

## REGULAR COUNCIL AGENDA

**C-08/2021 Regular Council**

**Monday, May 3, 2021**

**5:30 PM**

**Town of Pelham Municipal Office - Council Chambers**

**20 Pelham Town Square, Fonthill**

During the ongoing 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).

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    - 4.1.1. **COVID-19 Pandemic Update - CEMC**

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    - 4.1.2. **COVID-19 Pandemic Update - CAO**

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1. By-law 4344(2021) - Being a by-law to appoint Melissa Grodesky (Officer #126) as By-law Enforcement Officer, Property Standards Officer, Provincial Offences Officer and Weed Inspector for the Corporation of the Town of Pelham; AND to appoint Ceara Obdeyn (Officer #119) as By-law Enforcement Officer and Provincial Offences Officer for the Corporation of the Town of Pelham.

2. By-law 4345(2021) - Being a by-law to set the rates of taxation for the year 2021.

3. By-law 4346(2021) - 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 appoint members to the Pelham Public Art Committee (Schedule O).

**14. Motions and Notices of Motion**

**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**

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:

(c) - proposed or pending acquisition or disposition of land by the municipality and (f) - advice that is subject to solicitor-client privilege, including communications necessary for that purpose (1 item)

(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 (2 items)

**18. Rise From In Camera**

**19. Confirming By-Law**

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## 20. Adjournment

## SPECIAL COUNCIL MINUTES

**Meeting #:** SC-07-2021 Special Meeting of Council  
**Date:** Monday, April 19, 2021, 5:00 pm  
**Location:** Town of Pelham Municipal Office - Council Chambers  
20 Pelham Town Square, Fonthill

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

**Staff Present** David Cribbs  
Teresa Quinlin  
Vickie vanRavenswaay  
Holly Willford  
Sarah Leach

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

Noting that a quorum was present, the Mayor called the meeting to order at approximately 5:00pm.

**2. Approval of the Agenda**

**Moved By** John Wink

**Seconded By** Wayne Olson

**BE IT RESOLVED THAT the agenda for the April 19th, 2021 Special Meeting of Council be adopted as circulated.**

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

Carried (7 to 0)

3. Disclosure of Pecuniary Interest and General Nature Thereof

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

4. Resolution to Move in Camera

Moved By Bob Hildebrandt

Seconded By Lisa Haun

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, Re File L01-07-2020, as follows:

(e) - litigation or potential litigation, including matters before administrative tribunals, affecting the municipality;

(f) - advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

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

Carried (7 to 0)

5. Rise From In Camera

Moved By Ron Kore

Seconded By Marianne Stewart

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

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

Wayne Olson	X	
Marianne Stewart	X	
John Wink	X	
<b>Results</b>	<b>7</b>	<b>0</b>

Carried (7 to 0)

**Moved By** Wayne Olson  
**Seconded By** Bob Hildebrandt  
**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 April 19th, 2021.**

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

Carried (7 to 0)

6. **Confirming By-law**

**Moved By** Ron Kore  
**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. 4342(2021) to Adopt, Ratify and Confirm the proceedings of Council of the Town of Pelham at its Special Meeting held on the 19th day of April, 2021.**

	<b>For</b>	<b>Against</b>
Marvin Junkin	X	
Lisa Haun	X	
Bob Hildebrandt	X	
Ron Kore	X	

Wayne Olson	X	
Marianne Stewart	X	
John Wink	X	
<b>Results</b>	<b>7</b>	<b>0</b>

Carried (7 to 0)

7. Adjournment

Moved By Marianne Stewart  
Seconded By Lisa Haun  
**BE IT RESOLVED THAT this Special Meeting of Council be adjourned until the next regular meeting scheduled for April 19th, 2021 at 5:30 pm.**

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

Carried (7 to 0)

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

\_\_\_\_\_  
Acting Town Clerk, Holly Willford

## **REGULAR COUNCIL MINUTES**

**Meeting #:** C-07/2021 - Regular Council  
**Date:** Monday, April 19, 2021  
**Time:** 5:30 PM  
**Location:** Town of Pelham Municipal Office - Council  
Chambers  
20 Pelham Town Square, Fonthill

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

**Staff Present:** David Cribbs  
Bob Lymburner  
Jason Marr  
Teresa Quinlin  
Vickie vanRavenswaay  
Barbara Wiens  
Holly Willford  
Sarah Leach  
Brianna Langohr  
Derek Young

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

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

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

Councillor Olson called a point of order. Councillor Olson stated Councillor Haun receives an honorarium for sitting on the Airport Commission and therefore stated he believes Councillor Haun may wish to consult with the Integrity Commissioner prior to proceeding with item 14.4 of the agenda, being a motion regarding the Niagara Central Dorothy Rungeling Airport and Niagara District Airport.

In response, Councillor Haun indicated she would withdraw her motion and seek advice from the Integrity Commissioner.

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

BE IT RESOLVED THAT the agenda for the April 19th, 2021 Regular meeting of Council be adopted, as circulated.

**Amendment:**

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

**THAT the agenda be amended to move item 14.2, being a Motion regarding Erosion Mitigation before item 10.2.1 being staff report No. 2021-0048- Public Works.**

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

**Carried (7 to 0)**

**Main Motion as Amended:**

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

**BE IT RESOLVED THAT the agenda for the April 19th, 2021 Regular meeting of Council be adopted, as amended.**

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

**Carried (7 to 0)**

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

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

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

**4.1 Presentations**

**4.1.1 COVID-19 Pandemic Update - CEMC**

Fire Chief and Community Emergency Management Co-Ordinator presented updated information as it relates to the ongoing worldwide pandemic, COVID-19.

**Moved By** Ron Kore

**Seconded By** Marianne Stewart

**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	
Bob Hildebrandt	X	
Ron Kore	X	
Wayne Olson	X	
Marianne Stewart	X	
John Wink	X	
<b>Results</b>	<b>7</b>	<b>0</b>

**Carried (7 to 0)**

**4.1.2 COVID-19 Pandemic Update - CAO**

Mr. David Cribbs, CAO, stated Town staff have posted signs at playgrounds stating equipment is not disinfected and social distancing is required at all times.

**Moved By** Lisa Haun

**Seconded By** Marianne Stewart



**BE IT RESOLVED THAT Council receive the COVID-19 update presentation from D. Cribbs, Chief Administrative Officer, for information.**

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

**Carried (7 to 0)**

**4.2 Delegations**

**4.3 Report of Regional Councillor**

Regional Councillor Huson provided Council an update with respect to the Niagara Peninsula Conservation Authority, economic development and EMS services. A Copy of the said presentation is on file with the Clerk.

**Moved By** Wayne Olson

**Seconded By** John Wink

**BE IT RESOLVED THAT the April 19th, 2021 report submitted by Regional Councillor Huson, be received for information.**

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

**Carried (7 to 0)**

5. Adoption of Minutes

Moved By Lisa Haun  
Seconded By Wayne Olson

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

- 1. SC-06-2021 - Special Council Minutes - March 29, 2021; and
- 2. C-06/2021 - Regular Council Minutes - April 6, 2021

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

- 6. 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

Moved By Marianne Stewart  
Seconded By John Wink

BE IT RESOLVED THAT the Consent Agenda items as listed on the April 19, 2021 Council Agenda be received and the recommendations contained therein be approved, as applicable:

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- 8.3 Staff Reports of a Routine Nature for Information or Action
  - 8.3.1 Q1 2021 Clerks COW Report, 2021-0037-Clerks  
BE IT RESOLVED THAT the Q1/2021 Clerk’s Report be received for information.
  - 8.3.2 Q1 2021 Corporate Services COW Report, 2021-0057-Corporate Services

BE IT RESOLVED THAT the Q1/2021 Corporate Services Department Report be received for information.

8.3.3 Q1 2021 COW Report - Recreation Culture and Wellness, 2021-0073-Recreation

BE IT RESOLVED THAT the Q1/2021 Recreation, Culture and Wellness Department Report 2021-0073-Recreation be received for information.

8.3.4 Q1 2021 COW Report -Planning and Development, 2021-0074-Planning

BE IT RESOLVED THAT the Q1/2021 Community Planning and Development Department Report be received for information.

8.3.5 Q1 2021 COW Report -Public Works, 2021-0075-Public Works

BE IT RESOLVED THAT the Q1/2021 Public Works Department Report be received for information.

8.3.6 Q1 2021 COW Report - Fire and By-Law 2021-0076-Public Works

BE IT RESOLVED THAT the Q1/2021 Fire and By-law Enforcement Department Report be received for information.

8.5 Information Correspondence Items

8.5.1 Pelham Public Library Year-End Report 2020

BE IT RESOLVED THAT Council receive the Pelham Public Library Year-End Report 2020, for information.

8.7 Committee Minutes for Information

8.7.1 Pelham Public Library Committee Minutes

BE IT RESOLVED THAT Council receive the Pelham Public Library Committee Minutes for the February 24, 2021 meeting for information.

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

**Carried (7 to 0)**

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

**10. Presentation & Consideration of Reports**

**10.1 Reports from Members of Council:**

**10.2 Staff Reports Requiring Action**

**10.2.1 Motion Re: Request for Erosion Mitigation - Headwaters of Twelve Mile Creek**

Mayor Junkin vacated the Chair to present this motion. Deputy Mayor Stewart presided.

**Moved By** Marvin Junkin

**Seconded By** Wayne Olson

**WHEREAS** an erosion condition present at the Headwaters of the Twelve Mile Creek has been deemed critical by experts in fish and fish habitat;

**AND WHEREAS** there is significant potential for increased damage to said Headwaters as a result of heavy rains;

**AND WHEREAS** Council for the Town of Pelham is desirous to expeditiously move forward to find solutions to resolve this erosion problem;

**AND WHEREAS** the Treasurer for the Town of Pelham has provided assurance that funds are available in the Roads Reserve in the amount of \$60,000 to \$70,000, being an estimated cost to remediate erosion problems;

**NOW THEREFORE BE IT RESOLVED** that Council direct staff to issue a Request for Proposals to undertake a Design/Build initiative to determine an optimal solution to identify, remediate and resolve the erosion problems at the Headwaters of the Twelve Mile Creek, immediately north of Regional Road 20 (Highway 20);

**AND THAT** as the Town moves forward with said repairs, Staff be further directed to contact the Regional Municipality of Niagara, Upper Canada Consultants, Trout Unlimited and the Niagara Peninsula Conservation Authority to seek contributions toward the cost of said repairs, in consideration of the paramount environmental significance of the erosion;

**AND THAT** Staff provide regular update reports to Council on the project.

	<b>For</b>	<b>Against</b>
Marvin Junkin	X	
Lisa Haun		X
Bob Hildebrandt		X
Ron Kore	X	

Wayne Olson	X	
Marianne Stewart		X
John Wink	X	
<b>Results</b>	<b>4</b>	<b>3</b>

Carried (4 to 3)

10.2.2 Operation of the Rice Road and Hwy 20 Storm Water Management Pond in East Fonthill, 2021-0048-Public Works

Moved By Bob Hildebrandt  
Seconded By Lisa Haun

BE IT RESOLVED THAT Council receive Report #2021-0048, Operation of the Rice Road and Highway 20 Storm Water Management Pond in East Fonthill, for information;

AND THAT Council authorize Staff to complete further engineering studies including an updated erosion survey of the outlet of the Storm Water Management Pond at an estimated value of \$7,950 (plus HST);

AND THAT Council direct Staff to fund the additional erosion study from the 2021 Capital Account RD-04-21 (Engineering);

AND THAT Council direct Staff to prepare a report regarding the findings of the Engineering Analysis including recommendations.

Amendment:  
Moved By Bob Hildebrandt  
Seconded By John Wink

THAT the motion be amended to strike the last three paragraphs of the main motion.

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

Carried (7 to 0)

**Main Motion as Amended:**

**Moved By** Bob Hildebrandt

**Seconded By** Lisa Haun

**BE IT RESOLVED THAT Council receive Report #2021-0048, Operation of the Rice Road and Highway 20 Storm Water Management Pond in East Fonthill, for information.**

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

**Carried (7 to 0)**

**10.2.3 Options for Pride Week Celebrations, 2021-0071-Public Works**

**Moved By** John Wink

**Seconded By** Marianne Stewart

BE IT RESOLVED THAT Council receive Report #2021-0071, Options for Recognizing Pride Week Celebrations in the Town of Pelham, for information;

AND THAT Council direct Staff to proceed with the implementation of Council's preferred alternative for the Pride celebrations scheduled for June of 2021.

**Amendment:**

**Moved By** Bob Hildebrandt

**Seconded By** Marianne Stewart

**THAT the motion be amended to include Councils preferred alternative, being number 1 Perform a Pride Flag Raising in support of Pride week.**

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

Bob Hildebrandt	X	
Ron Kore	X	
Wayne Olson	X	
Marianne Stewart	X	
John Wink	X	
<b>Results</b>	<b>7</b>	<b>0</b>

**Carried (7 to 0)**

**Amendment:**

**Moved By** John Wink

**Seconded By** Wayne Olson

**THAT the motion be amended to include an additional Council preferred alternative, being number 2 Purchase and place Pride benches at select locations in the Town (1 at Town Hall and 1 at MCC), provided monies are available through the Town's budget or donations.**

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

**Carried (7 to 0)**

**Main Motion as Amended:**

**Moved By** John Wink

**Seconded By** Marianne Stewart

**BE IT RESOLVED THAT Council receive Report #2021-0071, Options for Recognizing Pride Week Celebrations in the Town of Pelham, for information;**

**AND THAT Council direct Staff to proceed with the implementation of Council's preferred alternative for the Pride celebrations scheduled for June of 2021, being:**

- **Number 1 Perform a Pride Flag Raising in support of Pride week; and**
- **Number 2 Purchase and place Pride benches at select locations in the Town (1 at Town Hall and 1 at MCC), provided monies are available through the Town’s budget or donations.**

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

- 11. Unfinished Business**
- 12. New Business**
- 13. Presentation and Consideration of By-Laws**

**Moved By** Ron Kore  
**Seconded By** Wayne Olson

**BE IT RESOLVED THAT the Council of the Town of Pelham, having given due consideration to the following By-laws do now read a first, second and third time and do pass same, and THAT the Mayor and Clerk be and are hereby authorized to sign and seal the by-laws:**

- 1. By-law #4338(2021) - Being a by-law to appoint an Emergency Management Control Group for the Town of Pelham, and to Repeal and Replace By-law #3874(2017);**
- 2. By-law #4339(2021) - Being a by-law to amend By-law No. 4299(2020) to establish 2021 Fees and Charges to be collected by the Corporation of the Town of Pelham; And to amend Schedule "1", Recreation & Culture Services.**
- 3. By-law #4340(2021) - Being a by-law to Authorize the Execution of Grant Funding Agreements between the Town of Pelham and Her Majesty the Queen in Right of Ontario, as represented by the Minister of Transportation Relating to**



**Funding Provided as follows: \$58,854 Dedicated Gas Tax Funds for Public Transportation Program 2020-2021**

**4. By-law #4341(2021) - Being a by-law to adopt the estimates for the Town of Pelham for its own operations for the year 2021**

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

**14. Motions and Notices of Motion**

**14.1 Motion Re: Request to Region of Niagara to Delay Official Plan Update**

**Moved By** Marianne Stewart

**Seconded By** Lisa Haun

**Referred from April 6, 2021**

**WHEREAS the Province of Ontario, through the Planning Act, requires that the Region of Niagara conduct a municipal comprehensive review (MCR) of its Official Plan whereby decisions must be made as to how all of the population and employment growth is to be accommodated in the local municipalities for the years 2031 to 2051;**

**AND WHEREAS since June 2019 the Province has amended a number of Provincial Statutes and policies that impact how municipalities plan for growth including the following:**

- **The Provincial Policy Statement,**
- **A Place to Grow: The Growth Plan for the Greater Golden Horseshoe,**
- **The Development Charges Act,**
- **The Planning Act,**
- **The Environmental Assessment Act, and**
- **The Conservation Authorities Act;**

**AND WHEREAS these significant Provincial changes include:**

- **reduced density targets in new greenfield development from 80 persons and jobs per hectare to 50 persons and jobs per hectare,**
- **reduced intensification targets from 60% beyond 2031 to 50%,**
- **setting minimum population and employment growth forecasts that can be exceeded subject to Provincial approval,**
- **extended the planning horizon from 2041 to the year 2051,**
- **introduced market demand as a consideration in determining the housing mix, and**
- **revisions to how municipalities fund growth;**

**AND WHEREAS these Provincial changes signal an abrupt shift from the emphasis on creating compact and complete communities to a planning regime that facilitates lower density and car dependent communities;**

**AND WHEREAS several Regions throughout Ontario have declared climate change emergencies and must consider the role of land use planning in their strategies to reduce their greenhouse gas emissions;**

**AND WHEREAS these Provincial changes create pressure to convert more class 1, 2 and 3 farmland in to urban uses than would otherwise be necessary which is contrary to Niagara's Official Plan as it relates to the protection of the agricultural system in Niagara;**

**AND WHEREAS ensuring that Ontarians have access to healthy safe food in the future requires thoughtful consideration of the long term impact of converting thousands of acres of prime agricultural lands in the Greater Golden Horseshoe to urban uses;**

**AND WHEREAS the change of the planning horizon to 2051 by the Province means that future municipal councils and the public will have little power to change decisions where they will grow after 2031 to the 2051 planning horizon;**

**AND WHEREAS in the rural areas internet service is often poor, making it difficult for rural residents to participate in zoom calls;**

**AND WHEREAS Niagara Region has adopted a public engagement initiative for the Niagara Official Plan review that includes public surveys, stakeholder input, direct public input and a Planning Advisory Committee;**

**AND WHEREAS the current pandemic is making effective, in person public consultation impossible at a time when robust,**

**informed public consultation is needed more than ever;**

**AND WHEREAS the nature of work has evolved in response to the pandemic which may cause long term changes to the assumptions underlying the province's Land Needs Assessment.**

**NOW THEREFORE BE IT RESOLVED THAT Pelham Council request the Niagara Regional Chair to write to request the Province to allow the Region to delay its final report on its Official Plan Review until proper, in person, informed consultation with the public has been conducted on the growth concepts and the preferred growth concept;**

**AND FURTHER THAT the Province be requested to allow the new Regional Official Plan which identifies non-discretionary components of a Regional Urban Structure that support local plans and priorities inside the current urban boundaries, exempt from the requirement for in-person consultation with the public;**

**AND FURTHER THAT the Province be requested to suspend the timetable for municipal conformity to the Growth Plan and the Provincial Policy Statement to ensure that the public can fully participate in the process of planning their communities for the growth planning period covering 2031 to 2051;**

**AND FURTHER THAT the Province suspend the deadlines it has set for conformity until the Land Needs Assessment Framework can be revisited to adjust to the significant changes to the nature of work that are reducing office space and parking space needs.**

**AND FURTHER THAT this resolution be circulated to Premier Doug Ford, the Honourable Steve Clark, Minister of Municipal Affairs and Housing, Niagara’s Local Municipalities, the Association of Municipalities of Ontario, the leaders of the Provincial opposition parties, Niagara’s MPP’s, and the Greater Golden Horseshoe municipalities.**

	<b>For</b>	<b>Against</b>
Marvin Junkin		X
Lisa Haun	X	
Bob Hildebrandt	X	
Ron Kore	X	
Wayne Olson		X
Marianne Stewart	X	

John Wink	X	
<b>Results</b>	<b>5</b>	<b>2</b>
<b>Carried (5 to 2)</b>		

**14.2 Motion Re: Solar Generators at the Meridian Community Centre and Other Municipal Structures**

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

**WHEREAS Council for the Town of Pelham wishes to explore the potential of retrofitting solar generators at the Meridian Community Centre and all municipal structures as a power source;**

**AND WHEREAS Council is aware that a two ice-rink facility with solar generators is operated within Komoka within Middlesex Centre;**

**AND WHEREAS Council believes solar generators at the Meridian Community Centre and other municipal structures may result in cost-savings while supporting the strategic goal of supporting financial sustainability;**

**NOW THEREFORE BE IT RESOLVED that Council direct Staff to investigate the potential of retrofitting solar generators at the Meridian Community Centre and other municipal structures as a power source and report back to Council with the fourth quarter.**

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

**14.3 Motion Re: Rescind Previous Decision - Transfer of Operating Authority Niagara Central Dorothy Rungeling Airport and Niagara District Airport**

Councillor Haun withdrew her motion.

