee Members agreed to amend the agenda.

**Moved By** Bill Sheldon  
**Seconded By** Bernie Law

**THAT the Agenda be amended to hear consent application B11/2019P prior to hearing minor variance applications A28/2019P and A29/2019P.**

**Carried**

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

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

**4. Requests for Withdrawal or Adjournment**

None.

**5. Applications for Consent**

**5.1 B11/2019P - 20 Alan Crescent**

**Purpose of Application**

Application is made for consent to partial discharge of mortgage and to convey 432.82 square metres of land (Part 1) for construction of a residential dwelling. 835.94 square metres of land (Part 2) is to be retained for continued use of the dwelling known as 20 Alan Crescent.

**Representation**

The Applicant's authorized agents were present.

**Correspondence Received**

1. Town of Pelham Planning Department, January 14, 2020 Meeting
2. Town of Pelham Planning Department, Addendum to Recommendation Report
3. Town of Pelham Public Works
4. Town of Pelham Building Department
5. Bell Canada
6. Deborah and Keith Powell - February Comments
7. Ted and Angeline Galotta - February Comments

8. Jim Marando - February Comments
  9. Tony and Yolanda Bostock - February Comments
  10. Jan Chambor - - February Comments
  11. Upper Canada Consultants Presentation - Please refer to file B11/2019P - 20 Alan Crescent from January 14, 2020 Meeting
- \*\* For Copies of All Previous Public Comments Please See January 14, 2020 Agenda\*\*

### **Applicant's Comments**

The Chair asked the applicant's authorized agent, Mr. Craig Rohe of Upper Canada Consultants, if he wished to speak on the application. In response, Mr. Rohe indicated he agrees with the additional information provided by the Town of Pelham Planning staff and agrees with the proposed conditions. Mr. Rohe indicated the applicant's lawyer, Mr. Patrick Maloney, from Sullivan Mahoney, is present and wishes to speak on the matter. Mr. Maloney stated he would like to address all three applications at once. Mr. Maloney indicated that the Committee must make a decision based on the planning merits of the applications and that only expert evidence should be heard. Mr. Maloney stated the expert evidence heard by the Committee is that of Mr. Rohe and the Town's planning staff, Ms. Wiens and Mr. Thompson. He stated he understands the concerns of the residents; however, the application is consistent with planning policy. Mr. Maloney also indicated the applicant could have applied for a higher density application however choose to apply for a single detached dwelling. Mr. Maloney asked that the Committee approve the applications. He further indicated, if the Committee feels the applicant should seek a rezoning then he asked the Committee to approve the consent and the applicant would seek a rezoning.

### **Public Comments**

The Chair opened the floor to the public and asked that only new matters and information be discussed.

Jim Marando stated everything he is hearing is aimed at policy. Mr. Marando discussed the Town of Pelham's Zoning By-Law and indicated by-laws are to protect the residents. He stated he believes the zoning by-law must not be compromised and that these applications are a direct violation of the Zoning By-law. He indicated he thinks the matter should be



before elected officials and that someone should look at limiting intensification. Mr. Marando said there is good intensification and bad intensification and urged the Committee to not render a decision and rather have the applicant request a zoning amendment.

Ted Galotta voiced concerns regarding storm water management issues within the neighbourhood. Mr. Galotta indicated he believed the application not to be minor in nature and stated this property / neighbourhood should not be compared to new subdivision developments. He stated he did not believe the application is desirable or has underutilized space; indicating that space is a backyard. Mr. Galotta stated an application may be refused if the application is considered to not be minor as it is too large or too important. Mr. Galotta further advised he has reviewed other municipalities' Official Plans and contacted the Ministry and discussed this application and the Town's intensification requirements. He further stated the neighbours would be duly affected if this application is granted. He voiced privacy concerns as well. Lastly, Mr. Galotta discussed the planning department's recommendation report for this application and compared to another application with regards to the criteria analyzed and invited planning staff to reconsider their recommendation.

The Chair indicated the Committee has the complete package submitted by Mr. Galotta. The Chair invited staff to respond. In response, Derek Young, Supervisor of Engineering discussed the Town's stormwater infrastructure and explained the improvements to be made to the system in the future. Barb Wiens, Director of Community Planning and Development indicated a number of points made by Mr. Galotta are addressed within the planning department's recommendation report. Ms. Wiens did further discuss the Town's requirement for intensification and associated policies.

Foster Zanutto indicated he has several concerns regarding this application and proposed development including: zoning by-law issues, establishing a precedent, removal of trees, drainage issues, aging infrastructure, demolishing a good home, change of character of the neighbourhood, etc. Mr. Zanutto indicated he has written a letter to the editor in the local paper and received several comments from people outside the subject neighbourhood in support of him. Mr. Zanutto questioned what the application is really about and if this is about the tax base. He asked the Committee to support him and the public.

Robert Jansen indicated he understands zoning is not by fixed physical boundaries and stated you will not find properties not in compliance with the zoning by-law. In response, Curtis Thompson, Town Planner indicated the zoning-law does zone properties by physical zoning boundaries. In addition, the Chair and Ms. Wiens explained there are properties within the Town, which do not comply with the zoning, which is the purpose for the minor variance application. In addition, Mr. Jansen indicated he did not believe the planning report made fair assessments. In response, Ms. Wiens indicated the assessment is outlined in the report for the Committee's perusal.

Mr. Jansen also indicated he has concerns regarding his pool and the requirement of intensification. In response, Mr. Jansen was advised his concerns with his pool would be taken care of at building permit stage, if the proposal is approved. The Chair explained the Town's Official Plan and intensification areas outline within the said plan. Ms. Wiens further spoke on the requirement for intensification and related policies.

Mr. Jansen stated he was concerned that there is no guarantee the applicant would not build a two-story home instead of a bungalow if approved. He again referenced privacy concerns. In response, Mr. Rohe, agent for the applicant, indicated it is his applicant's intention to build a one-story home. Mr. Rohe further indicated any elevation plans would be approved by the Town. Furthermore, Ms. Wiens indicated the Town would approve the elevation plans prior to building permit and would review the plans with privacy in mind.

### **Members Comments**

A Member asked the Secretary-Treasurer of the Committee of Adjustment, Nancy Bozzato, if he may ask the applicant's solicitor for legal advice as the lawyer has provided unsolicited legal advice at the meeting. In response, Ms. Bozzato indicated the solicitor present is the applicant's lawyer and he provided advice solicited by his client. She stressed the solicitor is present on behalf of his client and not the Town. Mr. Maloney, the applicant's solicitor, asked for clarification on the legal advice sought. He further indicated he has given his client legal advice, which is confidential and privileged, and stated he is not the Town's solicitor and does not act on behalf of the Town. In response, the Member asked if it is the solicitor's opinion that the Committee could grant the consent application conditional on a rezoning. Mr. Maloney indicated that is his opinion, and he has seen it before. In response, Mr. Sheldon

made a motion to approve the consent conditional upon the rezoning of the subject land. The motion did not receive a seconder.

A Member discussed the definition of intensification being vacant and underutilized lots within previous developed areas. The member stated it is his opinion the subject lot is not vacant and/or underutilized. The member stated he agrees with a previous comment made that this application is building a house in a backyard. Furthermore, the Member stated he is of the opinion if this definition is used these types of neighborhoods would be in trouble throughout the Town. The Member indicated he has concerns with infill and cumulative negative effects, such as storm water. The Member further discussed the Town's Official Plan Policy A2.2.3 – Urban Character. He stated he was concerned with this policy and respecting the character and the stability of the neighbourhood. The Member also stated he is concerned there is no Secondary Plan in the area and the ability to integrate developments into the established area. Furthermore, the Member stated he is concerned about the social fabric of the neighbourhood and the disruption this proposal would have.

The Member stated the planning report indicated the minor variance are minor in nature as there are no adverse impacts, however the member stated he disagrees from a social community fabric, stability and a character point of view. He stated the desirability or use of the land disagrees with the planning report. The Member indicated with regard to the minor variances maintaining the intent of the zoning by-law and indicated he believes the average frontage in the neighbourhood would be 100 feet or more. The Member stated this application does not maintain the general intent of the zoning by-law in his opinion. The Member stated there are pages of reasons to not approve the minor variance applications. The Member indicated in his opinion this application is better suited as a subject of rezoning that involves the political decision makers of the Town. The Member then recapped his opinion by indicating he believes the minor variance requests are not minor in nature, do not meet the general intent and purpose of the zoning by-law, is not desirable for the lands and there are many real and potential impacts to the social fabric of the community, including the stability and character of the community. The Member stated based on his comments would like to turn down the applications.

A Member indicated he has made two site visits to the property and is concerned with rainwater, snow and leaves. The Member said his

interpretation of the minor variances are that they are not minor but major. The Member indicated he would not support the applications.

A Member indicated in his opinion the planning department's report is like a checklist. He stated the Committee must consider section 51(24) of the Planning Act. He stated he disagrees with the planning report with regards to section 51(24)(c) and referenced the Town's Official Plan Policy A2.3 Urban Character. The Member indicated the application does not satisfy the goal of the official plan with regard to the character and stability of the neighbourhood and the scale and density of the neighbourhood. The Member stated he further disagrees with the planning report regarding Section 51(24)(d) as legalizing the proposed lot requires several minor variances (or zoning amendments) which individually may be considered minor, however holistically are major and together completely alter the current requirements under the R-1 Zone of the current Zoning By-Law. Moreover, the Member stated he disagrees with Section 51(24) (f) as the dimensions of the proposed severance do not keep with the existing and well-established residential neighbourhood. Finally, the Member stated he disagreed with Section 51(24) (g) as the proposed new and remnant lots require several minor variances (zoning amendments) such that the impact on the existing neighbourhood is not warranted and should not be allowed.

The Chair asked the applicant's authorized agent if he wished to speak further on the application prior to a decision being rendered. Mr. Rohe indicated he had no further comments. Mr. Maloney indicated he also had no further comments. The Chair asked the Town staff if they wished to provide further comment. Ms. Wiens indicated she has no further comments. The Chair asked the public if anyone wished to speak. In response, Mr. Zanutto asked various questions regarding the potential appeal process. In response, Ms. Bozzato provided information regarding LPAT and the appeal process.