- 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**

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

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

**Section 239(2)(k): a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board (1 item)**

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

- 18. **Rise From In Camera**

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

**BE IT RESOLVED THAT** Council adjourn the In Camera Session and that Council do now Rise: With No Report.

	For	Against
Marvin Junkin	X	
Lisa Haun	X	
Bob Hildebrandt	X	

Ron Kore	X	
Wayne Olson	X	
Marianne Stewart	X	
John Wink	X	
<b>Results</b>	<b>7</b>	<b>0</b>

**Carried (7 to 0)**

**Moved By** Ron Kore

**Seconded By** Bob Hildebrandt

**BE IT RESOLVED THAT the Chief Administrative Officer be and is hereby authorized to undertake the directions provided during the In Camera meeting of April 19, 2021.**

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

**Carried (7 to 0)**

## **19. Confirming By-Law**

**Moved By** Wayne Olson

**Seconded By** Ron Kore

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

**Being a By-law No. 4343(2021) to Adopt, Ratify and Confirm the proceedings of Council of the Town of Pelham at its Regular Meeting held on the 19th day of April, 2021.**

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

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

**Carried (7 to 0)**

**20. Adjournment**

**Moved By** Ron Kore  
**Seconded By** John Wink


**BE IT RESOLVED THAT this Regular Meeting of Council be adjourned until the next regular meeting scheduled for May 3, 2021 at 5:30 pm.**

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

**Carried (7 to 0)**

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

\_\_\_\_\_  
Acting Town Clerk: Holly Willford

<b>Organization Name:</b> Pelham Senior's Advisory Committee	
<b>Contact Name:</b> Brittany MacLean	
<b>Address:</b> 100 Meridian Way	
<b>City:</b> Fonthill	<b>Postal Code:</b> L0S1E6
<b>Phone:</b> 905-892-2607 ext 372	<b>Email Address:</b> bmaclean@pelham.ca
<b>Proclamation Requested:</b> To Proclaim June as Seniors Month	
<b>Date(s) of Proclamation:</b> June 1-30, 2021	
<b>Purpose of Proclamation:</b> Senior's Month is an annual, province-wide celebration of individuals who have contributed and continue to contribute immensely to the life and vibrancy of their community. The contributions both past and present and the knowledge and experiences Seniors pass on warrant appreciation, recognition, and celebration. The purpose of this proclamation is to bring the celebration of Seniors month to Pelham to recognize and celebrate the Seniors in our community.	
<b>Description of Organization</b> <i>(Please provide a brief description. Additional information may be attached to this form)</i> The Pelham Seniors Advisory Committee serve as leaders, mentors, volunteers and important and active members of this community. As a Committee of Council, they advocate for seniors within the community, strive to increase communication of seniors programs and services, share information with the community and develop networks to benefit seniors.	
Has the same or a similar proclamation been requested <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No of the Town of Pelham Council in past years?	
You must provide the draft wording for your proclamation in order to receive an official signed proclamation from the Mayor.	
Personal information on this form is collected pursuant to the Municipal Freedom of Information and Protection of Privacy Act and will be used for the purpose of processing your request. Question about this collection should be directed to the Town Clerk, 20 Pelham Town Square, P.O. Box 400, Fonthill, ON, L0S 1E0, 905-892-2607 Ext. 315.	
Please complete and submit your completed form at least two weeks in advance of the occasion.	
Signature 	Date April 21, 2021



## Seniors' Month

**June 1 – 30, 2021**

**WHEREAS** Seniors' Month is an annual province-wide celebration;

**WHEREAS** seniors have contributed and continue to contribute immensely to the life and vibrancy of this community;

**WHEREAS** seniors continue to serve as leaders, mentors, volunteers and important and active members of this community;

**WHEREAS** their contributions past and present warrant appreciation and recognition and their stories deserve to be told;

**WHEREAS** the optimal health and well-being of seniors is in the interest of all and further adds to the health and well-being of the community;

**WHEREAS** the knowledge and experience seniors pass on continues to benefit all;

**THEREFORE BE IT RESOLVED THAT**, the Corporation of the Town of Pelham does hereby proclaim June 1<sup>st</sup>-30<sup>th</sup>, 2021 as Senior's Month in Pelham.

DATED AT the Town of Pelham this 03rd day of May, 2021.

---

Mayor Marvin Junkin  
Town of Pelham



CHRISTINE TARLING

Director of Legislated Services & City Clerk

Corporate Services Department

Kitchener City Hall, 2<sup>nd</sup> Floor

200 King Street West, P.O. Box 1118

Kitchener, ON N2G 4G7

Phone: 519.741.2200 x 7809 Fax: 519.741.2705

[christine.tarling@kitchener.ca](mailto:christine.tarling@kitchener.ca)

TTY: 519-741-2385

March 31, 2021

Honourable Steve Clark  
Minister of Municipal Affairs and Housing  
17<sup>th</sup> Floor, 777 Bay Street  
Toronto ON M5G 2E5

Dear Mr. Clark:

This is to advise that City Council, at a meeting held on March 22, 2021, passed the following resolution regarding Planning Act Timelines:

“WHEREAS the City of Kitchener, like many Ontario municipalities, is experiencing significant growth; and,

WHEREAS the City of Kitchener has conducted extensive work through its Development Services Review to remove red tape and improve public engagement; and,

WHEREAS the Province of Ontario's Planning Act provides a legislative framework for processing development applications including established timeframes which permit applicants to appeal to the Local Planning Appeal Tribunal if a Council fails to make a decision within a prescribed timeline; and,

WHEREAS the passing of Bill 108 in 2019 reduced the timelines for processing development applications before they can be appealed to the Local Planning Appeals Tribunal (LPAT) for a non-decision from those outlined in Bill 139, the Building Better Communities and Conserving Watersheds Act, 2017 as follows:

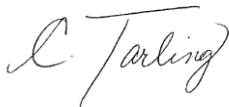
- from seven months (210 days) to four months (120 days) for Official Plan amendments;
- from five months (150 days) to three months (90 days) for Zoning By-law amendments; and
- from six months (180 days) to four months (120 days) for Plans of Subdivision; and

WHEREAS the shortened timeframes create unreasonable pressures on municipalities, even outside the context of navigating city business in a global pandemic, and result in reduced opportunities for meaningful public engagement and limited time for the public to provide written submissions on a development application;

THEREFORE BE IT RESOLVED that Kitchener City Council urge the Province of Ontario to review and reconsider the current timelines established for review of Planning Act applications before an appeal is permitted to the Local Planning Appeals Tribunal and to return to the timelines that were in effect under Bill 139, the Building Better Communities and Conserving Watersheds Act, 2017;

THEREFORE BE IT FURTHER RESOLVED that a copy of this resolution be sent to the Ontario Minister of Municipal Affairs and Housing, to the local MP's and MPP's, to the Federation of Canadian Municipalities, to the Association of Municipalities Ontario, and all other municipalities in Ontario."

Yours truly,



C. Tarling  
Director of Legislated Services  
& City Clerk

c:     Honourable Tim Louis, M.P.  
         Honourable Raj Saini, M.P.  
         Honourable Marwan Tabbara, M. P.  
         Honourable Bardish Chagger, M.P.  
         Honourable Bryan May, M.P.  
         Honourable Amy Fee, M.P.P.  
         Honourable Catherine Fife, M.P.P.  
         Honourable Belinda Karahalios, M.P.P.  
         Honourable Mike Harris, M.P.P.  
         Honourable Laura Mae Lindo, M.P.P.  
         Bill Karsten, President, Federation of Canadian Municipalities  
         Monika Turner, Association of Municipalities of Ontario  
         Rosa Bustamante, Director, Planning, City of Kitchener  
         Ontario Municipalities

April 26, 2021

**CL 8-2021, April 22, 2021**

**PEDC 4-2021, April 14, 2021**

**Report PDS 19-2021, April 14, 2021**

***DISTRIBUTION LIST***

***SENT ELECTRONICALLY***

Combined Sewer Overflow (CSO) Control and Wet Weather Management (WWM)

Program – 2021 Funding Recommendations

Report PDS 19-2021

Regional Council, at its meeting held on April 22, 2021, passed the following recommendation of its Planning and Economic Development Committee:

That Report PDS 19-2021, dated April 14, 2021, respecting Combined Sewer Overflow (CSO) Control and Wet Weather Management (WWM) Program – 2021 Funding Recommendations, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That the thirty-four (34) Local Area Municipal projects under the 2021 Combined Sewer Overflow (CSO) Control / Wet Weather Management (WWM) Cost Sharing Program, as identified in Appendix 1 of Report PDS 19-2021, **BE APPROVED** in the amount of \$3,252,976;
2. That Regional staff **PREPARE** and **EXECUTE** the respective partnership funding agreements with the Local Area Municipalities (LAM) for qualifying projects to reflect the terms and conditions set out in Appendix 2 and Appendix 3 of Report PDS 19-2021; and
3. That the local Municipal partners **BE ADVISED** of the results of Regional funding support, as outlined in Appendix 1 of Report PDS 19-2021.

A copy of Report PDS 19-2021 is enclosed for your reference.

Yours truly,



Ann-Marie Norio  
Regional Clerk

:kl

CLK-C 2021-067

Distribution List

Town of Grimsby  
Town of Fort Erie  
Town of Lincoln  
City of Niagara Falls  
Town of Niagara-on-the-Lake  
Town of Pelham  
City of Port Colborne  
City of St. Catharines  
City of Welland  
Town of West Lincoln  
I. Stetic, Project Manager, Planning and Development Services  
D. Giles, Acting Commissioner, Planning and Development Services  
N. Oakes, Executive Assistant to the Commissioner, Planning and Development Services

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**Subject:** Combined Sewer Overflow (CSO) Control and Wet Weather Management (WWM) Program – 2021 Funding Recommendations

**Report to:** Planning and Economic Development Committee

**Report date:** Wednesday, April 14, 2021

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## Recommendations

1. That the thirty-four (34) Local Area Municipal projects under the 2021 Combined Sewer Overflow (CSO) Control / Wet Weather Management (WWM) Cost Sharing Program, as identified in Appendix 1 of Report PDS 19-2021, **BE APPROVED** in the amount of \$3,252,976;
2. That Regional staff **PREPARE AND EXECUTE** the respective partnership funding agreements with the Local Area Municipalities (LAM) for qualifying projects to reflect the terms and conditions set out in Appendix 2 and Appendix 3 of Report PDS 19-2021; and
3. That the local Municipal partners **BE ADVISED** of the results of Regional funding support, as outlined in Appendix 1 of PDS 19-2021.

## Key Facts

- The purpose of this report is to provide background information to support the approval of the 2021 Local Area Municipal projects under the CSO Control / WWM Program.
- The Combined Sewer Overflow (CSO) Control Cost Share Program has been in place since 2007 and is intended to facilitate shared funding with the local Municipal partners to help mitigate the impacts of wet weather events on the Region-wide sanitary system and the environment. As a result, the Region benefits from this program by gaining capacity at regionally owned trunks, sewage pump stations and wastewater treatment plants, which in return, could be used for growth without oversizing Regional infrastructure.
- Representatives of the CSO/WWM Working Group developed administrative procedures and criteria to support this Program and to rank project submissions by local Municipalities in accordance with the guiding principles.

- The Region supports this approach and has included funding annually in its budget. For 2021, an amount of \$4,000,000 was budgeted in the Region's Wastewater Operating Budget.
- The total of eligible projects submitted by local Municipal partners for 2021 was \$3,252,976.
- Although the total requested amount is less than the approved program budget of \$4,000,000 by \$747,024 for 2021, the need to address wet weather issues in sanitary collection systems remains high.

### **Financial Considerations**

A gross budget of \$4,000,000 has been approved as part of the 2021 Wastewater Operating Budget for the CSO Control Cost Share program. Funding for this program is partially provided through the Development Charges (50%).

The thirty-four (34) eligible projects considered for funding under the 2021 CSO Control Program totaled \$3,252,976. As the total requested amount is less than the approved program budget of \$4,000,000 by \$747,024 for 2021, these existing funds will remain available for the remainder of 2021 in order to accommodate any unforeseen or not yet approved projects requested by LAM. If the funds are still unused by year-end, the 50% funded by DC revenues (\$373,512) will remain unrecognized and the 50% funded through the water wastewater requisition (\$373,512) will be recognized as surplus through the 2021 financial reporting process. Appendix 1 presents thirty-four (34) municipal projects being recommended for funding in full.

Included in the recommended projects list is a \$15,000 support contribution for the Guidelines to Undertaking Flow Monitoring in New Construction for the reduction of I/I. This project is directly aligned with the WWM strategic approach benefiting both, Region and LAM. In support of this work, each municipality signed a written consent agreeing that the contribution be taken from the CSO Control Funding Program. This agreement was confirmed again for 2021 by the Working Group.

During mid-2021, Regional staff in collaboration with the local Municipal partners, will review the approved local budgets for the CSO related projects. This will insure that a consideration is given for a potential acceptance of the in-year applications should the increase in demand continue.

In addition to the \$4,000,000 approved in the 2021 Wastewater Operating Budget, there are currently \$22,105,628 of previously approved and active CSO projects at December

31, 2020. Of that amount, \$8,672,415 has been paid to Local Area Municipalities at December 31, 2020 for qualifying CSO projects. As a result, there are \$13,433,213 in commitments to 11 municipalities for approved but unspent CSO projects at December 31, 2020 as shown in Appendix 4.

## **Analysis**

Thirty-four (34) applications were received from ten (10) local Municipalities. Five (5) applications from Fort Erie, one (1) from Grimsby, two (2) from Lincoln, eight (8) from Niagara Falls, two (2) from NOTL, one (1) from Pelham, three (3) from Port Colborne, three (3) from St. Catharines, eight (8) from Welland and one (1) from West Lincoln.

Regional staff reviewed and evaluated thirty-four (34) eligible projects and incorporated all of them into the final recommendation list presented in Appendix 1.

The requested funding for all qualified projects totaled \$3,252,976 including a \$15,000 support contribution to Municipal I/I Collective research project, which was endorsed by all local Municipal partners. The total requested funding of \$3,252,976 is \$747,024 less than the 2021 approved budget of \$4,000,000.

Previously the CSO Control Working Group adjusted the funding options structure for the eligible CSO cost share projects during 2018 and 2019. This adjustment incorporated a weighted approach of a growth component into the evaluation matrix and a change of funding priorities for different types of work. Appendix 2 shows the Funding Options.

Local Municipalities are encouraged to apply during 2021 for new eligible CSO projects as they are able to do so. Similar to other jurisdictions across Ontario, wet weather flows continue to negatively impact sanitary infrastructure resulting in potential basement flooding, overflows to the environment, and reduced capacity for future growth. The removal of wet weather flow and Inflow & Infiltration reduction is important work that needs on-going focus and support over the long term to be successful.

## **Alternatives Reviewed**

No alternatives were reviewed at this time.



## Relationship to Council Strategic Priorities

This report was brought forward by Regional Staff, supported by the CSO/WWM Working Group and by the Public Works Officials as the Responsible Growth and Infrastructure Planning priority in establishing objectives of Environmental Sustainability & Stewardship and Maintenance of Existing Infrastructure.

## Other Pertinent Reports

- PW4.S06.0, September 2, 2014 – Combined Sewer Overflow (CSO) Control & Wet Weather Management Policy
- PDS 12-2020, April 8, 2020 – Combined Sewer Overflow (CSO) Control and Wet Weather Management Program – 2020 Funding Recommendations”)

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### Prepared by:

Ilija Stetic, B.Sc., PMP, CET  
Project Manager  
Planning and Economic Development

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### Recommended by:

Doug Giles, MES, BUP  
Commissioner (Acting)  
Planning and Economic Development

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### Submitted by:

Ron Tripp, P.Eng.  
Acting Chief Administrative Officer

*This report was prepared in consultation with Phill Lambert, P. Eng., Director, Infrastructure Planning & Engineering, Lyndsey Ferrell, Program Financial Specialist, and reviewed by Dan Ane, Manager Program Financial Support.*

## Appendices

Appendix 1	Recommended 2021 CSO Control Program Funding Requests
Appendix 2	Funding Options
Appendix 3	CSO Control / WWM Policy Funding Conditions

Appendix 4      Summary of CSO Project Remaining Budget Encumbrance by  
Municipality by 2020 Year-End

**Appendix 1: Recommended 2021 CSO Control Program Funding Requests**

Municipality	Project Title	Regional	Requested	Recommended
		Share	Funding	Funding
		%	\$	\$
Grimsby	Investigative Work in the Roberts Rd. and Lake St. SPS Catchments	50	43,393	43,393
Fort Erie	Flow Monitoring Pre/Post - Targeted Areas	50	15,000	15,000
	Sanitary CCTV - Targeted Areas	50	157,500	157,500
	Thunder Bay Trenchless Sewer Rehabilitation (TBTR19)	30	75,000	75,000
	Trenchless Repairs - Targeted Area (TRSA21)	30/60 <sup>1</sup>	162,000	162,000
	Catherine SPS I/I Reduction	30	12,857	12,857
Lincoln	Glenbrook Dr Sewer Replacement (D & C)	30/30/60 <sup>1</sup>	257,400	257,400
	Beamsville, Vineland, Jordan: Sewer Rehab Project (D & C and post F/M)	30/30/60 <sup>1</sup>	284,970	284,970
Niagara Falls	Corwin Area Sewer Separation Implementation Plan (Study)	50	50,000	50,000
	Dixon St Sewer Separation (Design)	40	17,316	17,316
	George St/ Fraser St Sewer Separation EA (Study)	50	50,000	50,000
	Hodgson Subdivision Sewer Separation Strategy (Study)	50	50,000	50,000
	Sanitary Sewer Rehabilitations Project Yr 2	30	300,000	300,000
	South NF I&I Remedial Program Ph 2	60/30 <sup>1</sup>	135,000	135,000
	St. Peter Ave Sewer Separation (Construction)	40	122,400	122,400
	Valley Way Area Sewer Separation (Study)	50	50,000	50,000
Niagara-on-the-Lake	Mississauga Beach Study	50	75,000	75,000
	Dorchester North Repairs	30	45,000	45,000
Pelham	Sanitary I&I Study Program- Planned Replacements and Rehab	30	30,000	30,000
Port Colborne	Investigation of Innovative Stormwater Management Solutions-Omer Area	50/60 <sup>1</sup>	80,100	80,100
	Investigation & Remediation - I&I Contributors Omer Area	50/60 <sup>1</sup>	108,000	108,000
	Inflow and Infiltration Public Education Campaign	50	15,000	15,000
St. Catharines	Greenmeadow / Wood St Sewer Separation (Design)	50	142,000	142,000
	Carlton/Ontario Catchment Investigation and CSO Reduction Study	50	75,000	75,000
	Wastewater and Stormwater Model Development	50	90,000	90,000
Welland	Broadway Area I&I Reduction	50	75,000	75,000
	Merritt St Sewer Separation	40/60 <sup>1</sup>	104,160	104,160
	Commercial Ontario Area MSP Trunk Sewer	50/50/60 <sup>1</sup>	78,000	78,000
	Lincoln Conventry I&I Reduction	50	75,000	75,000
	Welland River Inflow & Check Valves	50/60 <sup>1</sup>	57,000	57,000
	Dain City I&I Reduction	30/50/50 <sup>1</sup>	220,000	220,000
	Parkdale Place Sewer Separation	40/60 <sup>1</sup>	41,680	41,680
	Margaret Nye Gadsby Sewer Separation	40/60 <sup>1</sup>	84,200	84,200
West Lincoln	I&I Study and Remedial Action Plan	30	60,000	60,000
Guideline to Undertaking Flow Monitoring in New Construction for I/I reduction <sup>2</sup>		100	15,000	15,000
<b>Total</b>			<b>3,252,976</b>	<b>3,252,976</b>

**Note 1:** Funding % share is dependent on specific project component and related work. Projects combined different works resulting in different Regional share. See Appendix 3 for a specific project cost share split.

**Note 2:** This collective project is for the reduction of I/I in new construction for the benefit of both, Region and Municipal partners.

**CSO Control Program Funding Options**

Project Category No.	Project Types	100% Funding Amount Priorities	Region %	Municipality %
1.	Sewer Separation	40%		
Work Examples	Disconnection of road drainage		40	60
	Disconnection of private		60	40
	Disconnection of road, previous disconnection of private or opposite		50	50
2.	Studies	15%		
Work Examples	PPCP as per the PPCP guide		50	50
	I&I and extraneous flow investigation including cctv/smoke dye testing <sup>1</sup>		50	50
	Mandatory flow monitoring - pre and post		60	40
	Investigative work on municipal/private side		50	50
	Public education/water conservation and efficiency measures		50	50
	Sewer use by-law development/update and municipal policies		50	50
3.	Source Control - Private Side	20%		
Disconnection of roof leaders to be done by homeowners/municipalities as a prerequisite for other works on the private side.				
Work Examples	Disconnection of roof leaders		60	40
	Disconnection of weeping tiles from sanitary including applicable works		60	40
	Disconnection of private sump pumps		60	40
	Backflow preventer installation on sanitary		40	60
4.	Conveyance and Flow Control/Storage	15%		
Work Examples	Real time control for detention		60	40
	In-line flow controllers design and construction (e.g. weirs)		60	40
	Off-line conveyance and pumping design and construction		60	40
	In-line/ off-line storage		40	60
5.	Repair/ Rehabilitation/ Replacement of Sewers	10%		
Estimated ≥50% flow reduction during WW events				
Work Examples	Repair of sanitary/ manholes - gel sealing, spot repairs		30	70
	Spot repair lining		30	70
	Full length liner		30	70

Note 1: CCTV inspection - only site/project specific. Regular city wide inspections should be part of municipal O&M.



**CSO Control Program Terms and Funding Conditions**

The terms and conditions under which funding will be offered to the successful applications, include the following:	
1	<i>Amount of Funding, Studies</i> - The Region shall contribute 50% of total study costs for the PPCP and I&I studies, and 60% for the Pre and Post Flow monitoring projects provided the Region participates on a committee overseeing the study and the study covers the entire area tributary to the Wastewater Treatment Plant(s) and includes both local and Regional infrastructure.
2	<i>Amount of Funding, Design &amp; Construction projects</i> – The Region shall contribute defined percentage of the cost based on the Funding Options matrix, provided that; the facility or measure is supported by a recommendation from a current CSO study, life cycle cost comparisons of alternative solutions were undertaken and the Region agrees with the cost comparisons, the Region agrees with the ‘best overall solution’, and the Region participates on a committee overseeing the design.
3	<i>Third Party Funding</i> – The Region’s funding shall be net of any third party funding approved for the project. If third party funding is obtained after Regional funding approval, the amount of Regional funding will be adjusted to be net of any third party funding. Payment of the funding to the Area Municipality shall be based on actual expenditures incurred up to the maximum amount approved by Regional Council based on the budget submitted with the application.
4	<i>Project Lead Studies</i> – Lead by either the Area Municipality or the Region based on a mutual agreement prior to initiation of study.
5	<i>Project Lead Design &amp; Construction</i> – A project located in the Area Municipal wastewater system shall be managed by the Area Municipality while a project in the Regional wastewater system shall be managed by the Region. On a case-by-case basis the Region may consider managing a project in the local system, if requested by the Area Municipality.
6	<i>Ownership and Operation of Assets</i> – The ownership and operation of all new and existing assets shall remain the responsibility of the current owner. The Area Municipality, on a case by case basis, may request the Region to operate and maintain an existing or new CSO control facility on behalf of the Area Municipality on a direct charge back basis.
7	<i>Follow up Flow Monitoring</i> – On a case-by-case basis, the Region may include a condition or approval of funding that requires follow up flow monitoring to assess project’s effectiveness.
8	<i>Expiry of Funding</i> – Funding of a project by the Region may expire if the local Area Municipality does not invoice the Region within three (3) years of the date of funding approval by Regional Council. Also, if an Area Municipality decides not to proceed with a project, the Region may revoke funding. The Region may also withdraw funding for future phases if a project does not proceed on a continuous basis toward completion.
9	<i>Indemnity</i> – The Region, or its directors, officers, employees, agents or consultants will not be held liable as a result of providing funding for any project.
10	<i>Regional Recognition</i> – The Area Municipality is to ensure that the Region is to be acknowledged in all advertising and publicity related to the project for which funding was provided.

11	<i>Project Deliverables</i> – The Region shall receive copies of all project deliverables, including, but not limited to, reports, flow monitoring data, hydraulic modelling files, GIS layers/data, and technical memorandums.
12	<i>Funding Agreement</i> - A letter formalizing the funding in accordance with the Region's CSO Funding Policy will be issued to the Area Municipality for signature and used as the agreement to the terms and conditions of the funding.

Appendix 4: Summary of CSO Project Remaining Commitments by Municipality at 2020 Year-End

	Year						
Municipality	Pre-2016	2016	2017	2018	2019	2020	Grand Total
Fort Erie	\$ 8,729	\$ 123,301		\$ 308,990	\$ 783,839	\$ 138,500	\$ 1,363,359
Grimsby	1,503,293	13,521				288,000	1,804,814
I/I Collective Research					5,720	15,000	20,720
Lincoln		13,521	2,100	312,182	389,400		717,203
Niagara Falls	112,728	11,074	320,207	101,663	410,929	1,185,613	2,142,214
Niagara-on-the-Lake				115,292	52,000	100,286	267,578
Pelham	5,173			50,000	15,000		70,173
Port Colborne		186,460	98,684				285,144
St. Catharines	803,618	1,018,842	128,082	314,001	1,243,200	364,500	3,872,243
Thorold	158,050	176,277		299,465			633,792
Welland	148,980	62,000		876,659	528,765	448,000	2,064,404
West Lincoln		13,521				178,048	191,569
Grand Total	\$ 2,740,571	\$ 1,618,516	\$ 549,074	\$ 2,378,252	\$ 3,428,852	\$ 2,717,948	\$ 13,433,213



**Administration**

Office of the Regional Clerk

1815 Sir Isaac Brock Way, PO Box 1042, Thorold, ON L2V 4T7

Telephone: 905-685-4225 Toll-free: 1-800-263-7215 Fax: 905-687-4977

[www.niagararegion.ca](http://www.niagararegion.ca)

April 26, 2021

**CL 8-2021, April 22, 2021**

**PEDC 4-2021, April 14, 2021**

**Report PDS 20-2021, April 14, 2021**

***DISTRIBUTION LIST***

***SENT ELECTRONICALLY***

2020 Reserve Water and Wastewater Treatment Capacities

Report PDS 20-2021

Regional Council, at its meeting held on April 22, 2021, passed the following recommendation of its Planning and Economic Development Committee:

That Report PDS 20-2021, dated April 14, 2021, respecting 2020 Reserve Water and Wastewater Treatment Capacities, **BE RECEIVED** and **BE CIRCULATED** to the Ministry of the Environment, Conservation and Parks and Local Area Municipalities.

A copy of Report PDS 20-2021 is enclosed for your reference.

Yours truly,



Ann-Marie Norio  
Regional Clerk

:kl

CLK-C 2021-068

Distribution List:

Ministry of the Environment, Conservation and Parks

Local Area Municipalities

I. Stetic, Project Manager, Planning and Development Services

D. Giles, Acting Commissioner, Planning and Development Services

N.Oakes, Executive Assistant to the Commissioner, Planning and Development Services

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**Subject:** 2020 Reserve Water and Wastewater Treatment Capacities

**Report to:** Planning and Economic Development Committee

**Report date:** Wednesday, April 14, 2021

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## **Recommendations**

1. That Report PDS 20-2021 **BE RECEIVED** for information; and
2. That Report PDS 20-2021 **BE CIRCULATED** to the Ministry of the Environment, Conservation and Parks and Local Area Municipalities.

## **Key Facts**

- The purpose of this report is to inform Council of the reserve treatment capacities at Niagara's Water and Wastewater Treatment facilities. This reporting is required by the Ministry of Environment, Conservation and Parks (MECP).
- The data contained in this report assists in commenting on new development proposals and related servicing as well as planning for future treatment capacity.
- All of Niagara Water Treatment Plants (WTPs) and Wastewater Treatment Plants (WWTPs) are positioned to accept growth beyond the minimum 10 year horizon.

## **Financial Considerations**

This report provides Council with historical and projected treatment capacity and flow data. There are no direct financial implications in receiving this report.

The reserve treatment capacities at the water and wastewater (W&WW) facilities are considered in commenting on new development proposals and related servicing and, as a result, could result in a financial impact related to specific future applications.

## **Analysis**

The Infrastructure Planning and Development Engineering section of Planning and Development Services Department annually reports on an assessment of the average daily W&WW flows based on the previous five years, as recorded at our various facilities compared to MECP rated capacities for the facilities. Included in the analysis are the 10-year growth projections in accordance with Niagara 2041 (*How we Grow, Flow and Go*).

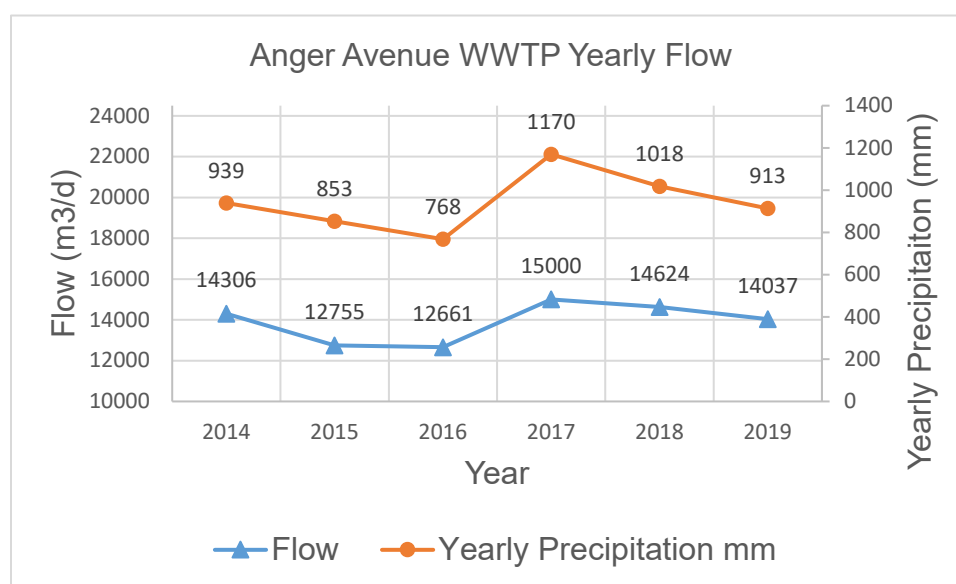
A key objective of this report is to highlight potential capacity constraints and allow sufficient lead time to plan for future capacity increases through the W&WW capital programs so that development may continue unencumbered. This is a 'desktop' exercise, which compares five-year (annual) average flows to the respective MECP Environmental Compliance Approval(s), formerly known as Certificate of Approval(s) for each facility, then incorporates 10-year growth forecasts into the calculation. Ongoing phasing and staging strategy works with our local municipal partners will further refine this assessment for understanding development capacity.

This assessment does not reflect specific compliance, quality, sustainability, risk, or operational deficiencies at the treatment plants or trunk conveyance/transmission systems, which may affect the Region's ability to approve new development or permit servicing extensions.

For municipal wastewater treatment, weather is the key factor that results in peak wet weather flows, which impacts the collection and trunk sewers in both local and regional systems through "Rainfall Derived Inflow and Infiltration" (RDI&I). Even though, it is expected to record higher flows due to population growth, the annual average daily flows to the WWTPs are higher due to the wet weather flows entering the systems.

Just for an example, Figure 1 illustrates a direct correlation of wastewater plant flows and yearly precipitation at Anger Avenue WWTP.

Figure 1: Correlation of Wastewater Flows with Precipitation



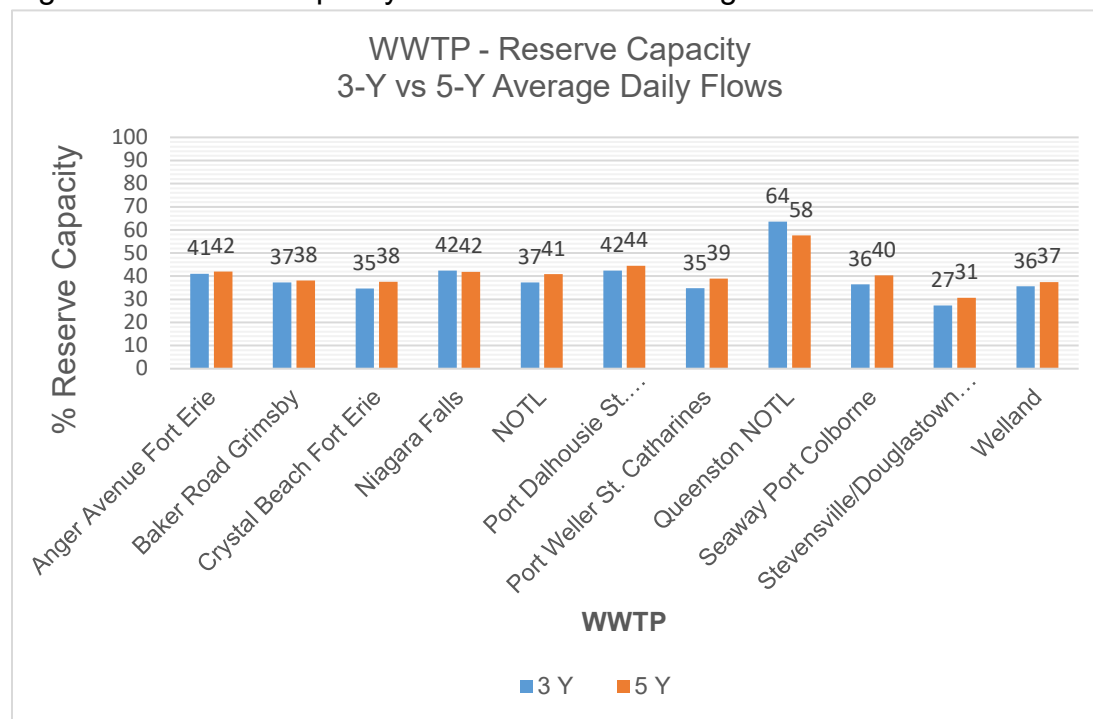
Wet weather flows can have substantial impact on available WWTP capacities and a direct impact on the limitations of available servicing capacity for future growth.

Appendix 1 and 2 provide the annual average daily flows from 2016 to 2020 as well as the three-year and five-year averages for the water and wastewater treatment plants, respectively. Appendices 3 and 4 provide a summary of Niagara's six water treatment facilities and eleven wastewater treatment facilities presenting their respective reserve capacities.

It is worth noting that the greater growth rates in recent years in Niagara show a more consistent increase in flows over the last few years, which consequently can impact the way this 'desktop' exercise conducts the reserve capacity calculations. If the annual daily flows are averaged over longer period of time, it can potentially create a skewed sense of greater reserve capacity. Therefore, an analysis of the three-year and five-year annual average daily flows for reserve capacity was completed to better understand this potential impact.

As shown on Figure 2 below, in general, the three-year average of Reserve Capacity for WWTP were slightly less than the five-year (except for Queenston NOTL WWTP); however, this was not a significant difference.

Figure 2: Reserve Capacity – Annual Flows Averaged over 3-Year and 5-Year Period



Going forward, the annual average daily flows over the last 3-years and 5-years will be compared and analyzed to understand if a more significant difference in Reserve Capacity develops.

**At present, all of Niagara's WTPs and WWTPs are positioned to accept growth beyond the minimum 10-year period (Appendix 3 and Appendix 4).**

### **Wet Weather Management**

In order to accommodate the anticipated growth from Niagara 2041, the 2016 W&WW Master Servicing Plan (MSP) investigated capacity upgrades (upgrades to trunk sewers, pumping station capacities, etc.), upstream management (storage, peak shaving, diversion), and peak flow management (flow reduction, Inflow & infiltration (I&I) reduction projects) for every wastewater system. Based on this review, there are wet weather projects listed with identified areas for targeted I&I removal to offset the requirement to upgrade and expand more expensive infrastructure all the way to the WWTPs. It is crucial to achieve the I&I reductions in order to offset the capacity needs from growth, to protect the environment, and mitigate potential basement flooding.

The Region and Area Municipalities are continuing to work collaboratively to facilitate ongoing development throughout the region and provide the requisite servicing and capacity allocation in a responsible way to service the communities.

In addition, the Region has been aiding Area Municipalities by funding the CSO Control program as a part of the overall Wet Weather Management Strategy to support various I&I related projects and programs on the municipal side. This program has been reducing the impacts of I&I and has been a benefit to both, the Region and the Area Municipalities.

Staff is working with the Development Industry including Public Works Officials, Building Officials, Developers, Consultants and Contractors to raise awareness on the wet weather management issues and potential upcoming changes to address this. The Region is also represented at the Expert Stakeholder Committee (ESC) for the *Guideline to Undertaking Flow Monitoring of New Construction* and will work with all stakeholder to review the flow monitoring of new subdivisions as mandatory.

### **Alternatives Reviewed**

No alternatives were reviewed for this report.

## Relationship to Council Strategic Priorities

The report aligns with Council's Priority of Responsible Growth and Infrastructure Planning by highlighting the reserve capacity available to growth at all Regional Water and Wastewater Treatment Facilities.

The report also provides MECP and local municipal partners operational summary and reserve capacity projections for Region's Water and Wastewater Treatment facilities

## Other Pertinent Reports

- PDS 13-2020, April 8, 2020, 2019 Reserve Water and Wastewater Treatment Capacities
- PW 22-2017, May 30, 2017, 2016 Water and Wastewater Master Servicing Plan Update

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### Prepared by:

Ilija Stetic, B.Sc., PMP  
Project Manager  
Planning and Economic Development

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### Recommended by:

Doug Giles, BES, MUP  
Acting Commissioner  
Planning and Economic Development

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### Submitted by:

Ron Tripp, P.Eng.  
Acting Chief Administrative Officer

*This report was prepared in consultation with Phill Lambert, Director Planning and Development Services, John Brunet, AD Water Operations and Staff Development and Jason Oatley, Manager WW Quality & Compliance.*

## Appendices

- |            |   |
|------------|---|
| Appendix 1 | Annual Average Daily Flow 2016 to 2020 WTP  |
| Appendix 2 | Annual Average Daily Flow 2016 to 2020 WWTP |

Appendix 3	Water Reserve Capacity Calculations for 2020
Appendix 4	Wastewater Reserve Capacity Calculations for 2020

Appendix 1: WTP Annual Average Daily Flow 2016 - 2020

Water Treatment Plant	Rated Capacity (m <sup>3</sup> /d)	Average Daily Flow (m <sup>3</sup> /d)							3 to 5 Year % Change
		2016	2017	2018	2019	2020	5 Year 2016 - 2020	3 Year 2018 - 2020	
Decew Falls WTP	227,300	54,903	54,321	56,090	53,303	53,390	54,401	54,261	0%
Grimsby WTP	44,000	15,699	14,020	14,866	14,029	15,726	14,868	14,874	0%
Niagara Falls WTP	145,584	47,350	45,192	44,780	43,400	40,145	44,173	42,775	-3%
Port Colborne WTP	36,000	7,719	8,735	8,864	7,282	6,870	7,894	7,672	-3%
Rosehill WTP	50,026	13,148	12,388	12,862	11,188	11,024	12,122	11,691	-4%
Welland WTP	65,000	21,858	21,590	22,538	22,579	24,670	22,647	23,262	3%



Appendix 2: WWTP Annual Average Daily Flow 2016 - 2020

Wastewater Treatment Plant	Rated Capacity (m <sup>3</sup> /d)	Average Daily Flow (m <sup>3</sup> /d)							3 to 5 Year % Change
		2016	2017	2018	2019	2020	5 Year 2016 - 2020	3 Year 2018 - 2020	
Anger Avenue WWTP	24,500	12,661	15,000	14,624	15,146	13,580	14,202	14,450	2%
Baker Road WWTP	31,280	16,999	20,897	19,975	20,910	17,952	19,347	19,612	1%
Crystal Beach WWTP	9,100	4,676	5,915	5,874	6,276	5,688	5,686	5,946	4%
Niagara Falls WWTP	68,300	35,880	44,684	41,489	41,360	35,242	39,731	39,364	-1%
NOTL WWTP <sup>(1)</sup>	8,000	4,021	4,561	4,687	5,237	5,142	4,730	5,022	6%
Port Dalhousie WWTP	61,350	29,616	34,823	35,095	36,681	34,113	34,065	35,296	3%
Port Weller WWTP	56,180	29,650	32,090	36,881	39,211	33,751	34,317	36,614	6%
Queenston WWTP	500	278	234	198	213	135	212	182	-16%
Seaway WWTP	19,600	9,103	12,082	12,580	13,472	11,299	11,707	12,450	6%
Stevensville/Douglastown Lagoon	2,289	1,314	1,635	1,670	1,729	1,592	1,588	1,664	5%
Welland WWTP	54,550	29,728	35,407	34,643	37,137	33,617	34,107	35,133	3%

Note 1: Effluent discharge from NOTL WWTP started directly on January 6, 2020 after previously used lagoon was gradually decommissioned by January 16, 2020.