**Moved By** Bernie Law

**Seconded By** Bill Sheldon

**Application is made for consent to partial discharge of mortgage and to convey 432.82 square metres of land (Part 1) for construction of a residential dwelling. 835.94 square metres of land (Part 2) is to be retained for continued use of the dwelling known as 20 Alan Crescent, is hereby: REFUSED**

**This decision is based on the following reasons:**

**It is the opinion of the Committee of Adjustment that:**

- 1. The application does not conform to the policies of the Town of Pelham Official Plan, Regional Policy Plan and Provincial Policy Statement, and fails to comply with the Town's Zoning By-law, more specifically with respect to:**
  - 1. Official Plan A2.3 Urban Character as the application does not satisfy the goal of the official plan with regard to the character and stability of the neighbourhood and the scale and density of the neighbourhood.**
- 2. This Decision is rendered having regard to the provisions of Sections 51(24) and 51(25) of the Planning Act, R.S.O., as amended, and the Committee finds that the application does not satisfy the following Sections of the Planning Act:**
  - 1. Section 51(24) (c) as the proposal does not conform to Section A2.3 Urban Character of the Town's Official Plan;**
  - 2. Section 51(24) (d) as legalizing the proposed lot requires several minor variances (or zoning amendments) which individually may be considered minor, however holistically are major and together completely alter the current requirements under the R-1 Zone of the current Zoning By-Law;**
  - 3. Section 51(24) (f) as the dimensions of the proposed severance do not keep with the existing and well-established residential neighbourhood; and**
  - 4. Section 51 (24) (g) as the proposed new and remnant lots require several minor variances (zoning amendments) such that the impact on the existing neighbourhood is not warranted and should not be allowed.**
- 3. The Committee of Adjustment considered all written and oral submissions and finds that, this application does not meet the Planning Act criteria, and is not consistent with the Town Official Plan.**

**Carried**

## **6. Applications for Minor Variance**

### **6.1 A28/2019P - 20 Alan Crescent (Part 1)**

Please see file B11/2019P minutes for more details.

Member Sheldon brought forward a motion that the minor variance applications A28/2019P and A29/2019P be reused based on the reasons the minor variance is not minor in nature, does not meet the intend of the existing zoning by-law and is not desirable for the development or use of the land.

**Moved By** Bill Sheldon

**Seconded By** Bernie Law

**Application for relief of Section 13.2 (a) “Minimum Lot Area” to permit a lot area of 432 m<sup>2</sup>, whereas 700 m<sup>2</sup> is required, is hereby: REFUSED.**

**The above decision is based on the following reasons:**

**For specific reasons as stated at the hearing, it is the opinion of the Committee of Adjustment that:**

- 1. The variance is not minor in nature.**
- 2. The general purpose and intent of the Zoning By-Law is not maintained.**
- 3. The proposal is not desirable for the appropriate development and/or use of the land.**
- 4. This application is refused without prejudice to any other application in the Town of Pelham.**
- 5. The Committee of Adjustment considered the written and oral comments and finds that this application does not meet the required Planning Act criteria, and is not consistent with the Town Official Plan.**

**Application for relief of Section 13.2 (b) “Minimum Lot Frontage” to permit a lot frontage of 14.2 m, whereas 19 m is required, is hereby: REFUSED.**

**The above decision is based on the following reasons:**

**For specific reasons as stated at the hearing, it is the opinion of the Committee of Adjustment that:**

- 1. The variance is not minor in nature.**
- 2. The general purpose and intent of the Zoning By-Law is not maintained.**
- 3. The proposal is not desirable for the appropriate development and/or use of the land.**
- 4. This application is refused without prejudice to any other application in the Town of Pelham.**
- 5. The Committee of Adjustment considered the written and oral comments and finds that this application does not meet the required Planning Act criteria, and is not consistent with the Town Official Plan.**

**Application for relief of Section 13.2 (c) “Maximum Lot Coverage” to permit a lot frontage of 45 %, whereas 30 % is required, is hereby: REFUSED.**

**The above decision is based on the following reasons:**

**For specific reasons as stated at the hearing, it is the opinion of the Committee of Adjustment that:**

- 1. The variance is not minor in nature.**
- 2. The general purpose and intent of the Zoning By-Law is not maintained.**
- 3. The proposal is not desirable for the appropriate development and/or use of the land.**
- 4. This application is refused without prejudice to any other application in the Town of Pelham.**
- 5. The Committee of Adjustment considered the written and oral comments and finds that this application does not meet the required Planning Act criteria, and is not consistent with the Town Official Plan.**

**Application for relief of Section 13.2 (d) “Minimum Front Yard” to permit a front yard of 5m, whereas 7.7m is required, is hereby: REFUSED.**

**The above decision is based on the following reasons:**

**For specific reasons as stated at the hearing, it is the opinion of the Committee of Adjustment that:**

- 1. The variance is not minor in nature.**
- 2. The general purpose and intent of the Zoning By-Law is not maintained.**
- 3. The proposal is not desirable for the appropriate development and/or use of the land.**
- 4. This application is refused without prejudice to any other application in the Town of Pelham.**
- 5. The Committee of Adjustment considered the written and oral comments and finds that this application does not meet the required Planning Act criteria, and is not consistent with the Town Official Plan.**

**Application for relief of Section 13.2 (e) “Minimum Interior Side Yard” to permit an interior side yard of 1.2m, whereas 1.8m is required is, is hereby: REFUSED.**

**The above decision is based on the following reasons:**

**For specific reasons as stated at the hearing, it is the opinion of the Committee of Adjustment that:**

- 1. The variance is not minor in nature.**
- 2. The general purpose and intent of the Zoning By-Law is not maintained.**
- 3. The proposal is not desirable for the appropriate development and/or use of the land.**
- 4. This application is refused without prejudice to any other application in the Town of Pelham.**



5. **The Committee of Adjustment considered the written and oral comments and finds that this application does not meet the required Planning Act criteria, and is not consistent with the Town Official Plan.**

**Carried**

## **6.2 A29/2019P - 20 Alan Crescent (Part 2)**

Please see file B11/2019P minutes for more details.

Member Sheldon brought forward a motion that the minor variance applications A28/2019P and A29/2019P be reused based on the reasons the minor variance is not minor in nature, does not meet the intent of the existing zoning by-law and is not desirable for the development or use of the land.

**Moved By** Bill Sheldon

**Seconded By** Bernie Law

**Application for relief of Section 13.2 (d) “Minimum Front Yard” to permit a front yard of 6.19m, whereas 7.7m is required, is hereby: REFUSED.**

**The above decision is based on the following reasons:**

**For specific reasons as stated at the hearing, it is the opinion of the Committee of Adjustment that:**

1. **The variance is not minor in nature.**
2. **The general purpose and intent of the Zoning By-Law is not maintained.**
3. **The proposal is not desirable for the appropriate development and/or use of the land.**
4. **This application is refused without prejudice to any other application in the Town of Pelham.**
5. **The Committee of Adjustment considered the written and oral comments and finds that this application does not meet the required Planning Act criteria, and is not consistent with the Town Official Plan.**

**Application for relief of Section 13.2 (e) “Minimum Interior Side Yard” to permit an interior side yard of 1.2m, whereas 1.8m is required, is hereby: REFUSED.**

**The above decision is based on the following reasons:**

**For specific reasons as stated at the hearing, it is the opinion of the Committee of Adjustment that:**

- 1. The variance is not minor in nature.**
- 2. The general purpose and intent of the Zoning By-Law is not maintained.**
- 3. The proposal is not desirable for the appropriate development and/or use of the land.**
- 4. This application is refused without prejudice to any other application in the Town of Pelham.**
- 5. The Committee of Adjustment considered the written and oral comments and finds that this application does not meet the required Planning Act criteria, and is not consistent with the Town Official Plan.**

**Application for relief of Section 13.2 (g) “Minimum Rear Yard” to permit a rear yard of 6.48m, whereas 7.5m is required, is hereby: REFUSED.**

**The above decision is based on the following reasons:**

**For specific reasons as stated at the hearing, it is the opinion of the Committee of Adjustment that:**

- 1. The variance is not minor in nature.**
- 2. The general purpose and intent of the Zoning By-Law is not maintained.**
- 3. The proposal is not desirable for the appropriate development and/or use of the land.**
- 4. This application is refused without prejudice to any other application in the Town of Pelham.**

5. The Committee of Adjustment considered the written and oral comments and finds that this application does not meet the required Planning Act criteria, and is not consistent with the Town Official Plan.

**Carried**

**7. Minutes for Approval**

None.

**8. Adjournment**

**Moved By** Bill Sheldon

**Seconded By** Bernie Law

**BE IT RESOLVED THAT** this Meeting of the Committee of Adjustment Hearing be adjourned until the next regular meeting scheduled for March 3, 2020 at 4:00 pm.

**Carried**



Don Cook, Chair



Secretary-Treasurer, Nancy J. Bozzato

**Committee of Adjustment**  
**Minutes**

**Meeting #:** CofA 3/2020  
**Date:** Tuesday, March 3, 2020  
**Time:** 4:00 pm  
**Location:** Town of Pelham Municipal Office - Council Chambers  
20 Pelham Town Square, Fonthill

Members Present      Donald Cook  
                                 Bill Sheldon  
                                 Bernie Law

Members Absent      John Klassen  
                                 Sandra Marsh

Staff Present          Nancy Bozzato  
                                 Holly Willford

Others Present        Barb Wiens  
                                 Curtis Thompson  
                                 Derek Young

**1. Attendance**

Applicants, Agents and Interested Parties

**2. Call to Order, Declaration of Quorum and Introduction of Committee and Staff**

Noting that a quorum was present, Chair Cook called the meeting to order at approximately 4:00 pm. The Chair read the opening remarks to inform those present on the meeting protocols and he introduced the hearing panel and members of staff present.

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

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

#### **4. Requests for Withdrawal or Adjournment**

None.