### Appendix 3: WTP Reserve Capacities for 2020

Water Treatment Plant	Permit To Take Water <sup>(1)</sup>	Rated Treatment Capacity	Theoretical Average Day Capacity	90% of Average Day Capacity <sup>(3)</sup>	5-Year Average Day Flow	Peaking Factor <sup>(2)</sup>	Total Capacity Used	Reserve Treatment Capacity (90% base) MLD	Design Flow Rate (275 Lcd)	Reserve Serviceable Population Equivalents	10-Year Forecast For Population (Res & Emp)	Surplus Population 10-Year Projection
	MLD											
DeCew Falls WTP	227.0	227.3	143.4	129.1	54.4	1.585	38%	74.7	275	271,636	30,398	241,238
Grimsby WTP	44.0	44.0	26.5	23.9	14.9	1.658	56%	9.0	275	32,727	14,771	17,956
Niagara Falls WTP	145.5	145.6	88.2	79.4	44.2	1.650	50%	35.2	275	128,000	23,782	104,218
Port Colborne WTP	45.5	36.0	22.4	20.2	7.9	1.608	35%	12.3	275	44,727	1,552	43,175
Rosehill WTP	78.0	50.0	31.8	28.6	12.1	1.573	38%	16.5	275	60,000	6,375	53,625
Welland WTP	110.0	65.0	43.4	39.1	22.6	1.499	52%	16.4	275	59,636	12,292	47,344

Note 1: Original MOE approved quantity of raw water permitted (Permit To Take Water).

Note 2: The peaking factors used are based on an average of actual flow rates of maximum day versus average day flows over the past three years at each facility.

Note 3: Region's W&WW MSP (GM BluePlan, 2017) requires planning process for expansion when plant capacity exceeds 80%, and expansion should be completed when capacity exceeds 90%.

#### Appendix 4: WWTP Reserve Capacity for 2020

Wastewater Treatment Plant	MOE Plant Rated Capacity	90 % of Plant Capacity <sup>(1)</sup>	5-Year Average Daily Flow	Total Capacity Used	Reserve Treatment Capacity (90% base) (m³/d)	Design Flow Rate <sup>(2)</sup> (365 Lcd)	Reserve Serviceable Population Equivalents	10-Year Forecast For Population (Res & Emp)	Surplus Population 10-Year Projection
	(m³/d)								
Anger Avenue (Fort Erie) WWTP	24,500	22,050	14,202	58%	7,848	365	21,500	4,277	17,223
Baker Road (Grimsby) WWTP	31,280	28,152	19,347	62%	8,805	365	24,125	16,791	7,334
Crystal Beach (Fort Erie) WWTP	9,100	8,190	5,686	62%	2,504	365	6,861	1,443	5,418
Niagara Falls WWTP <sup>(3)</sup>	68,300	61,470	39,731	58%	21,739	365	59,559	19,980	39,579
NOTL WWTP <sup>(4)</sup>	8,000	7,200	4,730	59%	2,470	365	6,767	2,644	4,123
Port Dalhousie (St. Catharines) WWTP	61,350	55,215	34,065	56%	21,150	365	57,944	15,005	42,939
Port Weller (St. Catharines) WWTP	56,180	50,562	34,317	61%	16,245	365	44,508	10,052	34,456
Queenston (NOTL) WWTP <sup>(5)</sup>	500	450	212	42%	238	365	653	99	554
Seaway (Port Colborne) WWTP	19,600	17,640	11,707	60%	5,933	365	16,254	1,622	14,632
Stevensville/Douglastown Lagoon	2,289	2,060	1,588	69%	472	365	1,293	795	498
Welland WWTP	54,550	49,095	34,107	63%	14,988	365	41,064	12,912	28,152

Note 1: Region's W&WW MSP (GM BluePlan, 2017) requires planning process for expansion when plant capacity exceeds 80%, and expansion should be completed when capacity exceeds 90%.

Note 2: Design Flow Rate incorporated 90 L/c/d of extraneous flow allowance

Note 3: The Niagara Falls WWTP assessment includes the sewage flows from the St. David's area of Niagara-on-the-Lake.

Note 4: Effluent discharge from NOTL WWTP started directly in January 2020 with previously used lagoon, decommissioned.

Note 5: The Queenston WWTP in Niagara-on-the-Lake has a unique capacity commitment of 226 m<sup>3</sup>/d for the following properties: Niagara Parks Commission (75 m<sup>3</sup>/d), Niagara Falls Bridge Commission (63 m<sup>3</sup>/d), Shalamar Campground (38 m<sup>3</sup>/d) and Ontario Power Generation (50 m<sup>3</sup>/d). Due to these commitments and limited UAB, limited residential growth is expected within the next 10 year period within the tributary area.

April 22, 2021

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

**SENT ELECTRONICALLY**

Dear Mayor Junkin and Council,

Please be advised that at its meeting of April 16, 2021, the Board of Directors of the Niagara Peninsula Conservation Authority (NPCA) adopted the following as Resolution No. FA-71-21:


*Moved by Board Member Beattie*

*Seconded by Board Member Rapley*

1. **THAT** Report No. FA-25-21 RE: *Expanding the Greenbelt Proposal – NPCA Comments* **BE RECEIVED.**
2. **THAT** staff **BE AUTHORIZED** to provide the NPCA's comments on the *Expanding the Greenbelt Proposal to the Environmental Registry of Ontario and partner municipalities in Welland River and Twenty Mile Creek watershed* **BE ADVISED.**  
**CARRIED**

Accordingly, attached for your reference is NPCA Report No. FA-25-21 RE: Expanding the Greenbelt Proposal – NPCA Comments along with related correspondence to the Minister of the Environment, Conservation and Parks RE: Environmental Registry of Ontario Posting 019-3136. Should you have any questions on this matter, please feel free to contact David Deluce, Senior Manager, Planning & Regulations at [ddeluce@npca.ca](mailto:ddeluce@npca.ca) or 905-788-3135 extension 224.

Sincerely,



Grant Bivol  
Clerk / Board Secretariat

Encl.

**Report To: Board of Directors**

**Subject: Expanding the Greenbelt Proposal – NPCA Comments**

**Report No: FA-25-21**

**Date: April 16, 2021**

---

**Recommendation:**

1. **THAT** Report No. FA-25-21 RE: Expanding the Greenbelt Proposal – NPCA Comments **BE RECEIVED**.
2. **THAT** staff **BE AUTHORIZED** to provide the NPCA's comments on the Expanding the Greenbelt Proposal to the Environmental Registry of Ontario and partner municipalities in Welland River and Twenty Mile Creek watershed **BE ADVISED**.

**Purpose:**

The purpose of this report is to inform the Board of an initiative by the Province to expand the Greenbelt and the NPCA's comments on this initiative.

**Background:**

On February 17, 2021, the Ministry of Municipal Affairs and Housing (MMAH) posted a notice on the Environmental Registry of Ontario launching a consultation on expanding the size of the Greenbelt Plan Area and enhancing the 'quality' of the Greenbelt. Two priority areas have been identified by the ministry:

1. Lands in and around the Paris Galt Moraine, which is a physiographic area currently located outside the Greenbelt in Waterloo Region and Brant and Wellington Counties;
2. Ideas for adding, expanding and further protecting Greenbelt Urban River Valleys.

Principles articulated by MMAH for potential expansions include expansions that:

- Support existing Greenbelt Plan objectives, vision and goals of providing permanent protection to the agricultural land base and ecological and hydrological features, areas and functions occurring on the landscape and providing for the inclusion of publicly owned lands in urban river valleys.
- Connect physically and/or functionally to the current Greenbelt by building upon the natural heritage, water resource and agricultural systems approach of the Greenbelt Plan and should

be directly connected or have a strong functional connection to not create unconnected islands of Greenbelt land.

While the province's focus is on the two priority areas highlighted above, they have also indicated they would consider input regarding other potential areas to grow the Greenbelt as well as other priorities that should be considered. It should be noted that the Province is not considering any land removals, land exchanges or policy changes at this time. Comments are requested by the close of the consultation period on April 19, 2021.

Note that Conservation Ontario has solicited comments from Conservation Authorities, to which the NPCA provided comments on March 29, 2021.

## **Discussion:**

There is a portion of the Greenbelt within the NPCA Watershed (see Appendix 1), however, the two geographic areas of focus for growth are not located within the NPCA Watershed. As such, staff offered no comments on the merits of including those geographic areas. The other component of the Greenbelt that the Province is focusing on is Urban River Valleys. There is one existing designated Urban River Valley in the NPCA Watershed (Lower Twelve Mile Creek in St. Catharines).

The Province introduced Urban River Valleys into the Greenbelt Plan added in the 2017 update as a way to bring river valleys into urban areas outside of the Greenbelt. The goal of including these new features was to provide additional connections between the Greenbelt area and the Great Lakes and to protect natural and open space lands. Another important consideration is that the policies for Urban River Valleys only applies to publicly owned lands. Many of the existing watercourses in the municipalities that are outside the Greenbelt area are far removed from a direct connection to the Great Lakes, thus would not be suitable as an Urban River Valley.

In lieu of recommending new Urban River Valleys, staff recommended in comments to Conservation Ontario that consideration be given to extending the Greenbelt Natural Heritage System along the Welland River Valley and Twenty Mile Creek Valley. Both of these systems have their headwaters in the Greenbelt and are significant hydrologically and in a natural heritage context. Incorporating them into the Greenbelt Natural Heritage System would help in protecting these important systems.

The Greenbelt Natural Heritage System (NHS) is a Provincial framework derived from coarse data. While this was a good start at the time, this is an opportunity to refine the NHS and fill in gaps that are missing, not just in Niagara but across the entire Greenbelt area. Conservation Authorities, such as the NPCA, have helpful data available to help identify gaps in the NHS and should be approached for such data.

## **Financial Implications:**

There are no financial implications to the recommendations of this report.

## **Links to Policy/Strategic Plan**

Commenting on Provincial Policy initiatives supports the Strategic Plan's Mission Statement "to implement our *Conservation Authorities Act* mandate by remaining a responsive, innovative, accountable and financially sustainable organization" by "working in collaboration with our partners in conservation".

**Related Reports and Appendices:**

Appendix 1 – Map of the Greenbelt in the NPCA's Watershed.

Appendix 2 – NPCA Comments to Conservation Ontario

**Authored by:**

*Original Signed by:*

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David Deluce, MCIP, RPP  
Senior Manager, Planning & Regulations

**Reviewed and Submitted by:**

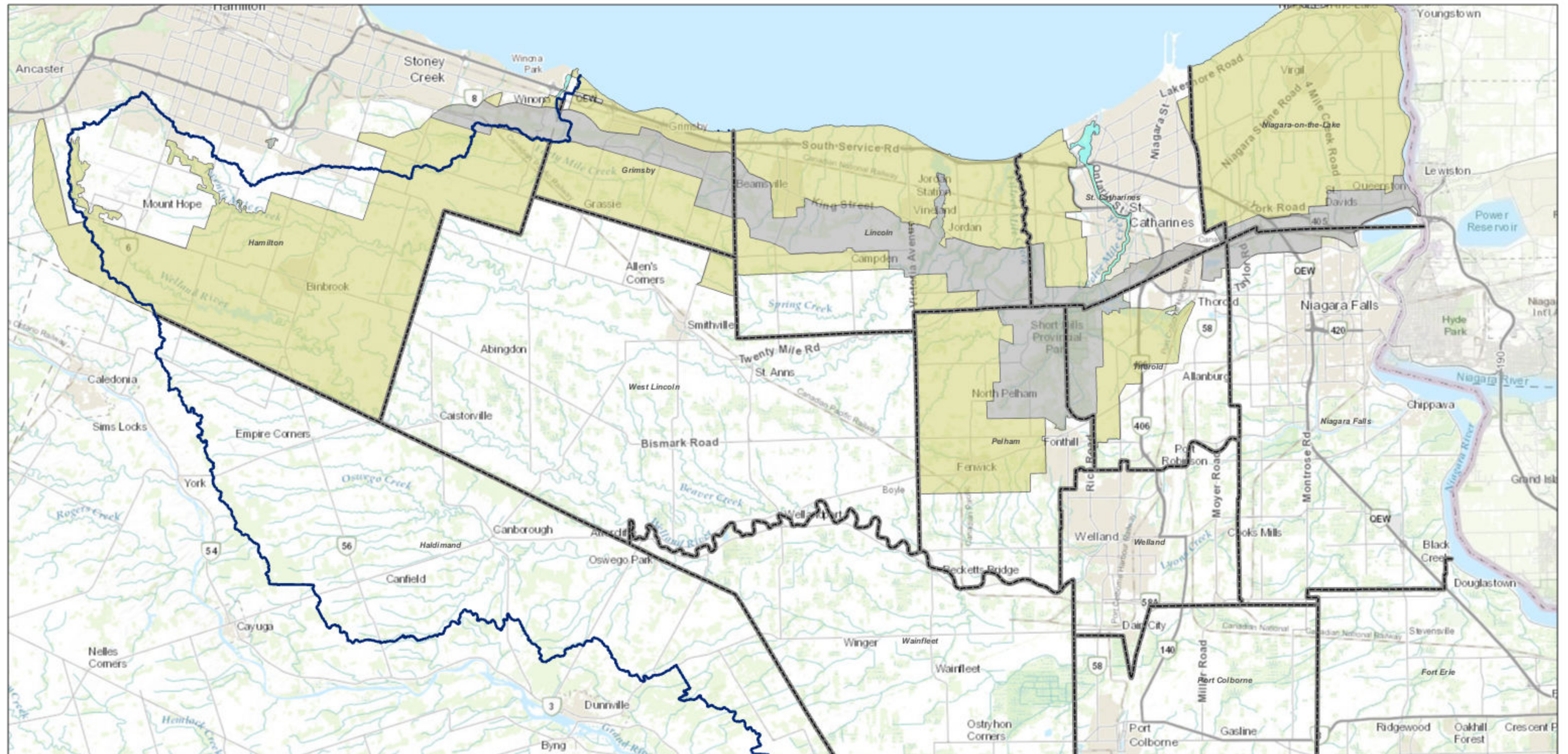
*Original Signed by:*

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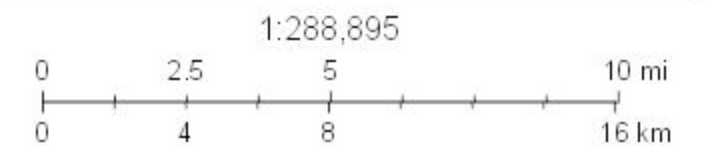
Chandra Sharma, MCIP, RPP  
Chief Administrative Officer/Secretary-Treasurer



# Appendix 1 - Greenbelt Area in NPCA Watershed



4/8/2021, 2:25:05 PM



Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community



## Consultation on growing the size of the Greenbelt

[\(ERO#019-3136\)](#)

### Consultation Table

Please submit comments to Nicholas Fischer (CO) by March 29<sup>th</sup>, 2021

<mailto:nfischer@conservationontario.ca>

**Name:** David Deluce, MCIP, RPP – Senior Manager, Planning & Regulations

**Conservation Authority:**

As a reminder, please submit one comment table per CA. Thank you.

Consultation on growing the size of the Greenbelt	
Discussion Questions	CA Comments
What are your thoughts on the initial focus area of the Study Area of the Paris Galt Moraine?	This is outside of our watershed, therefore, we have no comments
What are the considerations in moving from a Study Area to a more defined boundary of the Paris Galt Moraine?	This is outside of our watershed, therefore, we have no comments
What are your thoughts on the initial focus area of adding, expanding and further protecting Urban River Valleys?	While we are supportive in principle to adding more Urban River Valleys, we don't have a lot of contiguous, open channel rivers running through our Urban Areas that would be suitable candidates for inclusion.
Do you have suggestions for other potential areas to grow the Greenbelt?	The NPCA recommends including the valley system for Twenty Mile Creek and the Welland River within the Greenbelt NHS. The headwater areas of both these rivers is already within the Greenbelt NHS. In the case of Twenty Mile Creek, the lower reach is also part of the Greenbelt NHS. It does not make sense for the middle reach to not be included.
How should we balance or prioritize any potential Greenbelt expansion with the other provincial priorities mentioned above? <i>(see ERO posting for priorities)</i>	It is acknowledged that growth management is important but equal importance must be placed on protecting the natural heritage system and water resources systems of the Greenbelt and Growth Plan.
Are there other priorities that should be considered?	No further comments.

General Comments
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<b><i>Consultation on growing the size of the Greenbelt</i></b> <a href="#"><u>ERO#019-3136</u></a>	No further comments.
---	----------------------

April 19, 2021

Honourable Jeff Yurek  
Minister of the Environment, Conservation and Parks  
College Park 5th Floor  
777 Bay Street  
Toronto, ON M7A 2J3

**RE: Environmental Registry of Ontario Posting 019-3136**

Dear Minister Yurek,

Thank you for the opportunity to provide comments towards the provincial “Consultation on growing the size of the Greenbelt”. The Niagara Peninsula Conservation Authority (NPCA) offers the following general comments on the proposal. Please note that in addition to these comments, the NPCA also echoes the comments on this proposal that have been provided by Conservation Ontario.

While the NPCA is supportive in principle to adding more Urban River Valleys, the Niagara watershed does not contain many contiguous, open channel rivers running through our Urban Areas that would be suitable candidates for inclusion. There is one existing designated Urban River Valley in the NPCA Watershed (Lower Twelve Mile Creek in St. Catharines).

In lieu of recommending new Urban River Valleys, the NPCA recommends that consideration be given to extending the Greenbelt Natural Heritage System along the Welland River Valley and Twenty Mile Creek Valley. These two systems have their headwaters in the Greenbelt and are significant, both hydrologically and in a natural heritage context. In the case of Twenty Mile Creek, the lower reach is also part of the Greenbelt Natural Heritage System. It does not make sense for the middle reach to not be included. Incorporating both watercourses into the Greenbelt Natural Heritage System would help in protecting these important systems.

It is acknowledged that while growth management is important, equal importance must be placed on protecting the natural heritage system and water resources systems of the Greenbelt and Growth Plan. Thank you for the opportunity to comment on this proposal. For any questions or clarity on these matters, kindly contact CAO Chandra Sharma at [csharma@npca.ca](mailto:csharma@npca.ca) or 905-788-3135.

Respectfully,



David Deluce, MCIP, RPP  
NPCA Senior Manager, Planning & Regulations

**Cannabis Control Committee  
Town of Pelham**

**Minutes of Meeting  
Wednesday, February 17, 2021 – 5:00 p.m.  
Zoom Video Conference**

**Present:** Tim Nohara (Chair)  
Carla Baxter  
Louis Damm  
Bill Heska  
Jim Jeffs  
John Langendoen  
Jim Steele  
Bob Hildebrandt, Councillor - Town of Pelham  
David Cribbs, CAO - Town of Pelham  
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)

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**1. Declaration of Quorum**

Chair declared quorum at 5:06 p.m.

**2. Approve Agenda**

Moved by B. Heska, seconded by J. Langendoen that the agenda of February 17, 2021 be approved, as amended.

CARRIED

**3. Approval of Minutes of November 25, 2020, December 16, 2020 and January 20, 2021**

Moved by J. Jeffs, seconded by J. Steele that the minutes of November 25, 2020 be approved, as amended.