#### **5. Applications for Minor Variance**

##### **5.1 A8/2020P - 415 Canboro Road**

##### **Purpose of Application**

Application for relief, pursuant to Section 6.1 (c) "Maximum Height" to a permit an accessory building height of 4.9m whereas the by-law permits 3.7m and Section 7.7 (d) "Maximum (Accessory) Building Height" to permit a maximum (accessory) building height of 4.22m whereas the by-law permits 3.7m.

##### **Representation**

The Applicant was present.

##### **Correspondence Received**

1. Town of Pelham Planning Department
2. Town of Pelham Public Works
3. Town of Pelham Building Department
4. Niagara Region

##### **Applicant's Comments**

The Applicant made no comments.

##### **Public Comments**

There were no verbal comments received from the public.

##### **Members Comments**

A Member asked why there were no condition regarding sanitary connections. In response, Nancy Bozzato, Secretary-Treasurer of the Committee of Adjustment indicated the Region was circulated and the stated the Region did not offer any objections and did not request any conditions; therefore, the Region must have been satisfied.

Another Member asked the applicant if he was planning to run any water services into the garage. In response, the applicant indicated he was not.

**Moved By Bill Sheldon**  
**Seconded By Bernie Law**

**Application for relief, pursuant to Section 7.7 (a) “Maximum (Accessory) Lot Coverage” to permit a maximum (accessory) lot coverage of 2% whereas the by-law permits 1%, is hereby: GRANTED.**

**The above decision is based on the following reasons:**

- 1. The variance is minor in nature overall as adequate land area remains available to handle storm water runoff, the septic system and preserve a rear yard amenity area.**
- 2. The general purpose and intent of the Zoning By-Law is maintained.**
- 3. The intent of the Official Plan is maintained.**
- 4. The proposal is desirable for the appropriate development and/or use of the land because it will allow for enhanced use of the property.**
- 5. This application is granted without prejudice to any other application in the Town of Pelham.**
- 6. No objections were received from commenting agencies or abutting property owners.**
- 7. The Committee of Adjustment considered the written and oral comments and agrees with the minor variance report analysis and recommendation that this application meets the Planning Act tests for minor variance.**

**The above decision is subject to the following conditions:**

**None**

**Application for relief, pursuant to Section 7.7 (d) “*Maximum (Accessory) Building Height*” to permit a maximum (accessory) building height of 4.22m whereas the by-law permits 3.7m is required, is hereby: GRANTED.**

**The above decision is based on the following reasons:**

- 1. The variance is minor in nature given the rural context.**

2. **The general purpose and intent of the Zoning By-Law is maintained.**
3. **The intent of the Official Plan is maintained.**
4. **The proposal is desirable for the appropriate development and/or use of the land as it allows for enhanced storage and use of the facility.**
5. **This application is granted without prejudice to any other application in the Town of Pelham.**
6. **No objections were received from commenting agencies or abutting property owners.**
7. **The Committee of Adjustment considered the written and oral comments and agrees with the minor variance report analysis and recommendation that this application meets the Planning Act tests for minor variance.**

**The above decision is subject to the following conditions:**

**None**

**Carried**

## **5.2 A10/2020P - 66-72 Summersides Blvd.**

### **Purpose of Application**

Application for relief, pursuant to By-law No. 4041 (2018) Section 2. RM1-287 Section 6. General Provisions (c) "Garage - setbacks" to remove the shared masonry wall requirement in favour of an approved Ontario Building Code detail and By-law No. 4041 (2018) Section 2. RM1-287 Section 6. General Provisions (c) "Garage – setbacks" seeking a minimum interior side yard setback of 1.5 m on the other side, whereas 2.4 m is required and pursuant to Section 6.1 (d) "Maximum (accessory) Lot Coverage" seeking 13 % for 68 and 70 Summersides Boulevard, whereas 10 % is required.

### **Representation**

The Applicant's authorized agent was present.

### **Correspondence Received**

1. Town of Pelham Planning Department

2. Town of Pelham Public Works
3. Town of Pelham Building Department

### **Applicant's Comments**

The Agent provided an overview presentation of the application, a copy of the said presentation is on file with the Clerk.

The Applicant indicated he has been working with Derek Young, Supervisor of Engineering to resolve the Town's unsupportive comments regarding the minimum interior side yard setback. Through discussion with Town staff, the authorized Agent indicated he wishes to amend the request of interior side yard setback from 3m to 1.5m, which would therefore be satisfactory to Town staff. Mr. Young indicated the Town would be supportive of such amendment.

### **Public Comments**

There were no verbal comments received from the public.

### **Members Comments**

The Members listened to the discussion between the agent and Mr. Young regarding the proposed interior side yard setback. The Member's agreed with the Agent proposing to revise their application request to permit a 1.5m interior side yard setback, which would be supported by Town Staff.

**Moved By** Bill Sheldon

**Seconded By** Bernie Law

**Application for relief, By-law No. 4041 (2018) Section 2. RM1-287 Section 6. General Provisions (c) "Garage - setbacks" to remove the shared masonry wall requirement in favour of an approved Ontario Building Code detail, is hereby: GRANTED.**

**The above decision is based on the following reasons:**

- 1. The variance is minor in nature overall as the Ontario Building Code (OBC) best regulates these matters.**
- 2. The general purpose and intent of the Zoning By-Law is maintained.**
- 3. The intent of the Official Plan is maintained.**



4. The proposal is desirable for the appropriate development and/or use of the land as it will allow more construction design flexibility for the builder / market.
5. This application is granted without prejudice to any other application in the Town of Pelham.
6. No objections were received from commenting agencies or abutting property owners.
7. The Committee of Adjustment considered the written and oral comments and agrees with the minor variance report analysis and recommendation that this application meets the Planning Act tests for minor variance.

The above decision is subject to the following conditions:

To the satisfaction of the Chief Building Official:

1. Mutual garages must have an alternative firewall, as per the Ontario Building Code (OBC); and
2. Individual building permits are required for each townhouse unit and detached garage prior to construction commencing

Application for relief, By-law No. 4041 (2018) Section 2. RM1-287 Section 6. General Provisions (c) "Garage – setbacks" seeking a minimum interior side yard setback of 1.5 m on the other side, whereas 2.4 m is required, is hereby: GRANTED.

The above decision is based on the following reasons:

1. The variance is minor in nature.
2. The general purpose and intent of the Zoning By-Law is maintained.
3. The intent of the Official Plan is maintained.
4. The proposal is desirable for the appropriate development and/or use as flooding is unlikely.
5. This application is granted without prejudice to any other application in the Town of Pelham.

6. **The Committee of Adjustment considered the written and oral comments and does not agree with the minor variance report analysis and recommendation that this application does not meet the Planning Act tests for minor variance.**

**The above decision is subject to the following conditions:**

**To the satisfaction of the Chief Building Official:**

1. **Mutual garages must have an alternative firewall, as per the Ontario Building Code (OBC); and**
2. **Individual building permits are required for each townhouse unit and detached garage prior to construction commencing**

**Application for relief, pursuant to Section 6.1 (d) “Maximum (accessory) Lot Coverage” seeking 13 % for 68 and 70 Summersides Boulevard, whereas 10 % is required is, is hereby: GRANTED.**

**The above decision is based on the following reasons:**

1. **The variance is minor in nature overall as adequate land area remains available for rear yard amenity space and adequate landscaped open space for stormwater management purposed.**
2. **The general purpose and intent of the Zoning By-Law is maintained.**
3. **The intent of the Official Plan is maintained.**
4. **The proposal is desirable for the appropriate development and/or use of the land as it will allow the construction of double car garages for each townhouse unit without eliminating the desirable rear yard amenity spaces.**
5. **This application is granted without prejudice to any other application in the Town of Pelham.**
6. **No objections were received from commenting agencies or abutting property owners.**
7. **The Committee of Adjustment considered the written and oral comments and agrees with the minor variance report analysis and recommendation that this application meets the Planning Act tests for minor variance.**

**The above decision is subject to the following conditions:**

**To the satisfaction of the Chief Building Official:**

- 1. Mutual garages must have an alternative firewall, as per the Ontario Building Code (OBC); and**
- 2. Individual building permits are required for each townhouse unit and detached garage prior to construction commencing**

**Carried**

## **6. Applications for Consent**

### **6.1 B6/2019P - 1295 Pelham Street**

#### **Purpose of Application**

Application is made for consent to convey an easement in perpetuity of land (Part 3) for an existing sanitary sewer lateral connection in favour of Part 2 on the attached sketch and consent to convey 1,479.8 square metres of land (Part 2). Parts 1 and 3 are to be retained for residential use

#### **Representation**

The applicants authorized Agent was present.

#### **Correspondence Received**

1. Town of Pelham Planning Department
2. Town of Pelham Public Works
3. Town of Pelham Building Department
4. Bell Canada

#### **Applicant's Comments**

The applicant's Agent indicated he and his client have overall support for the Planning Departments recommendation report however have concerns regarding the condition to conduct an archeological assessment and to remove the wall attached to the existing dwelling that encroaches upon Parts 1 & 3. The Agent requested that these conditions be removed. The agent indicated the archeological assessment would be a

major financial burden on the applicant and stated the requirement was not identified at pre-consultation. The Agent further requested the wall only be removed where the wall encroaches.

A Member asked Curtis Thompson, Town Planner to speak on the request to remove the conditions regarding the archeological assessment and removal of the wall. Mr. Thompson indicated the requirement of an archeological assessment was identified during the 2017 pre-consultation meeting. Mr. Thompson further indicated the condition is that the wall be removed on the parts which are encroaching, therefore no change is required.

A Member asked if the requirement of an archeological assessment is a standard condition. In response, Mr. Thompson indicated it is becoming more standard for the Town and Region. Mr. Thompson further discussed the Town's Heritage Master Plan. Mr. Thompson further indicated this requirement is normally only waived when the proposed development is within an existing development footprint; unlike this application. Barb Wiens, Director of Community Development and Planning explained the process and difference between a Phase I and Phase II archeological assessment. Ms. Wiens also expanding on the ability to hire an archeologist to supervise the excavations as an option.

A Member stated he would not be in favour of waving the requirement for the archeological assessment.

A Member stated this application is a good application for land infill.

### **Public Comments**

There were no verbal comments received from the public.

### **Members Comments**

Member's questions were previously answered.

**Moved By** Bernie Law

**Seconded By** Bill Sheldon

**Application is made for consent to convey an easement in perpetuity of land (Part 3) for an existing sanitary sewer lateral connection in favour of Part 2 on the attached sketch and consent to convey 1,479.8 square metres of land (Part 2). Parts 1 and 3 are to be retained for residential use, is hereby: GRANTED**

**The above decision is based on the following reasons:**

1. **The application conforms to the policies of the Town of Pelham Official Plan, Regional Policy Plan and Provincial Policy Statement, and complies with the Town's Zoning By-law.**
2. **This Decision is rendered having regard to the provisions of Sections 51(24) and 51(25) of the Planning Act, R.S.O., as amended.**
3. **The Committee of Adjustment considered all written and oral submissions and finds that, subject to the conditions of provisional consent, this application meets Planning Act criteria, is consistent with the Provincial Policy Statement and complies with the Growth Plan, the Niagara Region Official Plan and the Town Official Plan.**

**The above decision is subject to the following conditions:**

**To the Satisfaction of the Director of Public Works**

1. **Submit a comprehensive overall Lot Grading & Drainage Plan for all parcels demonstrating that the drainage neither relies upon, nor negatively impacts neighbouring properties, to the satisfaction of the Director of Public Works.**
2. **Ensure Part 1 is serviced at Pelham Street with an individual 20 mm Ø water service and 125 mm Ø sanitary sewer lateral in accordance with Town standards. Installation of any service will require a Temporary Works Permit(s) to be obtained and approved by the Public Works Department. If existing services are proposed for reconnection, such services shall be inspected by the Public Works Department to determine their condition is satisfactory prior to connection. The applicant shall bear all costs associated with these works.**
3. **Ensure that the remnant land (Part 2) continue to be adequately serviced to the satisfaction of the Public Works Department.**
4. **Submit locate cards for both lots, confirming no existing water or sanitary services branch from or through the proposed lots, save for the existing sanitary lateral on Part 3. Locate cards shall be required after the installation of new services.**
5. **Obtain approval for a Driveway Entrance & Culvert Permit for the new lot issued through the Public Works Department, to Town**

**standards. The applicant shall bear all costs associated with these works.**

**To the Satisfaction of the Director of Community Planning & Development**

- 1. Conduct an archaeological assessment and receive clearance from the Ministry of Tourism, Culture, and Sport.**
- 2. Remove the wall attached to the existing dwelling that encroaches upon Parts 1 & 3, to the satisfaction of the Director of Community Planning & Development.**
- 3. Sign the Town of Pelham's standard "Memorandum of Understanding" explaining that development charges and cash-in-lieu of the dedication of land for park purposes are required prior to the issuance of a Building Permit.**

**To the Satisfaction of the Secretary-Treasurer**

- 1. That the Secretary-Treasurer be provided with a registrable legal description of the subject parcel, together with a copy of the deposited reference plan, if applicable, for use in the issuance of the Certificate of Consent.**
- 2. That the final certification fee of \$395, payable to the Treasurer, Town of Pelham, be submitted to the Secretary-Treasurer. All costs associated with fulfilling conditions of consent shall be borne by the applicant.**

**Carried**

**6.2 B3/2020P - 31 Emmett Street**

**Purpose of Application**

Application is made for consent to convey 75.25 square metres of land (Part 3), to be added to the abutting property to the east (Part 2), for residential use. The application for boundary adjustment is intended to allow for the construction of a residential dwelling on Parts 2 and 3 and the removal and reconstruction of a residential dwelling on Part 1. Part 1 is to be retained for continued residential use known municipally as 31 Emmett Street.

## **Representation**

The Applicant was present.

## **Correspondence Received**

1. Town of Pelham Planning Department
2. Town of Pelham Public Works
3. Town of Pelham Building Department
4. Mike and Carol Jones Comments

## **Applicant's Comments**

The applicant indicated he is in agreement with the staff report and suggested conditions. In addition, the applicant further explained the application was a way to equalize the lot frontages. In addition, the applicant briefly indicated his history on Emmett Street and his experience in development.

## **Public Comments**

Mike Jones provided the Committee Members each a copy of his email to the Town and the response received from Jason Marr, the Director of Public Works. Mr. Jones indicated he is concerned about drainage and rainwater. Mr. Jones further discussed the response to his correspondence by Mr. Marr. In response, Derek Young, Supervisor of Engineering indicated Public Work's will be reconstructing the stormwater outlet system in the area. The Chair indicated the Town is aware of drainage issues and is working to correct them. Furthermore, the Chair advised issues such as these are Council issues. A Member asked that the condition regarding drainage plan include "including the side yards of adjoining properties".

Cari Pupo indicated she is not opposed to two homes being built, however is objecting to how this has been handled by the Town. She indicated the construction workers for the applicant put dirt and other debris within her ditch. She further stated she suffered \$40,000 in damage from her basement being flooded. Ms. Pupo indicated the required works being referenced by the Town was deferred from 2013. In response, the Applicant indicated when he heard dirt was on the road he ensured it was cleaned right away.

Cheryl MacDavid indicated she has concerns with regard to drainage. She stated she had a flood in her home as her sub pump failed from over use. She has now replaced with a triple safe system. Ms. MacDavid indicated she also has concerns with regards to the propose improvements Ms. Young discussed. She indicated she registered to speak to Council in 2013 when the improvements were originally to take place. She stated she was advised by staff the improvements were to take place and she did not speak. In response, Mr. Young provided further explanation on the budgeting and the proposed improvements. The Chair indicated these issues are beyond the Committee's control and are Council issues.

Mr. Jones asked if the subject lands are two lots. Ms. Pupo further had questions regarding the ability of the applicant to build two homes. In response, the Chair indicated the property is already two lots; therefore, the applicant may proceed to build two homes on the lands. The applicant however, is applying for a boundary adjustment in an effort to provide both lots equal frontage. The Chair and Town staff stressed the applicant may apply for building permits tomorrow and build two homes if the homes comply with the zoning by-law.

Jackie Laughton indicated she is concerned about water and drainage. She stated the backyard behind her is constantly underwater and stated this is a large problem at the Town.

Ms. Bozzato reassured the neighbors all comments received are recorded and the minutes of the meeting are forwarded to Council. Ms. Bozzato stated the application before the Committee is to deal with the lot frontages. The applicant stated he agrees with Ms. Bozzato and the application is focused on potentially moving five feet from one property to the other.

### **Members Comments**

A Member reiterated this application is a boundary adjustment and that there are already two lots currently. In response, Curtis Thompson, Town Planner indicated that is correct. The Town has conducted a title search and received confirmation for the Town's solicitor and the applicant's solicitor that these are two lots.

The Members discussed potential drainage issues in the Town and in regards to this application. The Members further discussed the



requirements of the drainage plan as a condition to the granting of the application.

**Moved By** Bernie Law

**Seconded By** Bill Sheldon

**Application is made for consent to convey 75.25 square metres of land (Part 3), to be added to the abutting property to the east (Part 2), for residential use. The application for boundary adjustment is intended to allow for the construction of a residential dwelling on Parts 2 and 3 and the removal and reconstruction of a residential dwelling on Part 1. Part 1 is to be retained for continued residential use known municipally as 31 Emmett Street, is hereby: GRANTED**

**The above decision is based on the following reasons:**

- 1. The application conforms to the policies of the Town of Pelham Official Plan, Regional Policy Plan and Provincial Policy Statement, and complies with the Town's Zoning By-law.**
- 2. This Decision is rendered having regard to the provisions of Sections 51(24) and 51(25) of the Planning Act, R.S.O., as amended.**
- 3. The Committee of Adjustment considered all written and oral submissions and finds that, subject to the conditions of provisional consent, this application meets Planning Act criteria, is consistent with the Provincial Policy Statement and complies with the Growth Plan, the Niagara Region Official Plan and the Town Official Plan.**

**The above decision is subject to the following conditions:**

**The above decision is subject to the following conditions:**

**To the Satisfaction of the Director of Public Works**

- 1. Submit a comprehensive overall Lot Grading & Drainage Plan for all parcels, including the side yards of adjoining properties, demonstrating that the drainage neither relies upon, nor negatively impacts neighbouring properties, to the satisfaction of the Director of Public Works.**
- 2. Ensure each lot is serviced with an individual 20 mm Ø water service and 125 mm Ø sanitary sewer lateral in accordance with Town specifications. Installation of any missing service(s) will**

require a Temporary Works Permit(s) to be obtained and approved by the Public Works Department. If existing services are proposed for reconnection, such services shall be inspected by the Public Works Department to determine their condition is satisfactory prior to connection. The applicant shall bear all costs associated with these works.

3. Submit a drawing indicating the location of the individual water services and sanitary laterals for all lots to confirm no existing service branches from, or through any proposed lot lines to other lands, and from or through the remnant parcel to other lands. Locate cards for all lots shall be required after the installation of new services.
4. Obtain approval for a Driveway Entrance & Culvert Permit for each lot lacking street access or requiring modification, issued through the Public Works Department, to Town standards. The applicant shall bear all costs associated with these works.

**To the Satisfaction of the Director of Community Planning & Development**

1. Sign the Town of Pelham's standard "Memorandum of Understanding" explaining that development charges and cash-in-lieu of the dedication of land for park purposes are required for one lot, or both lots if no dwelling is rebuilt within 5 years from the issuance of the original demolition permit, prior to the issuance of a Building Permit.