Moved by L. Damm, seconded by J. Langendoen that the minutes of December 16, 2020 be approved, as amended.

Moved by B. Heska, seconded by J. Jeffs that the minutes of January 20, 2021 be deferred to the next meeting date.

CARRIED

#### **4. Implementation of Odorous Industries Nuisance Bylaw (4202-2020)**

##### **a. Review Phil Girard's Ambient Odour Monitoring Program recommendations from his January 20, 2021 briefing**

T. Nohara reviewed the recommendations from P. Girard regarding the final design of the odour monitoring program. These include the increase of sampling frequency, using both upwind and downwind locations, imposing a one (1) odour unit limit at sensitive uses and proposed sensitive uses, and weekly reporting from the odour sampling contractor to staff. Staff noted permission is required from private property owners in order for odour samples to be taken from private properties. In addition, odour readings from locations within Welland would not be useful in prosecution cases.

##### **b. Discuss proposed amendments to our Odorous Industries Nuisance By-law including the possible addition of licensing provisions**

T. Nohara reviewed proposed amendments he drafted to the Odorous Industries Nuisance By-law to modestly reduce odour unit threshold levels. Focus of discussion between committee members and town staff related to odour strength.

The proposed amendments were in light of continued odour complaints from residents without being able to issue any enforcement violations to date; and Mr. Girard's recommendations (see 4a above) where he noted that the present thresholds in the odour by-law are not protective for residents as validated by the olfactometer measurements collected by enforcement staff in the Town as well as experience in measuring cannabis odour in other areas.

Committee members noted that the modest reduction in the proposed odour thresholds as drafted fell short of Mr. Girard's (our odour expert) recommendations. J. Jeffs noted that U.S. states including Washington, Colorado and Alaska all use *no detectable odour* as the standard which is why we should look at one odour unit as recommended. L. Damm noted that the Canadian standard is no release of odour and that that we shouldn't weaken the Ontario standard (one odour unit) with our by-law because the investment made by industry in improving their air filtration systems will be based on our standard.

Town staff discussed the difficulty to support a reduction to the low odour unit level as adverse impact needs to be demonstrated and advised to keep the odour unit level at a more defensible level noting the numbers in the draft document are reasonable based on discussions with P. Girard who advised the human nose cannot detect what an odour is at odour unit strength 1 or 2. T. Nohara indicated he had a different understanding on P. Girard's odour panel teaching regarding the meaning of these levels.

Committee members noted the odour at a level of 1 or 2 can be unpleasant and cause an adverse impact on a resident, and noted that P. Girard advised to change odour level to be exceeded from 2 to 1. Committee members and town staff disagree on this point.

T. Nohara asked each committee member and they all confirmed that they wish us to use the odour exceedance thresholds recommended by our odour expert P. Girard. In light of the apparent difference in understanding between staff and committee members, T. Nohara agreed to go back to P. Girard to confirm the proper understanding of one and two odour units and his recommendations for the three different odour exceedance thresholds found in the by-law.

## **5. Briefing on Town Submissions to OMAFRA and MPP Sam Oosterhoff in late January 2021**

D. Cribbs advised that a 15 minutes meeting was granted in January at the ROMA Conference with a parliamentary assistant to OMAFRA regarding the Normal Farm Practices Board. The Ministry understands the issues regarding cannabis growers and what is considered to be a normal farm practice. The meeting ended without being granted any scheduled follow-up.

## **6. Update on Legal Actions**

The only matter before the court is the Town's prosecution matter. Judicial pre-trial was scheduled for February 3<sup>rd</sup>. The matter will be set for trial should it not settle. It was noted that this matter will be a contested trial however, due to the current pandemic, Ontario Court of Justice is not setting matters down for trial dates at this time. It is unknown when a trial date will be set.

## **7. Review any updates concerning Draft Light By-law with provisions to include skyglow**

No comments at this point.

## **8. Next Meeting:** March 24, 2021 at 5:00 pm via Zoom.

## **9. Adjournment**

Moved by C. Baxter, seconded by L. Damm that the meeting be adjourned.

The meeting adjourned at approximately 6:44 p.m.

CARRIED

Edited and Signed by:

*Tim J. Nohara*

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Tim Nohara (Chair)

*Jodi Legros*

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Prepared by: Jodi Legros, Administrative Assistant  
Community Planning & Development-Town of Pelham

**Subject:** Proposed 2021 Municipal Grant Allocation**Recommendation:**

**BE IT RESOLVED THAT Council receive Report #2021-0088 "Municipal Grant Allocation";**

**AND THAT Council approve the 2021 Municipal Grant allocations of \$6,948 waived facility fees; \$30,700 cash allocations; and \$10,600 of estimated in-kind labour requests, as outlined in the 2021 Municipal Grant Summary.**

**Background:**

In accordance with Municipal Grants Policy S400-04, applications for funding are accepted annually from not-for-profit organizations that implement significant events & services within the Town of Pelham. These organizations are eligible for grant funding of in-kind contributions. In-kind contributions include the waiving of fees for use of Town facilities for the purposes of developing and organizing significant events and can also include staff labour. In addition to in-kind contributions, Council may, at its discretion, approve grants to support community not-for-profit organizations groups or events that will be of a direct benefit to the residents of Pelham.

**Analysis:**

As per the Policy, there are two categories of grant awards:

**Application based process (up to \$20,000.00 maximum for the calendar year)**

- Qualifying applicants are eligible to receive up to \$4,000.00 of non-cash, in-kind funding.
- The grant provides relief to organizations from the Town established user fees.
- In-Kind funding can be granted as waived fees and in-kind labour assistance.

**Requests to Council (up to \$40,000.00 maximum for the calendar year)**

- Requests are considered on a first come first serve basis



- Requests to Council for this category may be for cash or in-kind contributions.

Total 2021 Municipal Grant Budget is \$42,000.00

After a review of the applications received for waived fees; in-kind assistance; and cash contributions, it is recommended that \$6,948.00 be allocated to waived fees and \$30,700.00 in cash funding. It is estimated that \$10,600.00 of in-kind labour requests were received.

Due to the COVID pandemic many events/facility use had to be cancelled, resulting in \$4,352 remaining in the budget. Applications for use of facilities that are summer/fall uses are on-hold because of the pandemic. Additional requests may be received during the year as facilities open. Staff will keep Council informed of future requests. Please see the attached proposed funding summary for details and past grant recipients.

#### **Financial Considerations:**

Grant allocations of \$6,948 waived fees; \$30,700 cash allocations; and \$10,600 estimated in-kind labour request. 2021 Budget of 42,000 leaving a remaining balance of \$4,352.

#### **Alternatives Reviewed:**

N/A

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

To enable and support significant events and services provided for by local not for profit organizations that foster self-fulfillment of individuals, and enhance the quality of life within the Town of Pelham

#### **Consultation:**

Teresa Quinlin, Director of Corporate Services

#### **Other Pertinent Reports/Attachments:**

Municipal Grants Policy S400-04  
Municipal Grants Request Summary 2021

**Prepared and Recommended by:**

Vickie vanRavenswaay, RRFA  
Director of Recreation, Culture and Wellness

**Prepared and Submitted by:**

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

Solution Title: Municipal Grants		
P & P Committee:	November 20, 2017	\$400-04
Council Approved:	December 4, 2017 - Repealed & Replaced	

#### HOW MIGHT WE:

**How Might the Town of Pelham** enable and support significant events and services provided for by local not-for-profit organizations that foster self-fulfillment of individuals, and enhance the quality of life within the Town of Pelham?

#### KEY FACTS:

- Application Based Process will be received from September 1<sup>st</sup> to September 30<sup>th</sup> annually for eligible organizations to apply.
- Council Requests are considered on a first come first serve basis commencing at the annual public budget meeting.
- Not-for-Profit organizations that implement significant events within the Town of Pelham are eligible to apply for grant funding of in-kind contributions.
- In-kind contributions include the waiving of fees for use of Town facilities for the purposes of developing and organizing the significant event.
- In-Kind contributions also include labour assistance requests.
- Not-for-Profit organizations must be located within the Town of Pelham to be eligible for an in-kind grant award.
- Applicants must demonstrate how the project will benefit local residents within the community and have measurable outcomes.
- Grant Funding will not be awarded if significant benefit to Pelham Residents is not demonstrated or for ongoing operational expenses or for facility use that is not directly related to the development and organization of significant event.
- In addition to in-kind contributions, Council may, at its discretion, approve grants to support community not-for-profit organizations, groups or events that will be of a direct benefit to the residents of the Town of Pelham.
- Council will have full discretion of the funding amount.
- The Town of Pelham Council encourages and supports significant community events through a hybrid funding application process.

**The Town of Pelham provides two categories of grant awards:**

#### **Application Based Process (up to \$20,000 maximum for the calendar year)**

- Applications will be received from September 1<sup>st</sup> to September 30<sup>th</sup> annually for eligible organization to apply.
- Applicants are eligible to receive up to \$4,000 of non-cash, in-kind funding to support such organizations, groups or events that will be of a direct or indirect benefit to the residents of the Town of Pelham.

Solution Title: Municipal Grants		
P & P Committee:	November 20, 2017	\$400-04
Council Approved:	December 4, 2017 - Repealed & Replaced	

- The grant provides relief to organizations of Town established user fees.
- The in-kind funding can be granted to the following areas:
  - Facility waived fees (such as rental, sign, or Socan fees).
  - In-kind labour assistance at signature events within the Town.
- Provision of in-kind labour assistance will consider conflicts with Town-delivered events and impact on the individual department.
- The \$4,000 maximum per applicant will pertain to the application for facility waived fees and in-kind labour combined.

#### **Council Requests (up to \$40,000 maximum for the calendar year)**

- Requests are considered on a first come first serve basis commencing the annual fall Public Budget meeting.
- Delegations/requests can be submitted to Council throughout the calendar year even after the application-based deadline has passed.
- Requests under this category may be for cash or in-kind contributions.
- Council requests for in-kind contributions must be received a minimum of 60 days before the event and be presented along with a staff report regarding availability of resources and impact on each individual department.
- There is a maximum of \$40,000 annual allowance for Council to approve at their discretion, including any amounts previously committed under multi-year agreements.
- Council will have full discretion of the approved funding amount, within the goals listed under Key Facts.
- Council will be advised if any other funding has been provided to the not-for-profit organization through another funding mechanism offered by the Town.
- Once the annual funding amount is fully utilized, Council will not accommodate any further requests.

#### **SOLUTION STATEMENT:**

The Council, in the course of annual budget deliberations and subject to budget constraints, may approve discretionary grants to support not-for-profit organizations and significant events that will be of a direct or indirect benefit to the residents of the Town of Pelham. Consideration of requests for municipal grants shall be in accordance with this policy.

Solution Title: Municipal Grants		
P & P Committee:	November 20, 2017	S400-04
Council Approved:	December 4, 2017 - Repealed & Replaced	

The Application Based process will be open from September 1<sup>st</sup> to September 30<sup>st</sup> annually for eligible organizations to apply. Anytime following this period Council Requests can be received throughout the year.

Organizations requesting grant funding outside of this policy must make a special presentation to Council at the annual Public Budget Meeting. Council will consider their request as part of the annual budget process.

All applications will be evaluated based on the criteria within the Key Facts.

The Director of Recreation, Culture and Wellness will administer the application-based process for facility waived fees and in-kind labour assistance, in consultation with the individual departments affected by the funding requests to ensure they can be accommodated.

Municipal Grant Summary												
Town of Pelham												
2019 to requests 2021												
Budget			2021 Request	2021	Proposed 2021	COVID-19 Update	2020	Proposed 2020	COVID-19 Update	Actual 2019	Proposed 2019	Proposed 2019
				Cash/Waived Fee \$42,000	Est. In Kind Labour Request		Cash/Waived Fee \$25,500	Est. In Kind Labour Request		Cash/Waived Fee \$25,500	Cash/Waived Fee \$25,500	Est. In Kind Labour Request
	Cash	Pelham Art Festival	Offset costs for development of website - Virtual Art Festival	3,200								
	Cash	Hospice Niagara	Palliative Care Expansion \$85,000 \$17,000 5 yrs year 1	17,000								
	Cash	Fonthill Lions	Contribution for operating Community Hall, Parks and Playground.	3,500			3,000		3,000	3,500	3,500	
	Cash	Royal Canadian Legion	Purchase a larger deep fryer	3,500			2,600		2,600	2,000	2,000	
	Cash	Niagara Central Dorothy Rungeling Airport	offset some costs to "Air Race Week" office race.	n/a			n/a			2,000	2,000	
	Cash	E.L.Crossley Scholarship	Town of Pelham scholarship	1,000			1,000		1,000	1,000	1,000	
	Cash	Women's Place of South Niagara	Assistance during Covid due to lack of fundraising opportunities	2,500								
	Inkind	Farmers Market	Washrooms, security, shuttles, garbage/recycling	n/a	4,000		n/a	4,000			n/a	4,000
	Inkind	Bandshell Committee	Washrooms, security, shuttles, Street Banner	n/a	n/a		n/a	4,000			n/a	4,000
	Waived Fees	International Silverstick Tournament	Thursday Opening Ceremonies and Shuttles	n/a			4,000		4,000	2,500	2,500	
	Waived Fees	Fonthill Kinsmen	OPTH meeting fees, Seniors Christmas Sept-Dec	1,024			4,076		1,929	3963.01	4,000	
	Waived Fees	Fonthill Kinettes	OPTH meeting fees Sept - Dec	462	0		1,206	0	924	1591.86	2,246	0
			Rise and Shine Yoga Event - fundraising event for Pathstone Mental Health -									
	Waived Fees	Niagara College Event Management	MCC	n/a	n/a		n/a	n/a		423.42	578	
	Waived Fees	Rotary Club of Fonthill	MCC meeting room	1,122								
	Waived Fees	RCA Cadets	Cadet Corp Annual Review Ceremony and Practice	n/a	0	0	500	0	0	234.39	297	0
	Waived Fees	Pelham Art Festival	MCC Art festival	n/a	n/a		4,052		4,052	3551.51	3,686	
	Waived Fees	Fonthill Scouts	Scout Activities, Cent. Prk Pav, MCC crtyd, meetings Kinsmen room	1,165	0	0		0	0			0
	Waived Fees	Fenwick Lions	Carnival, Parades, Car Show, Flossie, Christmas Tree Lighting	3,175	6,600		3,175	6,585	794	3206.84	3,688	6,585
				37,648	10,600	0	23,609	14,585	18,299	23,971	25,495	14,585

**Subject:** Proposed purchase and installation of video streaming equipment for MCC

**Recommendation:**

**BE IT RESOLVED THAT Council receive Report #2021-0088 "Proposed Purchase and Installation of Video Streaming Equipment for MCC";**

**AND THAT Council approved the purchase and installation of video streaming equipment for the Accursi Room in the Meridian Community Centre;**

**AND THAT \$51,000 be funded from the new 2021 COVID-19 Recovery Funding for Municipal Programs; and \$32,000 be funded from the carryforward capital funds in IT-01-20.**

**Background:**

COVID-19 has severely restricted participation in recreation programming for all ages. This is especially the case with seniors and persons with disabilities in the educational, social, health and wellness, fitness, cultural activities and information programming at the Meridian Community Centre (MCC), a designated Senior Active Living Centre. The 2016 Census Data indicates that 41% of Pelham's population are 55 years of age or older, residing in 5 rural and semi-rural Villages.

In an effort to break down barriers and increase access the installation of video-streaming equipment in the Accursi Room at the MCC would be very beneficial. This equipment will enable both live-streaming of activities on multiple social media platforms and recording of activities for access at any time using the Town of Pelham's YouTube channel. This will reach seniors, persons with disabilities and other residents who cannot access in-person programs, reducing social isolation and improving inclusion and opportunities for participation. Participants will be able to view the events and programs (both livestreamed and recorded) from the comfort of their individual or congregate residences. The Pelham Seniors Advisory Committee and its volunteers are directly involved in recommending and supporting

programming and activities.

### **Analysis:**

By installing video equipment, programming will permanently be available live streamed on multiple social media platforms or as a recording, making it accessible 24/7 for those who cannot participate in person. Live streamed and recorded programs are expected to at least double participation in current programming and support program expansion. This significant increase in participation is expected based on a recent experience with a planned in-person Coffee House series at the MCC which pivoted to a virtual activity due to the pandemic restrictions. The redesigned virtual 4-part series was viewed by a total audience of 5,170 on Facebook and YouTube, far surpassing the maximum 600 persons anticipated for an in-person series. The popular Big Band series and informational activities such as the Fraud seminar and the Seniors Fair, both co-hosted by the Pelham Seniors Advisory Committee, will be available live or as a recording.

The proposed video streaming equipment will be well utilized during the pandemic and after increase use of the MCC for private rentals and Council public meetings, to name a few.

### **Financial Considerations:**

The total cost of purchase and installation of the video streaming equipment is estimated at \$83,000. This request was submitted as a grant application under the Ministry for Seniors and Accessibility's Inclusive Community Grants Program on December 18, 2020. The Town received notification on April 6, 2021 that due to the competitive nature of this program and the very high demand, they were not able to fund the Town's application. Being that the equipment will be used to provide live video streaming of activities to reach seniors, persons with disabilities and other residents who cannot access in person programming due to the COVID pandemic, Staff is requesting \$51,000 to be funded from the new COVID funding for 2021. On March 4, 2021, the Ministry of Municipal Affairs and Housing announced additional COVID funding to the Town in the amount of \$347,890. This funding is part of the Province's 2021 COVID-19 Recovery Funding for Municipal Programs. This new funding was not part of the Approved 2021 Operating Budget. The remaining \$32,000 will be funded from the 2020 carryforward capital funds in IT-01-20 for capital projects.

### **Alternatives Reviewed:**

Not proceeding with the acquisition of this equipment.



**Strategic Plan Relationship: Communication and Engagement**

Installation of equipment will give an immediate opportunity to reduce social isolation, improve inclusion and opportunities for participation. After the pandemic use will continue with private rentals and public meetings.

**Consultation:**

Pelham Senior Advisory Committee

**Other Pertinent Reports/Attachments:**

None.

**Prepared and Recommended by:**

Vickie vanRavenswaay, RRFA  
Director of Recreation, Culture and Wellness

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

**Prepared and Submitted by:**

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

**Subject:** Snow Clearing on the Steve Bauer Trail**Recommendation:**

**BE IT RESOLVED THAT Council receive Report #2021-0068 "Snow Clearing on the Steve Bauer Trail" for information;**

**AND THAT Council approve the clearing of snow on the paved portion of the Steve Bauer Trail between 1106 Line Avenue and Port Robinson Road during the winter season.**

**AND THAT Council approve the initiative in principal and refer the clearing of snow on the paved portion of the Steve Bauer Trail between 1106 Line Avenue and Port Robinson Road for consideration in the 2022 Winter Operations Budget.**

**Background:**

This report is written to satisfy a Council approved Notice of Motion on April 6, 2021, to provide a report outlining the estimated additional costs that would be associated with including the portion of the Steve Bauer Trail between 1106 Line Avenue and Port Robinson Road in the snow clearing contract.

**Analysis:**

Municipal sidewalks and paved multiuse trails receive snow and ice clearing services in accordance to the Town of Pelham Winter Operations Policy S802-04 through the use of a local contractor. The Steve Bauer Trail is designated as a recreation trail and does not receive this service. The Steve Bauer trail has been signed accordingly to warn users of the lack of winter maintenance.

It is generally believed that the newly paved portion of trail has experienced an increase in use since the hard surfacing was completed, and as a result of the covid-19 pandemic as people seek outdoor activities and recreation opportunities. The trail also provides an important link between neighborhoods in South/East Fonthill and the Downtown area throughout the year.

Through a quote provided by the contractor currently engaged by the Town to

perform the snow clearing on sidewalks and trails, the cost of completing winter service on the 1.6km paved portion of the Steve Bauer Trail is \$125 per event.

The Town of Pelham ranges between 25 and 35 winter events per year. The cost of providing this service is estimated at \$3,750 annually based on an average of 30 winter events. This cost represents 0.78 % of the total winter operations budget of \$476,650.

### **Financial Considerations:**

Due to a relatively light winter season experienced in the beginning of 2021, the additional expenses of providing snow clearing services on the Steve Bauer Trail between 1106 Line Avenue and Port Robinson Road during the remainder of 2021 can be absorbed in the existing 2021 Operating Budget.