**To the Satisfaction of the Secretary-Treasurer**

1. Pursuant to Section 50(12) of the Planning Act, R.S.O. 1990, as amended, it is hereby stipulated that Section 50(3) or 50(5) shall apply to any subsequent conveyance of, or other transaction involving, the identical subject parcel of land. Therefore, once the subject parcel of land has been conveyed to the owner of the parcel abutting to the east, the subject parcel and the said abutting parcel shall merge in title and become one contiguous parcel of land. A solicitor's written undertaking shall be provided to the Secretary-Treasurer indicating that the necessary steps to implement the conveyance will be taken, together with the registrable legal descriptions of the subject parcel and the consolidated parcel.

2. That the Secretary-Treasurer be provided with a registrable legal description of the subject parcel, together with a copy of the deposited reference plan, if applicable, for use in the issuance of the Certificate of Consent.
3. That the final certification fee of \$395, payable to the Treasurer, Town of Pelham, be submitted to the Secretary-Treasurer. All costs associated with fulfilling conditions of consent shall be borne by the applicant.

**Carried**

**7. Minutes for Approval**

**Moved By** Bernie Law

**Seconded By** Bill Sheldon

**That the minutes of the November 5, 2020, Committee of Adjustment Hearing be approved.**

**Carried**

**8. Adjournment**

**Moved By** Bernie Law

**Seconded By** Bill Sheldon

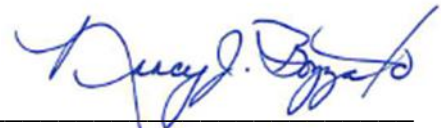
**BE IT RESOLVED THAT this Meeting of the Committee of Adjustment Hearing be adjourned until the next regular meeting scheduled for April 7, 2020 at 4:00 pm.**

**Carried**



---

Don Cook, Chair



---

Secretary-Treasurer, Nancy J. Bozzato



## PELHAM FINANCE AND AUDIT COMMITTEE MINUTES

Meeting #: PFAC-04/2020  
Date: Wednesday, September 9, 2020  
Location: Zoom Meeting

---

Members Present: John Wink, Chair  
Ron Kore  
Marianne Stewart  
Bill Crumm  
Michael Cottenden

Members Regrets:

Staff Present: Teresa Quinlin  
Charlotte Tunikaitis  
David Cribbs (joined at 4:45pm)

Other: None

---

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

Noting that a quorum was present, the Chair Wink called the meeting to order at approximately 4:00 p.m.

### 2. Approval of Agenda

Moved By Ron Kore  
Seconded By Bill Crumm

THAT the agenda for the September 9, 2020 regular meeting of the Pelham Finance and Audit Committee be adopted, as circulated.

**Carried**

**3. Declaration of Pecuniary Interest and General Nature**

None.

**4. Approval of Minutes**

---

July 9, 2020

**Moved By** Michael Cottenden

**Seconded By** Ron Kore

**THAT the minutes of the July 9<sup>th</sup>, 2020 minutes of the Pelham Finance and Audit Committee be approved.**

**Carried**

**5. Business Arising from Minutes**

None.

**6. New Business**

None.

**7. Audit**

None.

**8. Operating Financial Report to July 31, 2020**

Ms. Quinlin reviewed the financial report that would be presented to Council in September. The report highlights that the Town has unbudgeted expenditures of \$255,000 that have been approved by Council. In the next report there will be an additional approximate \$260,000 in costs related to appeals from cannabis companies. About 30% will be incurred in 2020 and 70% in 2021, which will be included in the 2021 operating budget. This is an item that is impacting the budget in addition to Covid-19.



A member asked about the investment income of 657% of budget, compared to the note which says that interest rates are lower than the prior year. Ms. Quinlin indicated that the interest is pooled and will be allocated out to the reserves at the end of the year, so there will be a lower allocation to the reserves due to lower interest rates.

The chair asked about planning fees which appear above budget indicating a great deal of work is being done, but building department revenue is down. Ms. Quinlin indicated that significant subdivision fees were collected in the year prior to Covid-19; the lower building permit fees relate to closures due to Covid-19.

A member asked if the written report accompanying the financials was new and said that it is helpful. Ms. Tunikaitis indicated that written reports have been provided to Council in the past to accompany the financial reports, but they have been provided to the Committee more recently as well. The member expressed concern that the Covid-related expenditures are being excluded but the decreased revenues are being included, so the committee may not be seeing a full picture. Ms. Quinlin noted that the Covid-related expenditures were presented to Council in May and July. The intention was to keep it separate while the Town awaited funding announcements. The Town has received an announcement of funding, and there will be Phase 2 funding available by application. The Town's allocation was based on a per household calculation. The Treasurer indicated that staff could include the new grant and the Covid-related expenditures on the next financial report.

The Committee agreed by consensus that they would like the Covid-related revenue and expenditures included in the next report.

Ms. Quinlin indicated that direct Covid-related expenditures to date amount to approximately \$200,000, and suggested that staff would include it in the August financial reports. Ms. Tunikaitis suggested that the Phase 1 funding would be included along with the Covid-related expenditures.

Ms. Quinlin indicated that the Town would submit a funding request for Phase 2 based on the gross cost rather than reduce the request based on the Town's mitigation strategies; the report is due by the end of October.

A member asked now that the Town is past the halfway point in the fiscal year, what is the forecast of where the Town will end up at the end of the fiscal year. The member asked if there were other financial risks outside of the items which had been noted. Ms. Quinlin mentioned that there are the Covid-related costs, which is a \$677,000 loss which is offset by a \$428,000 grant. That was the best

estimate the Town had at the end of June and she will do another estimate at the end of September. The next biggest impact is the legal actions and that is unknown at this point. At the October 28<sup>th</sup> Committee budget meeting staff should be able to provide a more up-to-date analysis of where the year will end up.

A member brought attention to the three items approved outside of the budget. The member indicated that it is quite immaterial and suggested there should be a contingency imbedded in the budget to help mitigate unanticipated expenditures. Ms. Quinlin indicated that normally the Town is not accustomed to expenditures outside of budget and unbudgeted expenditures will have to result in a property tax increase for 2021.

Ms. Tunikaitis suggested that a best practice of many municipalities is to have a rate stabilization and/or contingency reserve, but the challenge is getting from the current state of the reserves to where the Town needs to be in order to mitigate unpredictable expenditures, while still having adequate funding for infrastructure projects.

A member indicated that the Town needs to move in the direction of setting aside funds for contingency.

A member expressed concern with the MCC revenue and the advertising contract. Ms. Quinlin noted that the advertising contract will be coming to an end in 2021. The facility use is uncertain, and so this is part of the impact of Covid-19 that can't be controlled. Ms. Quinlin assured the Committee that Town staff are tracking accounts receivable to ensure they are followed up on regarding collectability.

## **9. MCC Operating Financial Report to July 31, 2020**

The second ice was installed. The revenue is at 39% because revenue in the first couple of months of the year was very high. The loss of alcohol revenue and tournaments is a significant decline. The utility expenditures are lower due to the rate reduction due to Covid-19 as well as the new equipment used to make the ice.

Ms. Quinlin noted that the spike in hydro in July related to the use of the second rink (the Accipiter arena ice was installed early).

## **10. Transit Operating Financial Report to July 31, 2020**





Ms. Quinlin noted that the Town received \$115,600 in grant funding from provincial gas tax and the report will be updated before it is provided to Council. The Region has taken over the transit from Grimsby, West Lincoln, and Pelham. The Town's cost is \$178,000 and the Region will take over the gas tax. There are 6 vehicles dedicated to the on-demand transit and demand was high in the first week. The cost is \$3 in West Niagara and \$6 to travel to other municipalities.

---

A member asked if the \$250,000 deficit for transit will be impacted with the Region taking over. Ms. Quinlin indicated that it will not be worse than the \$250,000 deficit budgeted but the final results are not yet known; the net that the Town has to pay is \$178,000 which is lower and will be reflected in the 2021 budget.

Mr. Cribbs joined the Committee meeting at 4:45pm.

A member asked whether the Town's costs would go down if other municipalities join. Ms. Quinlin indicated that this is for West Niagara municipalities. Ms. Quinlin also indicated that this is a pilot year and the Town has committed to this amount.

A member asked whether the Region could ask for a higher contribution from the Town after the pilot year. Ms. Quinlin indicated that it is a pilot year and it would be negotiated at that time. For 2021 staff will budget based on the Town's agreement.

**Moved By** Michael Cottenden

**Seconded By** Bill Crumm

**THAT the Committee received the July 31, 2020 Operating Financial Report for information.**

**THAT the Committee received the July 31, 2020 MCC Operating Financial Report for information.**

**THAT the Committee received the July 31, 2020 Transit Operating Financial Report for information.**

**Carried**

## **11. Capital Report**



**11.1. 2020 Second Quarter (Jan 1 – Jun 30, 2020)**

Ms. Quinlin indicated that projects deferred to 2021 due to Covid-19 are presented at the bottom of the report along with red-circled items.

The chair noted that budgets are approved early in order to get competitive pricing based on bids but many RFPs were issued in August. Ms. Quinin noted that Covid-19 resulted in a one-month delay and staffing limitations resulted in the Town being unable to issue RFPs early.

---

Mr. Cribbs indicated that market prices seem to be favourable at this time. Mr. Cribbs supports the strategy to try to approve the budgets and issue the RFPs to take advantage of better market prices.

Ms. Quinlin noted the prior year projects being carried forward as well as their status. There are still quite a few being carried forward.

**Moved By** Michael Cottenden

**Seconded By** Ron Kore

**THAT the Committee received the 2020 Second Quarter Capital Report for information.**

**Carried**

**12. Reserves**

None.

**13. Financial Risks****13.1. COVID-19 Update (Verbal)**

Ms. Quinlin indicated that the committee discussed this item earlier in the meeting. The Town received \$428,000 funding announcement to help offset the costs of approximately \$670,000. A member asked if the \$670,000 was all excluded from the revenue and expenditure report. Ms. Quinlin indicated that all of the expenses are included but only the \$200,000 in Covid-related direct expenses and the grant funding of \$428,000 are excluded.

Mr. Cribbs indicated that the Town is learning a great deal about the revenue from the MCC. The Town earned far more than anticipated by opening the second arena in the summer. For the fall, gymnasium revenue is expected to be fairly normal but the dominant customers for the arenas haven't yet determined what the ice usage will be in the fall. At this stage we would



normally expect to be earning peak revenue at this time of year but at this time it's in flux.