Winter seasons in Southern Ontario are highly variable from year to year. To allow for the continuance of this service beyond 2021, an Operating Budget increase of \$3,750 is required to be applied to the 2022 Winter Operations budget.

### **Alternatives Reviewed:**

Because of the increased use of the trail, the low cost of providing winter maintenance, and the Pelham Active Transportation Committee's support of the initiative, no alternatives were reviewed in the preparation of this report.

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

Having a strong and accessible active transportation network throughout the Town helps build strong communities and promotes healthy living for the residents of Pelham.

### **Consultation:**

This report was written in consultation with the Pelham Active Transportation Committee, the Town's current contracted service provider for winter snow clearing, and the Manager of Public Works.

### **Other Pertinent Reports/Attachments:**

Report 2020-0069 Confirmation of Levels of Service for Winter Maintenance and Winter Operations Policy Update

Report 2020-0080 Steve Bauer Trail Hard Surfacing between 1106 Line Avenue and Port Robinson Road

**Prepared and Recommended by:**

Jason Marr, P. Eng.  
Director of Public Works

**Prepared and Submitted by:**

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

**Subject:** Requirements to Implement Pre-Application Public Meetings**Recommendation:**

**BE IT RESOLVED THAT Council receive Report #2021-0081 Requirements to Implement Pre-Application Public Meetings for information;**

**AND THAT Council direct staff to undertake the process for the preparation, review and adoption of an Official Plan Amendment to require pre-application public meetings;**

**AND That Council support the referral of hiring one full or part-time Planner (subject to further analysis) for inclusion in the 2022 budget to support the additional after hours work.**

**Background:**

On February 1<sup>st</sup>, 2021 Council received Report 2021-0027 that provided an overview of the City of Burlington's pre-application public consultation process. Following that, on February 16<sup>th</sup>, 2020, Council passed a further motion directing Staff continue to analyze implementing a similar protocol as the City of Burlington's public participation process for development applications and report back to Council before the end of May 2021. As indicated in Report 2021-0027, implementing a Pre-Application Community Meeting Protocol similar to the City of Burlington, will require staff resources, venues (such as Council Chambers, library, MCC, etc), a policy amendment to the Town Official Plan given that the pre-application public meeting has no legislative authority. Furthermore, Town Staff currently participate in a number of evening meetings, therefore the introduction of new processes and meetings which will also be after-hours will have significant implications on workload and staff resources.

**Analysis:**

Currently, the Town of Pelham does not have a formal process for a pre-application public meeting, although Town staff do encourage proponents to meet with and

discuss their proposals with neighbours and the surrounding community prior to submitting an application. Some proponents have done this in the past including the developer of the former Fonthill lumber yard, the developer for the proposed apartment building on Pancake Lane and the developer proposing consents on 3 Hurricane Road. In order to implement a formal requirement for a pre-application public meeting, the Town will need an Official Plan Amendment to develop a policy basis to require pre-application public meeting since there is no statutory authority or basis for requiring such under the *Planning Act*.

The requirement of holding a pre-application public meeting could thereafter be noted during pre-consultation meetings which are held for certain types of development applications under the *Planning Act*. Pre-consultation meetings with proponents are held with Town and agency staff to inform proponents of the information and studies that are required to be submitted with an application in order for an application to be considered complete. It would then be noted that a pre-application public meeting is required prior to submission of an application and included in the submission the proponent is required to describe how they addressed the public input received.

Similar to the City of Burlington model, it is suggested that the pre-application public meeting would apply to significant development projects that require Official Plan amendment applications, Zoning By-law amendment applications, Plan of Subdivision applications, and for consent applications for infill development in established residential neighbourhoods. The requirement for a pre-application public meeting would not apply to minor variance applications, site plan applications or minor zoning by-law amendment application or consents that do not impact on established neighbourhoods.

The pre-application public meeting is to be held at the applicant's expense including costs of display materials, handouts, mailing and venue rental if required. The Town will provide the applicant with names/addresses of property owners within the prescribed distance of the subject lands depending on the application type.

In conjunction with the expenses, the applicant's responsibilities include:

#### In-person Meetings

- Locating and securing a venue.
- Prepare a formal presentation.
- Provide audio visual equipment for the formal presentation.
- Prepare and print copies of drawings, charts illustrating proposed changes, renderings, air photos and other display materials useful to illustrate the proposed development.
- Comment sheets and contact information.

### Zoom Meetings

- Applicant to acquire a zoom account and be responsible for the set up and management of the Zoom meetings.
- Prepare a formal presentation.

Council is advised that the requirements for the pre-application public meeting may have implications on smaller individual development proposals that are not necessarily proposed by a corporate developer or builder, but rather are proposed by an individual property owner. The Town does receive a number of applications for development undertaken by property owner themselves, for example, the rezoning of 1084 Quaker Road. There may be a financial burden on the applicant to secure the venue or alternatively acquire audio/visual devices and technology for virtual meetings, and prepare all of the materials for the meeting.

### Town Staff Responsibilities

The Town will create the list of mailing addresses for property owners and residents in the notification area, based on the regulatory circulation distance for the type of application.

Town staff will attend the pre-application public meeting to provide background information on the application process, identify opportunities for public input, and provide a general description of the existing policies and zoning regulations of the site and a high-level description of the amendments that may be required. This will require that staff prepare a specific presentation for each meeting in accordance with the proposed development. Staff will be required to attend these meetings to aid in facilitating any questions that pertain specifically to the Town's policies and regulations. These meetings are expected to run anywhere from 1 to 2 hours in the evening and it is anticipated that Staff would be expected to attend at least 12 of these meetings yearly (with this number steadily increasing over the years).

Town Staff currently participate in a number of after hour meetings, therefore the introduction of new processes and meetings will have implications on work load and staff resources. It is noted that Council does not budget resources for staff overtime, so when staff participate in meetings after hours or do work after hours to keep up with the workload, staff either flex their time or take time off in lieu of being paid overtime to a maximum of 70 hours (2 weeks). This results in staff being physically less available during working hours and this in turn has further implications on work programs and staff's ability to do their work in a timely manner and meet statutory deadlines. The reality is that staff often do not record the overtime work they perform, because there just is not flexibility to flex time or take time off in lieu and still get the work done and the amount of overtime frankly exceeds 70 hours. This is a serious workload issue for the Town.

If Council intends that Town staff should be responsible to mail out the notices of pre-application public meeting as per the City of Burlington model, then this will require some additional staff resources associated with preparing the mail out material. Further, if Council intends that proponents would be able to utilize the Town Zoom account as per the City of Burlington model, then additional IT and staff resources would also be required to manage the Zoom meetings.

### **Alternatives:**

The alternative is to maintain the status quo and staff continue to encourage proponents of development proposals to consult with the public in advance of submission of an application to obtain feedback and input on the proposal.

### **Conclusion:**

Should Council choose to move forward with implementing a pre-application public meeting process, staff will need to prepare an Official Plan amendment and go through the process of seeking input on the proposed amendment by circulating it to agencies and stakeholders, holding a statutory public meeting and receiving public input on the proposal followed by a recommendation report to Council. This process will take approximately 4-5 months to complete.

With regards to staffing resources, Planning staff are currently working to maximum capacity and currently are challenged with meeting timelines for review and processing of development applications. The volume of development applications has increased over the past number of years and applications have become much more complex requiring more time to undertake fulsome reviews and reports. While the Department has added a Policy Planner to the staffing complement to undertake the much needed policy work of the Town, there has been no increase in staff resources devoted to doing development planning review. Adding additional responsibilities will impact on staff resources and given the work that staff currently is unable to undertake during normal business hours, there simply is not staff capacity available to take on additional work at this time. Therefore, if Council is to proceed with implementing the introduction of a pre-application public meeting process it is recommended that Council also endorse the creation of one additional employee (staff will provide future analysis to address the question of full-time versus part-time status) to not only address the additional work associated with the introduction of this new process, but to also alleviate the existing work pressures that current Planning staff have in meeting their work obligations. This additional staff complement would be included in the 2022 budget.



**Prepared and Recommended by:**

Tara Lynn O'Toole, B.A (Hons.)  
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

**Supplemental Report: Park Place South Draft Plan of Subdivision and Zoning By-law Amendment Application**

**Recommendation:**

**BE IT RESOLVED THAT Council receives Report #2021-0089 “Supplemental Report: Park Place South Draft Plan of Subdivision and Zoning By-law Amendment Application” for information as it pertains to File Nos. 26T19-02-20 & AM-08-20;**

**AND THAT Council rescind the motion to reconfigure Blocks 35-39 to allow 4 units vs. 8 units with a minimum 3m side yard as approved on March 22, 2021;**

**AND THAT Council directs Planning staff to prepare the by-law for approval of the Zoning By-law amendment as proposed in Report #2021-0052 presented to Council on March 22, 2021 for Council’s consideration at the next meeting;**

**AND THAT Council approve the Draft Plan of Subdivision and conditions draft plan approval as contained Appendix A and B in Report #2021-0052 presented to Council on March 22, 2021.**

**Executive Summary:**

Preparation of this report was directed by Council at the April 6, 2021 meeting in order to provide additional information to Council respecting the applications for Draft Plan of Subdivision and Zoning By-law Amendment for Park Place South.

**Location:**

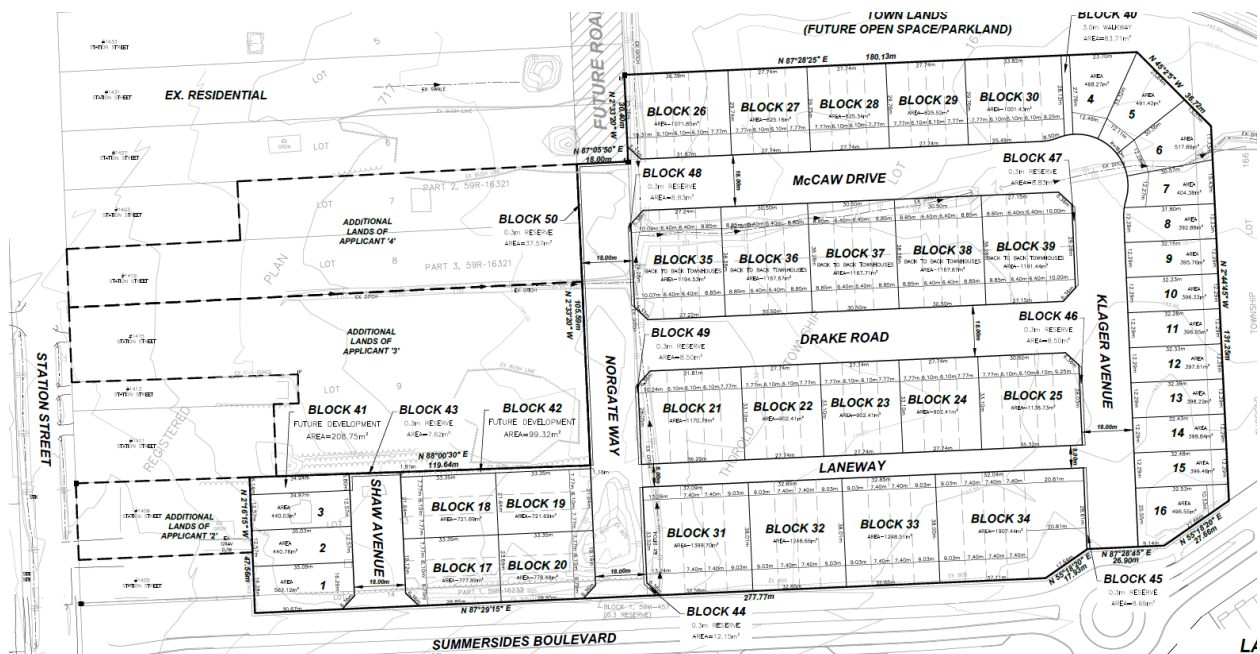
The property is located on the north side of Summersides Boulevard east of Station Street, legally described as Part of Lots 7, 8, 9, 13 & 14, Registered Plan 717, Part of Thorold Township; Lot 166 & 167, Geographic Township of Thorold, in the Town of Pelham, Regional Municipality of Niagara (refer to Figure 1).

*Figure 1: Location of the Property*



The draft plan application being considered by Council consists of 16 single detached residential lots (0.7 ha), 14 blocks for 2-storey townhouses (1.257 ha), 4 blocks for rear lane townhouses (0.580 ha), 5 blocks for back-to-back townhouses (0.589 ha) and associated public streets (1.301 ha) and walkway (0.008 ha) (refer to Figure 2).

Figure 2: Draft Plan



## Project Description and Purpose:

On March 22, 2021, Council received a Report #2021-0052 which recommended that the applications be approved as proposed. Council approved the draft plan subject to the blocks designated for back-to-back townhouses being reduced to 4 units from 8 units with a minimum 3m side yard. This change was made as a result of Council's concerns that the interior back-to-back townhouse units would not permit adequate outdoor amenity space, that the interior units would be dark and not allow for proper emergency ingress/egress with only one exterior door and windows only on the front elevation.

At the April 6, 2021 meeting, Council received a letter from Mountainview Building Group (the developer) providing additional information regarding the back-to-back townhouse dwellings and requesting that Council reconsider the decision to make changes to the draft plan of subdivision and the requested Zoning By-law



amendment and that the changes be referred back to Town staff for a further report. Council approved the request which has resulted in the subject report and indicated that they had a better understanding of the back-to-back townhouses built form.

The additional information provided by the developer included a rendering showing conceptual front building elevations for the back-to-back townhouse dwellings (Figure 3).

*Figure 3: Back-to-Back Townhouse Front Building Elevations*



BACK to BACKS  
RENDERING IS AN ARTIST'S CONCEPT.  
SIZES AND SPECIFICATIONS ARE SUBJECT  
TO CHANGE WITHOUT NOTICE. E. & O. E.

The letter from Mountainview Building Group also indicated that back-to-back townhouse units are intended to be an attractive apartment / townhome lifestyle

with an affordable price-point for first time home buyers or for people who wish to downsize and for those who wish to reside in a walkable area. Back-to-back style townhouses provide for apartment style living but with the convenience of a private entry, attached garage and additional driveway parking. The developer also provided conceptual floor plans for the back-to-back townhouse dwellings (Appendix A).

**Policy Review:***Town of Pelham Official Plan, 2014*

Back-to-back townhouse units are divided vertically from each other by common side walls and common rear walls. Those proposed on Blocks 35-39 of the Park Place South Draft Plan of Subdivision were intended to be 8 units per block with 4 fronting on both the future McCaw Drive and Drake Road for a total of 40 units.

As discussed in Report #2021-0052 (appended in Appendix B), Appendix D to the Town of Pelham Official Plan contains the Development Yield/Density Calculations for East Fonthill. The expected density yield for the medium density designation was approximately 70 persons per gross hectare. Using the net density assumptions by unit type in Appendix D, the proposed subdivision resulted in a density of approximately 68.8 persons per gross hectare which for all intents and purposes achieves the medium density target of 70 persons per gross hectare. Reducing the number of back-to-back townhouse units to 20 from 40 will reduce the density of the subdivision to 66 persons per gross hectare.

Based on this information, the draft plan as proposed by the developer is more in conformity with the medium density target and development yield/density calculations contained in Appendix D to the Official Plan.

*Provincial Policy Statement, 2020*

Policy 1.4.3(b) requires planning authorities to provide for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents of the regional market area by permitting and facilitating all housing options required to meet the social, health, economic and well-being requirements of current and future residents; promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed; establishing development standards for

residential intensification, redevelopment and new residential development which minimize the cost of housing and facilitate compact form, while maintaining appropriate levels of public health and safety.

The inclusion of back-to-back townhouses in the draft plan of subdivision will facilitate a new housing option in Pelham that will meet the needs of current and future residents that are currently not being provided for. There really are no freehold housing options that allow for apartment style living with an attached garage at this time in the Town. Further, allowing 40 units instead of 20 makes more efficient use of the land and infrastructure and minimizes the cost of housing.

The Provincial Policy Statement (PPS) defines affordable in the case of ownership housing, as the least expensive of: 1. housing for which the purchase price results in annual accommodation costs which do not exceed 30 percent of gross annual household income for low and moderate income households; or 2. housing for which the purchase price is at least 10 percent below the average purchase price of a resale unit in the regional market area.

#### *Affordable Housing Definition*

Canada Mortgage and Housing Corporation (CMHC) indicates that housing is considered affordable if it costs less than 30% of a household's before-tax income, this is similar to the definition of 'affordable' from the Provincial Policy Statement (PPS) which is somewhat more nuanced and is the following:

- a) *"In the case of ownership housing, the least expensive of:*
  - 1. *Housing for which the purchase price result in annual accommodation costs which do not exceed 30 percent of gross annual household income for low and moderate income households; or*
  - 2. *Hosing for which the purchase price is at least 10 percent below the average price of a resale unit in the regional market area;*
- b) *In the case of rental housing, the least expensive of:*
  - 1. *A unit for which the rent does not exceed a gross annual household income for low and moderate income households; or*
  - 2. *A unit for which the rent is at or below the average market rent of a unit in the regional market area."*

With respect to housing affordability, the proposed back-to-back townhouse dwellings are unlikely to meet the PPS and CMHC criteria. However, they will provide an opportunity for home ownership at a lower cost in Pelham than the

current available housing types provide. This may provide an opportunity for a first time home buyer to enter the market and build equity.

**Staff Comments:**

Council requested clarification about where residents of the back-to-back townhouses would store their garbage and recycling bins, have access to outdoor amenity space and use barbeques. Based on the conceptual front elevation plan (Figure 3) and floor plans (Appendix A), future residents will be able to store their garbage/ recycling bins and barbeques in the attached garage. The barbeques could be moved into the driveway when in use. Each townhouse will have a front yard as well as a second floor covered balcony for private outdoor amenity space. The units are to be located in very close proximity to the future Town owned park which provides further outdoor amenity space.

The conceptual floor plans show windows and patio doors on the front elevations for the interior units to ensure the units have daylight. All construction will be required to comply with the Ontario Building and Fire Codes to ensure safe ingress and egress and meet the requirements for fire separation between the units.

With consideration given to the discussion above and the information provided by Mountainview Building Group, the recommendations from Report#2021-0052 (in Appendix B) continue to apply to the applications.

**Alternatives:**

Council could ratify its former decision on the applications made on March 22, 2021 reducing the back-to-back townhouse dwellings to blocks of 4 from blocks of 8 and requiring a minimum 3 metre side yard.

Council could approve the draft plan of subdivision and zoning by-law amendment subject to additional changes.

Council could refuse to grant approval of the draft plan of subdivision and zoning by-law amendments applications.

**Attachments:**

Appendix A      Conceptual Floor Plans for Back-to-Back Townhouse Units  
Appendix B      Report #2021-0052



**Prepared and Recommended by:**

Shannon Larocque, MCIP, RPP  
Senior Planner

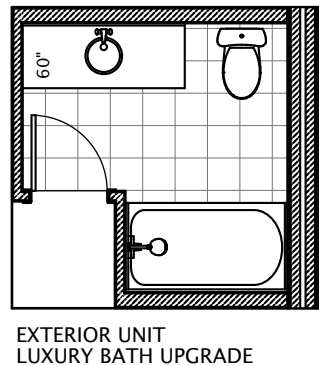
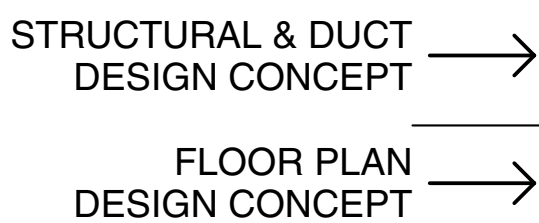
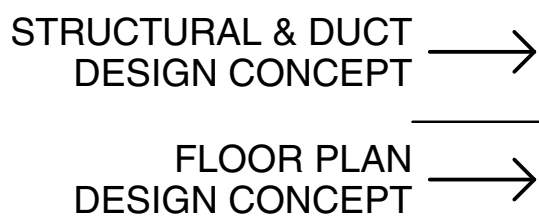
Barbara Wiens, MCIP, RPP  
Director of Community Planning and Development

**Reviewed and Submitted by:**

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



## APPENDIX A







Community Planning & Development Department – Planning Application Report  
March 22, 2021

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### **Report: Recommendation for Applications for Zoning By-law Amendment and Draft Plan of Subdivision – Park Place South**

#### **Recommendation:**

**THAT Committee receives Report #2021-52 for information as it pertains to File Nos. 26T19-02-2020 & AM-08-20 relating to Park Place South;**

**AND THAT the proposed changes to the draft plan of subdivision and zoning by-law amendment related to Park Place South are minor in nature and no further public meeting is required;**

**AND THAT Committee directs Planning staff to prepare the by-law for approval of the Zoning By-law amendment for Council's consideration.**

**AND THAT Council approves the Draft Plan of Subdivision, attached as Appendix A, subject to the conditions in Appendix B.**

#### **Executive Summary:**

The purpose of this report is to provide Council with a recommendation regarding applications for Zoning By-law Amendment and Draft Plan of Subdivision for Park Place South.

#### **Location:**

The property is located on the north side of Summersides Boulevard east of Station Street, legally described as Part of Lots 7, 8, 9, 13 & 14, Registered Plan 717, Part of Thorold Township; Lot 166 & 167, Geographic Township of Thorold, in the Town of Pelham, Regional Municipality of Niagara (refer to Figure 1).

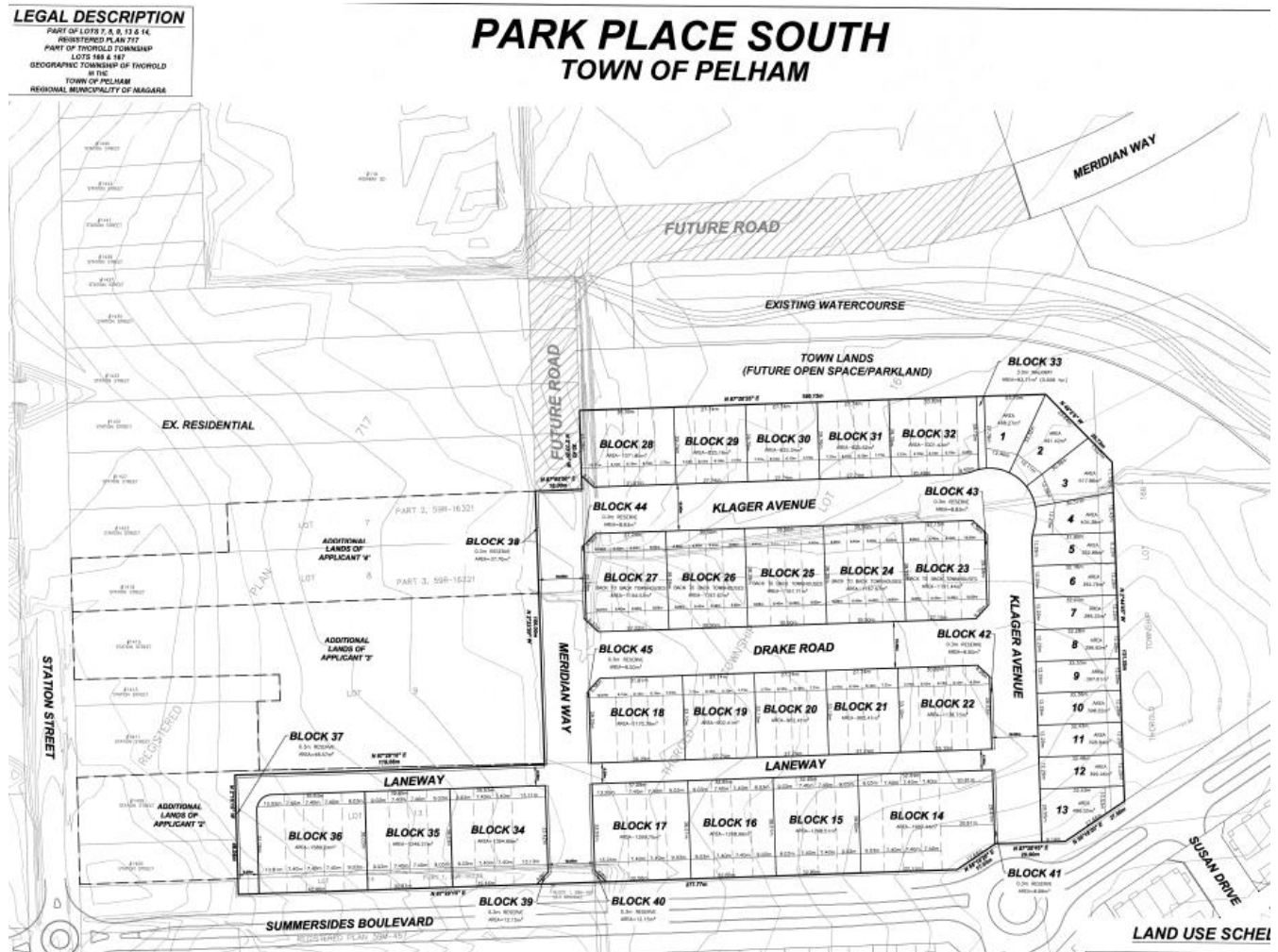
*Figure 1: Location of the Property*



## **Project Description and Purpose:**

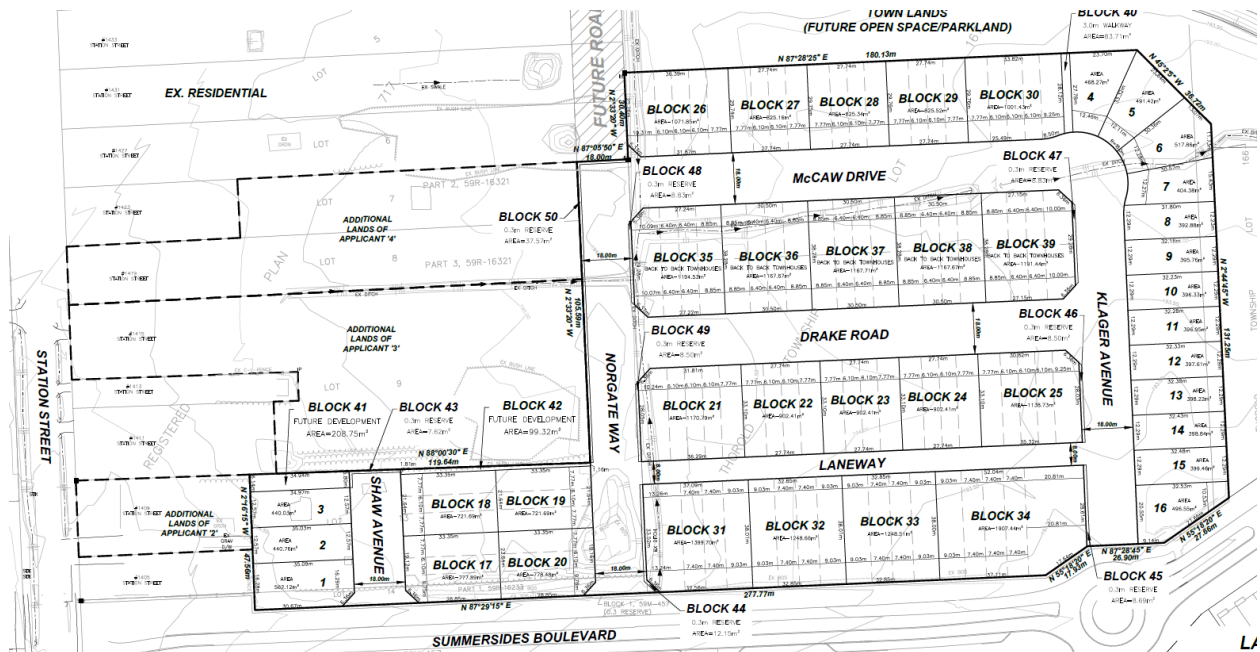
The property is a total of 4.46 ha (11.02 ac) of developable area. The developable area was originally proposed to be 13 single detached residential lots (0.55 ha), 7 blocks for 30 rear lane townhouse dwellings (1.004 ha), 10 blocks for 44 two-storey townhouse dwellings (0.957 ha), 5 blocks for 40 back to back townhouse dwellings (0.589 ha) and associated public streets (1.336 ha) and walkway (0.008 ha) (refer to Figure 2).

Figure 2: Proposed Draft Plan Subdivision



In response to concerns raised by Council, neighbouring property owners and Town staff, the developer has submitted a revised draft plan. The modifications include removing the laneway originally proposed behind 1405 Station Street and replacing it with a street connection further east and replacing the proposed block townhouse dwellings abutting 1405 Station Street with single detached dwellings. The revised draft plan consists of 16 single detached residential lots (0.7 ha), 14 blocks for 2-storey townhouses (1.257 ha), 4 blocks for rear lane townhouses (0.580 ha), 5 blocks for back-to-back townhouses (0.589 ha) and associated public streets (1.301 ha) and walkway (0.008 ha) (refer to Figure 3).

Figure 3: Revised Draft Plan



The requested zoning change has also been updated to reflect the revised draft plan. The revised request would rezone the property from Agricultural (A) to site specific R2 (*Residential 2*) to permit single detached dwellings, site specific RM1 (*Residential Multiple 1*) to permit back to back and street townhouse dwellings and OS (*Open Space*) zones where the public walkway and parkland are located.

### Policy Review:

Section 3 of the *Planning Act* requires that, in exercising any authority that affects a planning matter, planning authorities “shall be consistent with the policy statements” issued under the Act and “shall conform with the provincial plans that are in effect on that date, or shall not conflict with them, as the case may be”.

Section 34 of the Act allows for consideration of amendments to the zoning by-law.

Section 51 of the Act allows for consideration of a plan of subdivision.

Section 51 (24) of the Act states that in considering a draft plan of subdivision regard shall be had, among other matters, to the health, safety, convenience,



accessibility for persons with disabilities and welfare of the present and future inhabitants of the municipality and to:

- The effect of development of the proposed subdivision on matters of provincial interest as referred to in section 2;
- Whether the proposed subdivision is premature or in the public interest;
- Whether the plan conforms to the official plan and adjacent plans of subdivision, if any;
- The suitability of the land for the purposes for which it is to be subdivided;
- The number, width, location and proposed grades and elevations of highways, and the adequacy of them, and the highways linking the highways in the proposed subdivision with the established highway system in the vicinity and the adequacy of them;
- The dimensions and shapes of the proposed lots;
- The restrictions or proposed restrictions, if any, on the land proposed to be subdivided or the buildings and structures proposed to be erected on it and the restrictions, if any, on adjoining land;
- Conservation of natural resources and flood control;
- The adequacy of utilities and municipal services;
- The adequacy of school sites;
- The area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes;
- The extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy; and,
- The interrelationship between the design of the proposed plan of subdivision and site plan control matters relating to any development on the land, if the land is also located within a site plan control area designated under subsection 41 (2) of this Act.

Analysis of Section 51 (24) of the *Planning Act* will be provided under the Town of Pelham Official Plan analysis below.

### ***Greenbelt Plan, 2017***

The subject parcel is located in an identified settlement area that is outside of the Greenbelt Plan Area; therefore, the policies of the Greenbelt Plan do not apply.

***Niagara Escarpment Plan, 2017***

The subject parcel is not located in the Niagara Escarpment Plan Area; therefore, the Niagara Escarpment Plan policies do not apply.

***Provincial Policy Statement, 2020***

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development, and sets the policy foundation for regulating the development and use of land. The PPS provides for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural and built environment.

Section 3 of the *Planning Act* requires that decisions affecting planning matters “shall be consistent with” policy statements issued under the *Act*. The PPS recognizes the diversity of Ontario and that local context is important. Policies are outcome-oriented, and some policies provide flexibility provided that provincial interests are upheld. PPS policies represent minimum standards.

The subject land is located in a ‘Settlement Area’ according to the PPS. Policy 1.1.3.1 states that settlement areas shall be the focus of growth and their vitality and regeneration shall be promoted.

Policy 1.1.3.2 states that land use patterns within settlement areas shall be based on densities and mix of land uses that efficiently use land and resources, are appropriate for and efficiently use infrastructure and public service facilities, minimize negative impacts to air quality and climate change and promote energy efficiency, prepare for the impacts of a changing climate, support active transportation and are transit and freight supportive.

Policy 1.1.3.3 provides for the promotion of intensification and redevelopment accommodating a significant supply and range of housing options where it can be accommodated taking into account the building stock, availability of existing and planned infrastructure and public service facilities required to accommodate the needs of the development.

The proposed draft plan of subdivision will help to facilitate a mix of housing options in the East Fonthill neighbourhood and within the Settlement Area as a whole. The density of the development provides for the efficient use of land and



planned/existing infrastructure that minimizes land consumption and costs of servicing. Further, the redevelopment of the property for single detached and various types of townhouse dwellings will be transit and active transportation supportive due to the location along existing transit routes and will be well served by sidewalks and bike lanes. Furthermore, Town staff are recommending that the developer provide a pedestrian crossing of the watercourse north of the property as a condition of approval to ensure access to the nearby off road trail and commercial area to the north. There are adequate public service facilities, including a planned neighbourhood park directly north and east of the property. The Community Centre and library are also located within a short distance.

Based on this information, the proposed draft plan of subdivision and zoning by-law amendments are consistent with the Provincial Policy Statement subject to approval of the recommended conditions of draft plan approval.

### ***Growth Plan for the Greater Golden Horseshoe, 2019***

The subject parcel is identified as being within a Delineated Built-up Area (rear of 1409 Station Street) and Designated Greenfield Area according to the Growth Plan for the Greater Golden Horseshoe, 2019. The Growth Plan policies aim to build stronger, prosperous communities by directing growth to built-up areas, promoting transit-supportive densities and a healthy mix of residential and employment land uses, preserving employment areas, planning for community infrastructure, and supporting the conservation and protection of natural systems, prime agricultural areas, and cultural heritage.

Policy 2.2.2.1(a) requires a minimum of 50 percent of all new residential development to occur within the delineated built-up area.

Policy 2.2.2.3(b) encourages intensification generally throughout the built-up area and investment in services that will support intensification.

Policy 2.2.7.1 requires that new development in designated greenfield areas will be planned, designated and zoned that supports the development of complete communities, supports active transportation and encourages integration of transit services.

The minimum density target for designated greenfield areas is 50 jobs and persons per hectare (2.2.2.2(a)).

The proposed development will contribute to the creation of a complete community with a mix of residential land uses. The proposed sidewalks, walkway and bike lanes will provide connectivity to future neighbourhood parks, bike lanes and off-road trails. The development can be served by existing transit systems. The development of additional single detached and street townhouses on the 1409 Station Street property will intensify the Built-Up Area from its current single detached residential use. The varying built form (single detached, street and back to back townhouses) will support the formation of a vibrant neighbourhood. Adherence to the East Fonthill Urban Design Guidelines will assist in the creation of high quality residential construction. The proposed draft plan of subdivision has a density of approximately 80.9 persons and jobs per gross hectare ensuring that the overall 50 jobs and persons per hectare density is achieved. It is Planning staff's opinion that the applications are consistent with the policies of the Growth Plan for the Greater Golden Horseshoe.

***Regional Official Plan, consolidated August 2015***

The subject land is located within the Urban Area Boundary of the Town of Pelham and is designated Built-up Area (rear of 1409 Station Street) and Designated Greenfield Area in the Regional Official Plan.

Built-up Areas will be the focus of residential and employment intensification and redevelopment within the Region over the long term (Policy 4.G.8.1).

Designated Greenfield Areas will: accommodate a range of land uses; make a significant contribution to the growth of the respective urban area as a complete community; provide opportunities for integrated, mixed land uses; create street patterns that are fine grain and in grid pattern; support transit and active transportation within the area and to adjacent areas; ensure that greenfield development is sequential, orderly, and contiguous with existing built-up areas; and, ensure that the provision of municipal servicing is in accordance with the water and wastewater servicing master plans (Policy 4.C.5.1).

The Region will require a minimum combined gross density target of 50 people and jobs per hectare across all designated greenfield areas.

Policy 11.A.1 encourages the provision of a variety of housing types within urban communities and neighbourhoods to serve a variety of people as they age through their life cycle.

Policy 11.A.2 states the Region encourages the development of attractive, well designed residential development that: provides for active transportation; de-emphasizes garages; emphasizes the entrance and point of access to neighbourhoods; is accessible to all persons; incorporates the principles of sustainability in building design; provides functional design solutions for waste collection and recycling; provides an attractive, interconnected and active transportation friendly streetscape; contributes to a sense of safety within the public realm; balances the need for private and public space; creates or enhances an aesthetically pleasing and functional neighbourhood; and, encourages a variety of connections between land uses based on diverse transportation modes, allowing people to move freely between the places where they live, work and play.

The proposed development provides a mix of housing types that contribute to the creation of a complete community. The street pattern will connect to existing and future neighbourhoods. Active transportation is supported through the sidewalks in a modified grid pattern, inclusion of bike lanes along Klager Avenue and McCaw Drive, as well as the pedestrian walkway providing access to the park and multi-use trail. The developer will also provide a pedestrian crossing of the watercourse to further support active transportation.

Municipal servicing will be in keeping with Regional and Town servicing plans. The 1409 Station Street property contained a single detached dwellings and its redevelopment will result in intensification and assist the Town in meeting the 15% intensification target. The minimum density target of 50 jobs and persons per hectare for greenfields is being achieved. The development will be serviced by municipal sewage and water services.

The building design will be energy efficient meeting the requirements of the Ontario Building Code. The development will be eligible for curbside Regional waste collection and the road network has been designed to accommodate the collection vehicles. The future building designs will be required to conform to the urban design guidelines for East Fonthill which encourage deemphasizing garages. For these reasons, it is Planning staff's opinion that the applications conform to the policies of the Regional Official Plan.

***Town of Pelham Official Plan, 2014***

The subject parcels are located within the East Fonthill Secondary Plan Area and designated EF- Medium Density Residential with a small portion of 1409 Station Street designated EF- Low Density Residential in the Town's Official Plan, 2014.

Permitted uses in the EF- Medium Density Residential designation are all forms of townhouse units; small scale apartment buildings; accessory apartments/secondary suites; live-work units; housing for seniors and/or special needs housing; accessory buildings and structures related to the primary residential dwelling unit; home occupations; places of worship; day nurseries; convenience retail and service commercial uses; parks, parkettes and open space linkages; and public uses and public and private utilities. Single and semi-detached dwellings may be permitted but may not constitute more than 15% of the total number of dwelling units within any individual draft plan of subdivision (B1.7.7.4.1(b)). Townhouse dwellings shall be developed at densities ranging from 20 units per net hectare up to 60 (Policy B1.7.7.4.2(a)). Permitted singles and semi-detached dwellings shall be developed at densities ranging from a minimum of 20 units per net hectare up to 50 units per net hectare (Policy B1.7.7.4.29 (c)).

Permitted uses in the EF- Low Density Residential designation are single detached and semi-detached dwelling units; accessory apartments/secondary suites; accessory buildings and structures related to the primary residential dwelling unit; home occupations; places of worship; day nurseries; convenience retail and service commercial uses; parks, parkettes and open space linkages; and public uses and public and private utilities. Policy B.1.7.7.3.1(b) allows townhouses in the EF- Low Density Residential designation provided they are not more than 60% of the total number of dwelling units within any individual plan of subdivision.

The majority of the property is designated EF - Medium Density Residential. Section E5 Interpretation of Land Use Designation Boundaries of the Official Plan states that *"The boundaries between lands uses designated on the Schedules to this Plan are approximate except where they meet with roads, railway lines, rivers, pipeline routes, transmission lines, lot lines or other clearly defined physical features and in these cases are not open to flexible interpretation. Where the general intent of the document is maintained, minor adjustments to the boundaries will not require amendment to this Plan."* In this circumstance, the use of the small portion of the

EF – Low Density Residential designation for the EF-Medium Density designation use, i.e. street townhouse units are appropriate and can be supported given that an adequate area remains to the north where Low Density Residential uses can be appropriately located and based on the Interpretation of Land Use Designation Boundaries policies in the Official Plan, without the need for an Official Plan amendment.