Mr. Cribbs indicated that with no unanticipated obstacles, by mid-October we expect to have all of the programs at the MCC up and running.

A member requested that at the next meeting of the committee that there be a forecast of the anticipated results of Town operations at year-end. Ms. Quinlin agreed that there would be.

---

**Moved By** Michael Cottenden

**Seconded By** Marianne Stewart

**THAT the Committee received the COVID-19 Update Report for information.**

**Carried**

#### **14. Unfinished Business**

None.

#### **15. Next Meeting – Wednesday, October 28, 2020 at 4:00pm**

None.

#### **16. Adjournment**

**Moved By** Michael Cottenden

**Seconded By** Bill Crumm

**THAT this Regular Meeting of the Pelham Finance and Audit Committee be adjourned.**

**Carried**

The meeting was adjourned at approximately 5:05pm.



A handwritten signature in black ink, appearing to read "John Wink", is written over a horizontal line.

Chair, John Wink

A handwritten signature in blue ink, appearing to read "C. Tunikaitis", is written over a horizontal line.

Deputy Treasurer, Charlotte Tunikaitis

---

**Subject:** The Assumption of Rosewood Estates**Recommendation:**

**BE IT RESOLVED THAT Council receive Report #2020-0164, Assumption of Rosewood Estates and recommend:**

**THAT Council assume the municipal services in Rosewood Estates subdivision and open the streets within the subdivision as 'public highways' by by-law in accordance with the Subdivision Agreement.**

**Background:**

The Developer of this subdivision has completed their obligations with respect to the conditions specified in the subdivision agreement with the Town. The Developer has now requested that the Town assume the subdivision. Drawings of the subdivision are attached. Rosewood Estates subdivision is located on the west side of Rice Road between Merritt Road and Quaker Road. By-law 3549(2014) covers this subdivision agreement. The developer of Rosewood Estates, Hert Inc., has requested that the Town assume Rosewood Estates, as per the Subdivision Agreement section 17.

**Analysis:**

Rosewood Estates was constructed by Hert Inc. in 2014 and has completed its maintenance period as of October 2020. The developer has recently requested the assumption after receiving confirmation that the maintenance period has concluded. The residential development is comprised of fifty-five (55) lots for single detached dwelling use, one (1) block for Environmental Protection, one (1) block for the stormwater management facility, and one (1) block for the creek realignment. The primary and secondary services are complete, and the maintenance period has elapsed. As-built drawings for the development have been received. Holdback securities will be released upon assumption. The Developer has completed their obligations.

**Financial Considerations:**

None.

**Alternatives Reviewed:**

None.

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

Assumption is the final step in the development process, and will bring all the infrastructure under Town ownership.

**Other Pertinent Reports/Attachments:**

General Servicing Plan for Rosewood Estates

**Consultation:**

Upper Canada Consultants were the engineering consultants for Rosewood Estates. The consultant has agreed that the works have been completed in a satisfactory manner and recommend assumption of the works.

**Legal Consultation, If Applicable:**

Not applicable.

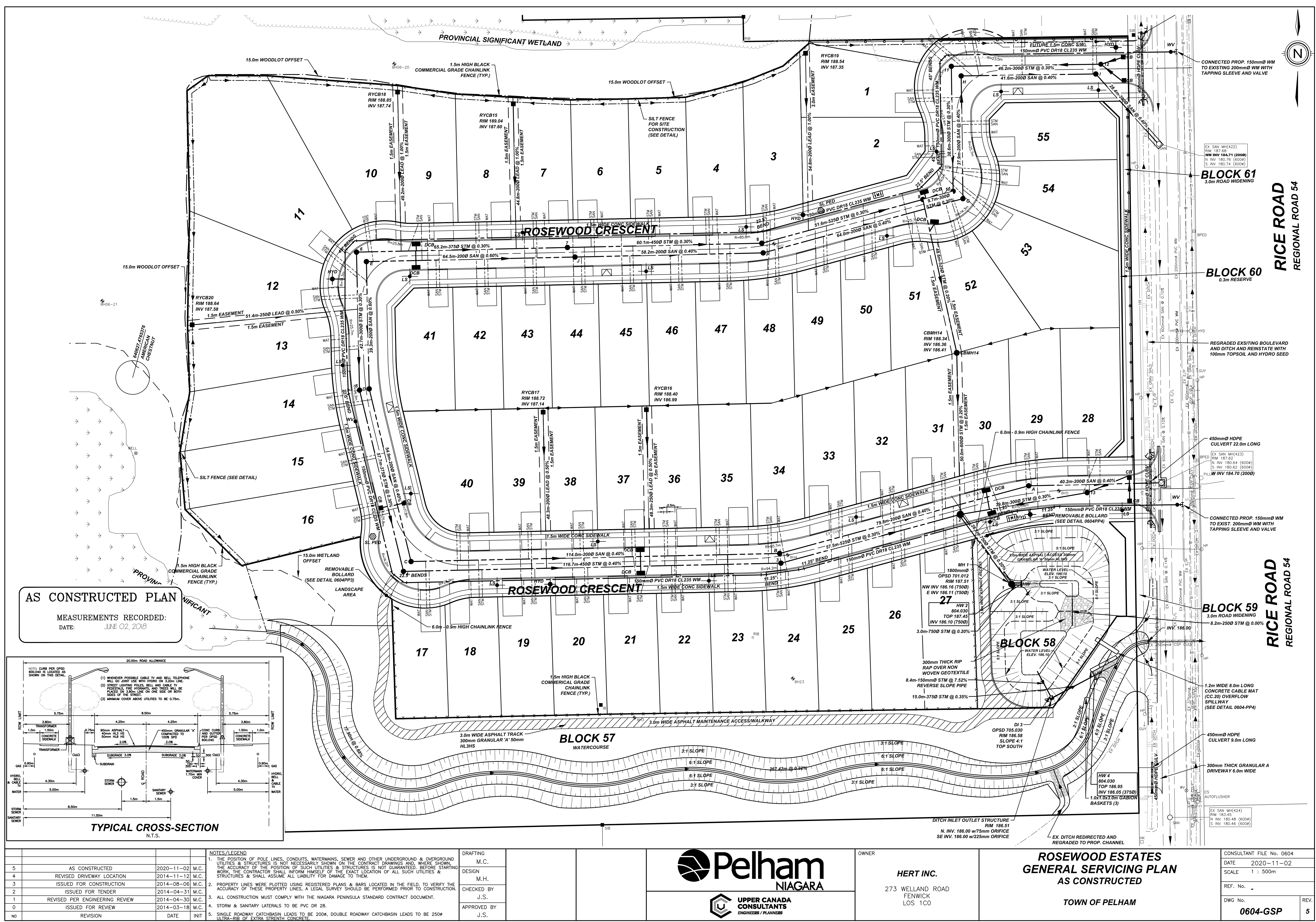
**Prepared and Recommended by:**

Jason Marr, Director of Public Works

**Approved and Submitted by:**

David Cribbs, Chief Administrative Officer





**Subject:** Procedural By-law Amendment – Extension of Electronic Meetings of Council and Committees to August 31, 2021

**Recommendation:**

**BE IT RESOLVED THAT Council receive Report #2020-0160 proposing an extension of the provision for electronic meetings of Council and Committees;**

**AND THAT the proposed amendments to the Town of Pelham Procedure By-law as outlined in Appendix 1, be approved, thereby facilitating electronic meeting participation until the end of August, 2021 for Council, Special Council, Committee of Adjustment, Committees of Council and Advisory Committees;**

**AND THAT Staff be directed to present the necessary by-law to the next Regular Meeting of Council, December 7, 2020.**

**Background:**

The *Municipal Emergency Act* was enacted by the Province on March 19, 2020, amending the *Municipal Act, 2001* provisions regarding electronic participation to allow participation electronically to count toward quorum, and to permit Members of Council to participate in closed session meetings electronically in circumstances when an emergency has been declared.

On March 23, 2020 Council for the Town of Pelham amended the Procedure By-law 4107(2019) to provide for electronic meetings during a declared emergency, in accordance with the new *Municipal Act, 2001* provisions.

On July 21, 2020, the Ontario government made further amendments to the *Municipal Act, 2001*, through the enactment of Bill 197, the *COVID-19 Economic Recovery Act, 2020*. Amendments provided authority so as to permit members of municipal councils to continue to participate electronically in both open and closed meetings and be counted toward quorum, even in the absence of a declared emergency. The amendments allow municipalities to provide that a member of

council, of a local board, or of a committee of either of them, can participate electronically in a meeting and may be counted in determining whether or not a quorum of members is present, and can participate electronically in a meeting that is open or closed to the public. In addition, Bill 197 authorized proxy voting for members of council. Municipalities are now able to update procedure by-laws to allow members of council who are absent to utilize a proxy to vote on an item at council, or committee, and under what circumstances.

Council convened a special meeting on August 10, 2020 to amend the procedural by-law to allow for a continuation of electronic meeting participation with a recommendation that the provisions remain in place for a period of one year from the termination of the Provincial Declaration of Emergency. Council approved such extension to December 31, 2020 with direction to staff to report on electronic participation and proxy voting on a more permanent basis prior to expiry of the amended by-law.

This report seeks Council approval to allow electronic participation in meetings to be permitted for the remainder of the one-year period from the termination of the Provincial Declaration, to the end of August 2021. This recommendation permits continued electronic meetings for an extended period of time while staff continues to focus on more comprehensive amendments to the Procedural By-law, which is an approved strategic priority in the updated Strategic Plan. A more comprehensive analysis will explore a more permanent solution, as well as provide an analysis of the proxy voting alternative. Approval of this report will provide public notice that the Town intends to amend the Procedural By-law to allow for electronic participation to at least the end of August 2021. Should the COVID-19 pandemic situation warrant, there would be no obligation to meet electronically, but without the provision being included in the Procedural By-law, meeting virtually with a quorum of council would not be permitted after December 31, 2020.

The new rules regarding proxy voting are significant in terms of policy development and as such, a more detailed examination is needed. A separate, standalone report will be presented to Council in 2021 that will include a thorough review of the implications of proxy voting.

### **Analysis:**

Based on continued public health advice, physical distancing requirements and the recent escalation of the COVID-19 pandemic to a second wave and resulting requirements throughout Ontario to continue to undertake restrictions, it is recommended that the Procedure By-law amendment be extended to accommodate the ebbs and flows of this global pandemic. The Provincial Framework continues to



advise that working from home or remotely as much as possible is the preference to help curb the spread of the virus. There are uncertainties surrounding the virus and the recommendation is that people stay home when they are feeling ill, regardless of whether COVID-19 testing is warranted or not.

Therefore, it is recommended that the Town continue to limit the number of people attending municipal facilities, specifically Town Hall, so as to take every precaution reasonable to protect the health and well-being of Members of Council, Staff, Committee Members, and the public specifically as it relates to meetings of Council. This can be partially facilitated through electronic meeting participation.

Council, the Committee of Adjustment and advisory committees have regularly met through electronic means since the spring of 2020. Further, Public Meetings under the Planning Act have been successfully convened allowing for full public participation.

The current Council Chamber configuration does not allow for all Members of Council and the Senior Leadership Team to physically attend meetings while adhering to physical distancing requirements. While plexiglass barriers have been designed to provide some means of protection between meeting participants, this solution is not ideal. Therefore, electronic participation is likely to be required for some time into 2021.

Given the requirement for individuals to stay home when ill, there is potential that even when in-person meetings resume it would be challenging to achieve a quorum particularly during the cold and flu season. Members of Council who may be suffering from a minor cold would not be permitted to attend an in-person meeting given the Health Assessment protocols. In order to ensure quorum availability, staff recommends extension of this provision in the Procedural By-law to allow participation electronically.

### **Financial Considerations:**

There are no financial implications to continuing with virtual meetings of Council and Committees.

### **Strategic Plan Relationship: Risk Management**

Staff continues to recommend the continuation of the electronic meeting model to minimize the risk to the health and well-being of all participants.

**Consultation:**

A review of procedural by-laws for several Ontario Municipalities indicates that a vast majority have extended the virtual/electronic meeting provisions until at least the end of August 2021, given the uncertainty of the ongoing Novel Coronavirus COVID-19 pandemic.

**Other Pertinent Reports/Attachments:**

Previous amendments to the Town's Procedure By-law were approved in March and August, 2020. A copy of the proposed by-law, in Draft, is appended.

**Prepared and Recommended by:**

Nancy J. Bozzato, Dipl.M.M., AMCT  
Town Clerk

**Prepared and Submitted by:**

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

THE CORPORATION OF THE  
TOWN OF PELHAM  
BY-LAW # ##### (2020)

**Being a by-law to amend By-law No. #4107(2019), as amended, being a by-law to govern the proceedings of the Town of Pelham Council, its Committees, the conduct of its members and the calling of meetings, to provide for Electronic Meeting Participation for the Council of the Town of Pelham, the Committee of Adjustment and Advisory Committees, and to Repeal and Replace By-laws 4231(2020) and By-law 4269(2020).**

**WHEREAS** the *Municipal Act, 2001*, S.O. 2001, c. 25, section 238 provides that a municipality shall establish a procedure by-law to govern meetings;

**AND WHEREAS** The Corporation of the Town of Pelham has enacted Procedure By-law #4107(2019), as amended;

**AND WHEREAS** on July 21, 2020, *Bill 197, COVID-19 Economic Recovery Act*, received royal assent and includes provisions to amend the *Municipal Act 2001*, to allow members of municipal councils to continue to participate electronically in both open and closed meetings and be counted toward quorum, even in the absence of an emergency;

**AND WHEREAS** Section 239(3.1) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, provides that the applicable procedure by-law may provide that a member of council, of a local board or of a committee of either of them, can participate electronically in a meeting to the extent and in the manner set out in the by-law;

**AND WHEREAS** The Corporation of the Town of Pelham considers it desirable to be able to continue to hold Council meetings electronically for the foreseeable future;

**NOW THEREFORE** the Council of The Corporation of the Town of Pelham **ENACTS** as follows:

1. THAT Procedure By-law #4107(2019), as amended, be and is hereby amended, as follows:

**Section 13 (v) to (viii) inclusive be repealed and replaced with the following:**

- v) A Council or Committee member who participates in a Committee or Council meeting, remotely via electronic means (e.g. audio and/or video), will have the same rights and responsibilities as if he or she were in physical attendance, including the right to vote, whether it is open to the public or convened in closed session, and shall be counted in the Quorum;
- vi) Electronic participation by more than one Member/member shall only be permitted **until August 31, 2020** in consideration of the public health advice to limit the spread of COVID-19;

**Section 27 (viii) – Recorded Vote be amended, by adding the following:**

- e) Where a meeting is convened through electronic participation, the Clerk shall record the vote taken on any matter through a recorded vote, and shall conduct the votes using a rotating call in alphabetical order by surname so as not to call upon the same member first for each separate recorded vote;

2. THAT By-law No. 4217(2020) be and is hereby amended as follows:

- 1) Electronic Meetings – A regular meeting or special meeting of **Council, Committee, Committee of Adjustment or any Advisory Committee to Council**, may be conducted by Electronic Meeting in accordance with this Section and the Emergency Electronic Meeting Protocol as may be approved by Council. Appended as Appendix 1.

- 2) Quorum and Voting for Electronic Meeting – Members attending and present during an Electronic Meeting shall be counted for purposes of quorum at the commencement and at any point in time during the meeting, and shall be entitled to vote through a vote recorded by the Clerk as if they were attending the meeting in person.
  - 3) Closed Session – An Electronic Meeting may include a Closed Session which shall be conducted in the absence of the public and in accordance with this Section.
  - 4) Public Notice of Electronic Meeting – A public notice of an Electronic Meeting shall include sufficient information as to provide the public with a means to electronically access the open session of such Electronic Meeting.
  - 5) Delegations in Writing – An Electronic Meeting shall not permit public delegations, except by way of electronic submission received in advance of the meeting, in accordance with Section 18, or as may be otherwise approved by By-law.
  - 6) Public Access to Viewing – The Clerk shall make every effort during an Electronic Meeting to ensure that public access to the meeting is provided through the Town's Information Technology staff, and where practical the Clerk shall accept questions submitted during the meeting via email to [clerks@pelham.ca](mailto:clerks@pelham.ca).
  - 7) Notwithstanding Section 11, that Section 8(iv) of By-law 4107(2019) is amended to provide that the Agenda and supporting material for any meeting convened up to and including **August 31, 2021** be provided no later than 4:30 p.m. five (5) business days prior to the Meeting, including the date of the meeting (e.g. for a Monday meeting, agenda released on the Tuesday prior); and that the agenda be limited to a 300 maximum page capacity, save and except instances where a single report or attachment exceeds 200 pages.
  - 8) Application and Conflict – notwithstanding the foregoing, the Procedure By-law shall continue to apply to an Electronic Meeting held pursuant to this Section, except that this Section and any Emergency Electronic Meeting Protocol approved by Council and any Provincial legislation nor order shall prevail to the extent of any conflict.
3. THAT By-law #4107(2020) as amended by By-law #4269(2020) and By-law #4231(2020) be amended to repeal and replace all reference to December 31, 2020, with "**August 31, 2021**";
  4. This By-law is enacted accordance with section 238(3.4) of the *Municipal Act, 2001*, as amended, and shall hereby come into effect as of the date and time of its passing, and shall be deemed repealed and no longer in force at 12:01 a.m. on **September 1, 2021**, unless otherwise extended or repealed by Council.

**Enacted, signed and sealed this 6<sup>th</sup> day of December, 2020 A.D.**

---

MAYOR MARVIN JUNKIN

---

CLERK NANCY J. BOZZATO

**Emergency Electronic Meeting Protocol**  
**Appendix to By-law ####(2020), Amending**  
**Appendix 1 to By-law 4217(2020) As Amended**

The Procedure By-law shall continue to apply to an Electronic Meeting held pursuant to this Protocol, and that amendments to this Protocol may be permitted to be made by simple majority vote of council to accommodate an effective and efficient meeting, so long as any such amendments are consistent with the intent of the Procedure By-law and do not directly conflict with the Procedure By-law or are contrary to prevailing Provincial legislation or orders.

**General:**

- a) The method and technology used for an Electronic Meeting in Open Session or Closed Session shall be determined by the CAO and Clerk, in consultation with the Mayor, based on advice and resources available from the Town's Information Technology staff and the prevailing circumstances and context for a meeting.
- b) The Mayor or Deputy Mayor, or designate, shall lead the meeting and be present from a designated meeting location supported by the Clerk, or designate, where possible.
- c) Members follow meeting leadership from the Mayor as Chair.
- d) The Chair **or designate** is to announce each agenda item on the floor of the meeting and shall maintain an orderly meeting process keeping Members informed.

**Request to Speak and Speaker's List:**

- a) Any Member participating in-person shall indicate to the Chair or Clerk a request to speak;
- b) Chair to ask each remote participant Member by name to confirm if they wish to speak on current item, or through an alternative means as advised by the Clerk, e.g. Member texting the Clerk or using a "raise hand";
- c) Chair/Clerk to maintain a speaker's list, based on Chair's discretion, to ensure all Members are able to participate in debate in keeping with meeting rules;
- d) Chair will call out the name of the Member assigned to speak.

**Member Speaking:**

- a) 5 minute maximum, to be timed by the Clerk with 4-minute warning, based on current Procedural By-law rules;
- b) Time allotment may be used to speak, ask questions of staff and/or introduce a motion/amendment;
- c) Members to speak through the Chair.

**Voting:**

- a) All votes shall be by recorded vote conducted by the Clerk, as directed by the Chair, unless Council decides otherwise;
- b) Clerk to call each name of Members deemed present to record vote;
- c) If Member is present in person or electronically and no response to indicate vote is provided, Clerk will ask one more time and if no indication of vote, the vote is recorded in the negative;
- d) Clerk to announce results to Chair and Council.

**Member Conduct:**

- a) Each Member shall remain silent and attentive to the proceeding when not assigned as the speaker;
- b) Each Member to listen for their name to be assigned as speaker or to vote;

- c) Each Member to take direction from the Chair in order to facilitate an effective, efficient and orderly Electronic Meeting.

**Where Pecuniary Interest Declared:**

- a) For discussion, debate and/or voting on any agenda matter for which a Member has disclosed a pecuniary interest, and where the Member is participating in the meeting electronically, the Member having so disclosed shall mute audio and disable their video capabilities for the duration of the discussion, and shall not participate in any way so as to influence the vote before, during or after the matter has been decided.

DRAFT

THE CORPORATION OF THE  
TOWN OF PELHAM

BY-LAW NO. 4289(2020)

**Being a By-law to appoint an Engineer to update the mapping and assessment schedules for the Big Creek Municipal Drain.**

---

**WHEREAS**, Section 76 of the *Drainage Act*, R.S.O. 1990 provides that the Council of a local municipality with the authority to update and amend to the original maintenance and repair schedule, assessment of costs and mapping for the Big Creek Municipal Drain.

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

1. **THAT** K. Smart Associated Limited is hereby appointed as the Engineer to review, update and amend the original maintenance and repair schedule, assessment of costs and mapping for the Big Creek Municipal Drain.
2. **THIS** by-law shall come into force and take effect on the date of passing.

ENACTED, SIGNED AND SEALED THIS

16<sup>th</sup> DAY OF NOVEMBER, 2020 A.D.

---

MAYOR MARVIN JUNKIN

---

CLERK NANCY J. BOZZATO

THE CORPORATION OF THE  
T O W N O F P E L H A M

BY-LAW NO. 4291(2020)

**Being a by-law to dedicate lands as public highway.**

---

**WHEREAS**, the Corporation of the Town of Pelham acquired lands hereinafter described pursuant to the provisions of the *Municipal Act*, 2001 such lands being required for the purposes of the Corporation of the Town of Pelham;

**NOW THEREFORE**, THE COUNCIL OF THE CORPORATION OF PELHAM ENACTS AS FOLLOWS:

1. THAT the lands described as Part 5, 59R-15050 is hereby accepted as public highway known as Braden Way.
2. THAT the lands described as Part 2, 59R-14218 is hereby accepted as public highway known as Braden Way.
3. All By-laws presently in force with respect to highways and streets shall apply to the said highway created under this By-law.

ENACTED, SIGNED AND SEALED THIS

16<sup>th</sup> DAY OF NOVEMBER, 2020 A.D.

---

MAYOR MARVIN JUNKIN

---

CLERK NANCY J. BOZZATO



THE CORPORATION OF THE  
T O W N   O F   P E L H A M  
BY-LAW #4290(2020)

**Being a by-law to amend By-law #4068(2019) confirming various appointments to Boards, Commissions, and Committees of the Town of Pelham;**

**And to remove and appoint members to the Committee of Adjustment/ Property Standards Committee (Schedule C);**

**And to remove members from the Pelham Active Transportation Committee (Schedule F);**

**And to remove and appoint members to the Pelham Seniors' Advisory Committee (Schedule G);**

**And to remove members from the appointed Fenceviewers (Schedule I);**

**And to remove and appoint members to the Pelham Summerfest Committee (Schedule N);**

**And to remove and appoint members to the Pelham Public Art Committee (Schedule O);**

**And to appoint a Council representative to the Finance/ Audit Committee (Schedule Q).**

WHEREAS Council of the Corporation of the Town of Pelham deems it desirable and necessary to appoint members of Boards, Commissions, Committees and Municipal Positions;

AND WHEREAS By-law #4068(2019), provides for the appointment of individuals to various Boards and Committees;

NOW THEREFORE the Council of the Corporation of the Town of Pelham enacts as follows:

1. THAT By-Law #4068(2019) be amended to additionally include the appointments as follows, detailed in the attached schedules, as below listed:

Schedule C:      Committee of Adjustment/ Property Standards Committee  
                         Bill Sheldon – Remove  
                         Brenda Stan – Add (Citizen Appointee)

Schedule F:      Pelham Active Transportation Committee  
                         Bill Gibson – Remove  
                         Joseph Marchant - Remove

Schedule G:      Pelham Seniors' Advisory Committee  
                         Del Leney – Remove  
                         Melissa Stewart – Remove  
                         Wayne Kenneth Olson - Remove  
                         Erin Stitt – Add (Lookout Ridge Representative)  
                         Anna Oakes – Add (Lookout Ridge Representative)  
                         Gwen MacDougall – Add (Library)  
                         Dave Nicholson – Add (PATC)  
                         Ann Villalta – Add (JAAC)

Schedule I:      Fenceviewers  
                         Bill Sheldon - Remove

Schedule N:      Pelham Summerfest Committee  
                         Candy Ashbee – Remove  
                         Bill Sheldon - Remove  
                         Diego Lopez – Add (Citizen Appointee)

- Schedule O: Pelham Public Art Committee  
Diane Gibson - Remove  
Catharine Carr – Add (Citizen Appointee)
- Schedule Q: Finance/ Audit Committee  
Councillor Wayne Olson – Add (Council Representative)

ENACTED, SIGNED & SEALED THIS 16th  
DAY OF November, 2020 A.D.

---

MAYOR MARVIN JUNKIN

---

TOWN CLERK, NANCY J. BOZZATO

## SCHEDULE C

### **Committee of Adjustment / Property Standards Committee**

Four Year Term Ending November 15, 2022 or until their successors are appointed:

5 Residents

- i. Donald Cook
- ii. John Klassen
- iii. Bernie Law
- iv. Sandra Marsh
- v. Brenda Stan - appointed by by-law 4290(2020)  
Bill Sheldon

### **Pelham Active Transportation Committee**

Four Year Term Ending November 15, 2022 or until their successors are appointed:

Up to 10 residents

- i. Brian Baty
- ii. Bea Clark
- iii. Rhys Evans
- iv. Bob Fish
- v. Lisa Gallant
- ~~vi. Bill Gibson~~
- ~~vii. Joseph Marchant~~
- viii. Dave Nicholson
- ix. Barbara Rybiak

Council Representative: Councillor John Wink

## SCHEDULE G

### **Pelham Seniors' Advisory Committee:**

Four Year Term Ending November 15, 2022 or until their successors are appointed:

Up to 6 Residents; 1 PATC; 1 JAAC; 2 Seniors Organizations

- i. Susan Buckingham
- ii. Sharon Cook
- iii. ~~Del Leney~~
- iv. ~~Wayne Kenneth Olson~~
- v. Elena Simone-Simonetti
- vi. ~~Melissa Stewart~~
- vii. Gwen MacDougall – (Library) – appointed by By-law #4290(2020)
- viii. Dave Nicholson – (PATC) – appointed by By-law #4290(2020)
- ix. Ann Villalta – (JAAC) – appointed by By-law #4290(2020)
  - i. Erin Stitt (Lookout Ridge) – appointed by By-law #4290(2020)
  - ii. Anna Oakes (Lookout Ridge) – appointed by By-law #4290(2020)

Council Representative: Councillor Marianne Stewart

## SCHEDULE I

### **Fenceviewers**

Four Year Term Ending November 15, 2022 or until their successors are appointed:

- i. Donald Cook
- ii. John Klassen
- iii. Bernie Law
- iv. Sandra Marsh
- v. ~~Bill Sheldon~~
- vi. Michael Tucker

## SCHEDULE N

### **Town of Pelham Summerfest Committee**

Four Year Term Ending November 15, 2022 or until their successors are appointed:

4 residents; 1 PATC; up to 2 PBA; up to 2 Chamber

- ~~iii. Candy Ashbee - appointed by By-law #4068(2019)~~
- iv. Todd Brown - appointed by By-law #4082(2019)
- v. Bill Gibson - appointed by By-law #4068(2019)
- vi. Bryan Lachapelle - appointed by By-law #4082(2019)
- vii. Julie Milligan - appointed by By-law #4068(2019)
- ~~viii. Bill Sheldon - appointed by By-law #4068(2019)~~
- ix. Frank Adamson - appointed by By-law #4089(2019)
- x. Remo Battista - appointed by By-law #4112(2019)
- xi. Diego Lopez - appointed by By-law #4290(2020)

Council Representative: Councillor John Wink

## SCHEDULE O

### **Town of Pelham Public Art Advisory Committee**

Four Year Term Ending November 15, 2022 or until their successors are appointed:

7 residents

- i. Brian DiMartile
- ii. Barb Rybiak
- iii. Christina Drummond
- iv. ~~Dianne Gibson~~
- v. Els Swart
- xii. Catharine Carr - appointed by By-law #4290(2020)

Council Representative: Councillor Hildebrandt



## SCHEDULE Q

### **Town of Pelham Finance/ Audit Committee**

Four Year Term Ending November 15, 2022 or until their successors are appointed:

2 residents

- i. Michael Cottenden - appointed by By-law #4089(2019)
- ii. Bill Crumm - appointed by By-law #4089(2019)

Council Representative:

~~Mayor Marvin Junkin~~ -- removed by by-law 4124(2019)

~~Councillor Mike Cioffi~~ -- removed by by-law 4124(2019)

Councillor Marianne Stewart

Councillor Wayne Olson - appointed by By-law #4290(2020)

Councillor Ron Kore

Councillor John Wink

~~Councillor Lisa Haun~~ -- removed by by-law 4124(2019)

~~Councillor Bob Hildebrandt~~ -- removed by by-law 4124(2019)

THE CORPORATION OF THE  
T O W N O F P E L H A M  
BY-LAW #4293(2020)

**Being a by-law to adopt, ratify and confirm the actions of  
the Council at its regular meeting held on the 16th day of  
November 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 16th day of November, 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 16th DAY OF NOVEMBER 2020 A.D.

---

MAYOR MARVIN JUNKIN

---

TOWN CLERK, NANCY J. BOZZATO