The uses proposed in the draft plan of subdivision are permitted in the EF – Medium Density Residential designation. Single detached dwellings constitute approximately 12.4% of the total number of dwellings within the proposed subdivision meeting the requirement of Policy B1.7.7.4.1(b). The townhouses are proposed at a density of approximately 46.5 units per net hectare meeting the requirements of Policy B.1.7.7.4.2(a). The single detached dwellings are proposed at a density of approximately 22.9 units per net hectare meeting the requirements of Policy B1.7.7.4.29 (c).

A portion of the property is also designated Highly Vulnerable Aquifer on Schedule B1. Policy C5.3 indicates to minimize risks posed by land uses on vulnerable groundwater areas, the following uses are prohibited on lands identified as Vulnerable Groundwater Area/Highly Vulnerable Aquifers: Generation and storage of hazardous waste or liquid industrial waste; New waste disposal sites and facilities, organic soil conditioning sites, and snow storage and disposal facilities; Underground and above-ground storage tanks that are not equipped with an approved secondary containment device; and, Storage of a contaminant listed in Schedule 3 (Severely Toxic Contaminants) to Ontario Regulation 347 of the Revised Regulations of Ontario, 1990, or its successor. For Committee's information, none of the prohibited uses, outlined in Policy C5.3, are proposed for the subject parcel.

The lands form part of Neighbourhood 1 on Schedule A4 'Structure Plan'. According to Policy B1.7.7.2 b)(i), Neighbourhood 1 shall achieve an overall minimum gross density of approximately 57 persons and jobs per gross hectare combined. Density calculations provided by the applicant indicate that the gross density of the development is approximately 80.9 persons and jobs per hectare. While this is substantially higher than the minimum gross density target for Neighbourhood 1, Planning staff advise that Appendix D to the Town of Pelham Official Plan contains the Development Yield/Density Calculations for East Fonthill. The expected density yield for the medium density designation was approximately 70 persons per gross

hectare. Using the net density assumptions by unit type in Appendix D, the proposed subdivision results in a density of approximately 68.8 persons per gross hectare which for all intents and purposes achieves the medium density target of 70 persons per gross hectare..

Policies B1.7.3.1(j), (k) and (l) speak to the importance of a well-designed, multi-modal, connected modified grid street network. Further, Policy B1.7.4.1 states that development within the East Fonthill Secondary Plan Area shall be generally consistent with the Demonstration Plans attached to this Plan as Appendix A (Figure 4) and that refinements shall not require an amendment to the Official Plan, provided the intent and general design approach in the Demonstration Plans are achieved to the satisfaction of the Town.

*Figure 4: Excerpt from Appendix A Demonstration Plans*



Revisions to the draft plan of subdivision and road network have resulted in the development generally conforming to the Demonstration Plans in Appendix A and policies B1.7.3.1(j), (k) and (l).

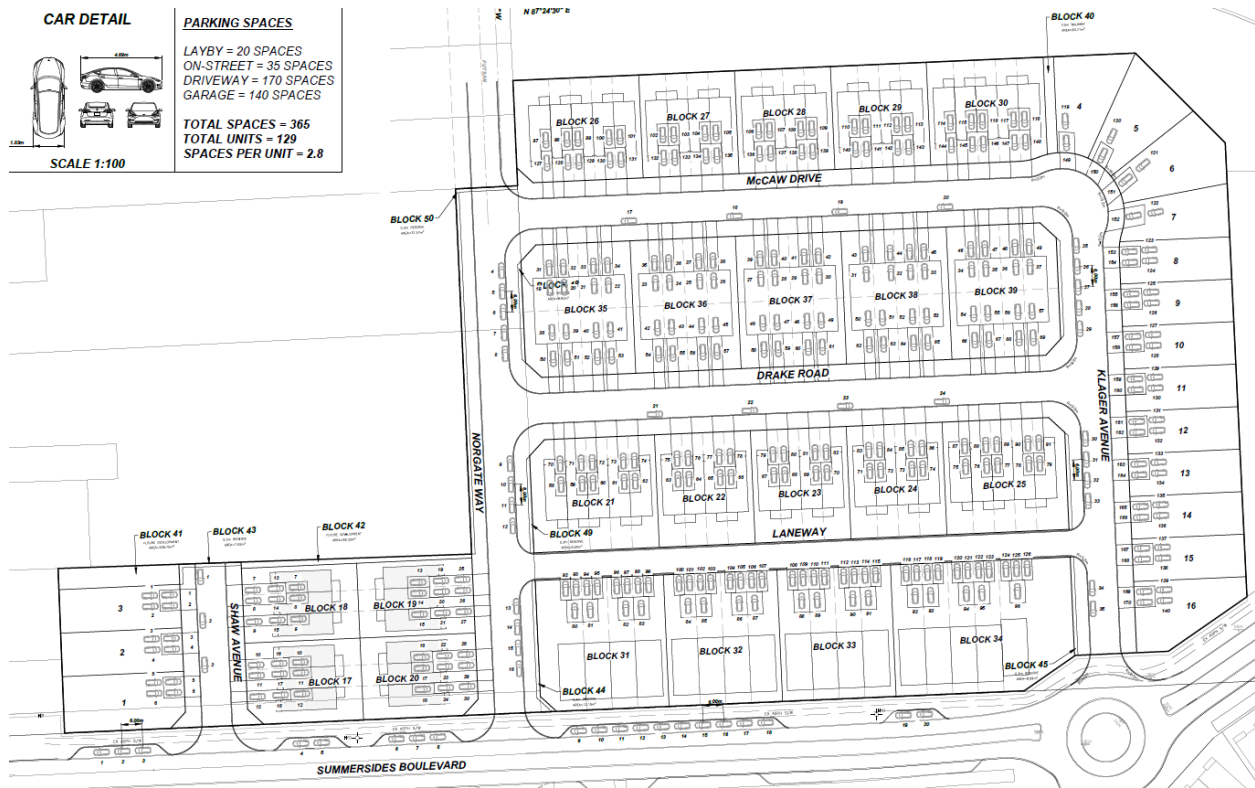
Policy B1.1.5 requires that when considering a Zoning By-law amendment to permit a townhouse development, Council shall be satisfied that the proposal:

- a) Respects the character of adjacent residential neighbourhoods, in terms of height, bulk and massing;
- b) Can be easily integrated with surrounding land uses;
- c) Will not cause or create traffic hazards or an unacceptable level of congestion on surrounding roads; and
- d) Is located on a site that has adequate land area to incorporate required parking, recreational facilities, landscaping and buffering on-site.

In response to Policy B1.1.5, Planning staff are of the opinion that the development as proposed respects the character of adjacent residential neighbourhoods with respect to height, bulk and massing. All development will have to be consistent with the Urban Design Guidelines which will ensure that these items are considered in the design. The applicant has revised the subdivision plan to locate single detached dwellings next to adjacent residential uses which are primarily single detached dwellings. The back to back townhouses will be located centrally within the development away from adjacent residential neighbourhoods. The future residential development of these properties was considered during the preparation of the East Fonthill Secondary Plan and supporting studies including traffic. Traffic congestion is not anticipated as a result of the townhouses. Finally, the size of the property for street and back to back townhouse dwellings is sufficient to incorporate parking, recreational areas, landscaping and buffering. While parking was a concern raised by Town staff and some Council members based on the previous draft plan, the applicant has provided a parking plan demonstrating that for 129 units, there are 140 garage spaces, 170 driveway spaces and 35 on-street spaces and 20 layby spaces along Summersides Boulevard (Figure 5). This is 2.4 on-site spaces per unit plus an additional 0.4 spaces per unit off-site for a total of 2.8 spaces per unit.



Figure 5: Parking Plan



Official Plan Policy D5.3 requires that prior to the consideration of an application for Plan of Subdivision, Council shall be satisfied that: a) The approval of the development is not premature and is in the public interest; b) The lands will be appropriately serviced with infrastructure, schools, parkland and open space, community facilities and other amenities, as required; c) The density of the development is appropriate for the neighbourhood as articulated in the policies of these Plan that relate to density and intensification; d) The subdivision, when developed, will be easily integrated/connected with other development in the area through the use of roadways, natural corridor linkages and trails to accommodate active transportation; e) The subdivision conforms with the environmental protection and management policies of this Plan; and, f) The proposal conforms to Section 51 (24) of the Planning Act, as amended. This policy is similar to the requirements in Section 51(24) of the Planning Act, as amended.



***Analysis of Section 51(24) of the Planning Act and Policy D5.3 of the Town's Official Plan, 2014***

***Effect of Development on Matters of Provincial Interest***

Planning staff have reviewed the applications to ensure that they are consistent with the Provincial Policy Statement, 2020 and conform to applicable Provincial plans. In Planning staff's opinion, the development addresses all matters of Provincial interest outlined in Section 2 of the Planning Act.

***Whether the Proposed Subdivision is Premature or in the Public Interest***

The proposed subdivision is not premature and is in the public interest.

***Whether the Plan Conforms to the Official Plan and Adjacent Plans of Subdivision***

The draft plan of subdivision conforms to the Official Plan and the East Fonthill Secondary Plan. The plan allows for connectivity to future plans of subdivision.

***Suitability of Land for the Purposes of which it is to be Subdivided***

The subject land is a Built-up Area within Fonthill's settlement area.

The density of the development is appropriate for the East Fonthill Secondary Plan – Neighbourhood 1 and lands designated Medium Density.

There are no changes to any environmental features as a result of the current applications.

***The Number, Width, Location, Proposed Grades, Elevations of Highways, their Adequacy, and the Highways linking the Highways in the Proposed Subdivision with the Established Highway System***

The subdivision will have access from Summersides Boulevard via Klager Avenue and Norgate Way which will connect with Meridian Way in the future. The proposed street networking provides connectivity to the established highway system, adjacent development and generally conforms to the street patterns depicted in the East Fonthill Demonstration Plans.

Grading and servicing will also be reviewed further and approved conditions of draft plan approval.

***Dimensions and Shapes of the Proposed Lots***

The proposed subdivision does not propose regularly shaped lots that will allow the appropriate siting of the future dwellings, driveways, amenity and parking areas.

***The Restrictions or Proposed Restrictions, if any, on the Land Proposed to be Subdivided or the Buildings and Structures Proposed to be Erected on it and the Restrictions, if any, on Adjoining Land***

There are no restrictions on the land proposed to be subdivided or on adjoining land.

The development must conform to the proposed zoning by-law (as well as other municipal by-laws, where applicable).

***Conservation of Natural Resources and Flood Control***

The proposed draft plan of subdivision will not negatively impact the conservation of natural resources or flood control. Stormwater management plans will be reviewed and approved by Public Works as part of the draft plan conditions.

***The Adequacy of Utilities and Municipal Services***

Utility companies have been circulated the applications and no comments have been received to indicate that services are not adequate.

***The Adequacy of School Sites***

The development applications were circulated to the local school boards and no comments were received to indicate that the school sites are not adequate.

***Adequacy of Parkland and Open Space, Community Facilities, and Other Amenities, as Required (D5.3)***

The proposed development abuts the future neighbourhood park on the north and east sides which will be easily accessible to the development. Future park designs and programming will be coordinated and implemented by the Department of Recreation, Culture and Wellness. The Community Centre is also located near the proposed development.

***The Area of Lane, if any, Within the Proposed Subdivision that, Exclusive of Highway, is to be Conveyed or Dedicated for Public Purposes***

The draft plan proposes to dedicate a 3.0 metre walkway (Block 40) to the Town to provide a connection to the park and future pedestrian bridge over the watercourse.

Section 51(3) of the Planning Act permits the Town, in lieu of accepting conveyed or dedicated land, to require the payment of money by the owner of the land to the value of the land (five (5) percent of the land included in the plan) otherwise to be conveyed. The Town will provide the developer with a credit for the installation of the pedestrian bridge to be constructed on Town property toward the payment of parkland dedication.

***The Extent to which the Plan's Design Optimizes the Available Supply, Means of Supplying, Efficient Use and Conservation of Energy***

The design of the proposed development optimizes the available land supply and will aid in the efficient use and conservation of energy.

***The Interrelationship between the Design of the Proposed Plan of Subdivision and Site Plan Control Matters Relating to any Development on the Land, if the Land is also Located Within a Site Plan Control Area designated under Subsection 41(2) of This Act.***

The proposed dwelling units within the draft plan of subdivision do not require site plan control.

In Planning staff's opinion, the proposed draft plan of subdivision and zoning by-law amendment will conform to Section 51 (24) of the Planning Act and Policy D.5.3 of the Town's Official Plan, 2014.

As discussed above, it is Planning staff's opinion that the draft plan of subdivision and requested zoning provisions conform to the policies of the Town of Pelham Official Plan.

***Zoning By-law 1136 (1987), as amended***

The subject parcel is zoned Agricultural (A) which permits agricultural uses including greenhouses; seasonal or permanent farm help houses on farms larger than 10 hectares; one single detached dwelling on one lot; home occupations;

kennels; animal hospitals; uses, buildings and structures accessory to the foregoing permitted uses; and forestry and conservation uses.

The zoning by-law amendment application seeks approval to amend Zoning By-law No. 1136 (1987) from the Agricultural (A) zone to site specific R2 (*Residential 2*), RM1 (*Residential Multiple 1*) and OS (*Open Space*) zones. The Open Space zone will apply to the pedestrian trail proposed in the draft plan of subdivision as well as the surrounding parkland. The site specific zoning regulations are provided in Tables 1, 2 and 3.

*Table 1: Requested Site Specific Zoning Regulations*

Zoning Regulation	General Provisions	Requested Site Specific General Provisions
5.54 Definitions		<p>Add definition:</p> <p><i>Back-to-back townhouse dwelling means a townhouse dwelling that contains dwelling units divided vertically from each other by common side walls and common rear walls.</i></p>
5.55 Second Dwelling Unit		<p>Add definition:</p> <p>Second Dwelling Unit means a second dwelling unit on a lot with a principle dwelling that is created through converting part of, or adding on to the existing dwelling that maintains an independent entrance, or within a detached accessory building (e.g.</p>

		in-law suite, basement suite, coach house)
6.1 Accessory Uses (a) General		<p>Only one second dwelling unit is permitted per lot in a single detached, semi-detached or townhouse dwelling, provided:</p> <ul style="list-style-type: none"> <li>i) The maximum floor area does not exceed 60m<sup>2</sup>.</li> <li>ii) A maximum of one entrance is permitted to face a street, inclusive of the principle dwelling.</li> <li>iii) A minimum of one parking stall is required.</li> <li>iv) Compliance with the Ontario Building Code and Fire Code, as applicable.</li> </ul>
6.1 (b) Location	Except as otherwise provided herein, in a Residential zone any accessory building or structure which is not part of the main building shall be erected to the rear of	Detached garages shall be located in the rear yard with a minimum rear yard setback of 6.0 m to laneways, minimum 1.5 m setback from end wall to interior side lot line or 0 m setback from

	the required front yard and shall not be located closer to any lot line than 1.2 m (3.94 ft) or closer to any street than the required yard for the main building or structure. In all other zones any accessory building or structure which is not part of the main structure shall be erected to the rear of the front yard and shall not be located closer to any lot line than the required yard of the main building or structure.	common wall to interior side lot line
6.1(c) Maximum Height	3.7 m	3.7 m  6.0 m where the accessory building contains a second dwelling unit
6.1(d) Lot Coverage	10%	15%
6.2 Dwelling Units Below Grade	No dwelling unit shall in its entirety be located in a cellar.  A dwelling unit, in its entirety, may be located in a basement provided that the floor	delete

	level of such basement is not more than 1.2 metres below the adjacent finished grade.	
6.16 (d) Parking Area Regulations  Ingress and Egress	<p>(i) Ingress and egress, to and from the required parking spaces and areas, shall be provided by means of unobstructed driveways or passageways at least 3.0 m wide, where only one-way traffic is permitted, and have a minimum width of 7.5 m, but not more than 9.0 m in perpendicular width where two-way traffic is permitted.</p> <p>(ii) The maximum width of any joint ingress and egress driveway ramp measured along the street line shall be 9.0 m.</p>	<p>i) Ingress and egress, to and from required parking spaces and areas, shall be provided by means of unobstructed driveways or passageways at least 3 m wide, where only one-way traffic is permitted or if the number of residential units is three or less, and have a minimum width of 6.5 m, but not more than 8.0m in perpendicular width where two-way traffic is permitted.</p> <p>All uses fronting Summersides Boulevard shall be accessed from a public or private laneway.</p> <p>ii) The maximum width of any joint ingress and egress driveway ramp measured along the street line shall be 8.0 m.</p>
6.35 Yard Encroachments Permitted	Notwithstanding the yard provisions of this By-law to the contrary, unenclosed porches,	Notwithstanding the yard provisions of this By-law, unenclosed porches, balconies, steps and

(c) Unenclosed Porches, Balconies, Steps & Patios	balconies, steps and patios, covered or uncovered may project into any required yard a maximum distance of 1.5 m provided that, in the case of porches, steps or patios, such uses are not more than 1.3 m above ground. Patios may project into any required rear yard provided they are not more than 0.6 m above grade.	patios, covered or uncovered shall not be permitted within 2 m of the front lot line or exterior side lot line, and 4.5 m of the rear lot line provided that, such uses are not more than 2.0 m above ground. Uncovered patios and decks shall not be permitted  within 1.2 m of a rear or side lot line provided that, such uses are not more than 0.3 m above ground.
Zoning Regulation	Residential 2 (R2)	Requested Site Specific Regulations for Single Detached Dwellings
14.2(c) Maximum Lot Coverage	50%	delete
14.2(d) Minimum Front Yard	6.5 m on either a street or an internal roadway	4.0metres to building face 6.0 metres to a garage
14.2(e) Minimum Interior Side Yard	1.5 m on one side and 3 m on the other side where there is no carport or garage attached, or 1.5 m on both sides where a	1.2 metres



	carport or garage is attached	
14.2(f) Minimum Exterior Side Yard	5 m from the side lot line or 15 m from the centre line of the road whichever is the greater	3.0 metres
14.2(g) Minimum Rear Yard	7.5 m	6 m
14.2(h) Maximum Height for a Dwelling	10.5 m	3 storey or 12m, whichever is greater
14.2(i) Minimum Ground Floor Area for a Dwelling	(i) one storey 93m <sup>2</sup> (ii) two or three storey 55m <sup>2</sup>	(i) one storey 88m <sup>2</sup> (ii) two or three storey 50m <sup>2</sup>

Zoning Regulation	Residential Multiple 1 – no requirements for back-to back townhouse dwellings	Requested Site Specific Regulations for Back-to Back Townhouse Dwellings
16.1(a) Permitted Uses		Add back-to-back townhouse dwellings
16.5(a) Minimum Lot Frontage		6.0 metres
16.5(b) Minimum Corner Lot Frontage		10.0 metres
16.5(c) Minimum Lot Area		110 m <sup>2</sup> per dwelling unit

Zoning Regulation	Residential Multiple 1 – no requirements for back-to back townhouse dwellings	Requested Site Specific Regulations for Back-to Back Townhouse Dwellings
16.5(d) Minimum Front Yard		6.0 metres
16.5(e) Minimum Exterior Side Yard		3.0 metres
16.5(f) Minimum Interior Side Yard		2.0 metres or 0 metres to a common wall
16.5(g) Minimum Rear Yard		0 metres
16.5(h) Maximum Building Height		12.5 metres or 3 storeys, whichever is greater
16.5(i) Minimum Ground Floor Area for Dwelling		(i) One storey 88m <sup>2</sup>  (ii) Two or Three storey 22m <sup>2</sup>

Zoning Regulation	Residential Multiple 1	Requested Site Specific Regulations for Street Townhouse Dwellings
16.3(a) Minimum Lot Frontage	6 m per dwelling unit, except that in the case of an interior lot containing a dwelling attached on one side only, the minimum lot	6.0 metres

Zoning Regulation	Residential Multiple 1	Requested Site Specific Regulations for Street Townhouse Dwellings
	frontage required shall be 9 m	
16.3(b) Minimum Corner Lot Frontage	14.0 m	7.5 metres
16.3(c) Minimum Lot Area	230m <sup>2</sup> per dwelling unit	170 m <sup>2</sup> per dwelling unit
16.3(d) Minimum Front Yard	7.5 metres	3.0 metres to a dwelling  6.0 metres to a garage
16.3(e) Minimum Exterior Side Yard	7.5 metres	3.0 metres
16.3(f) Minimum Interior Side Yard	3.0 metres	1.2 metres or 0 metres to a common wall
16.3(g) Minimum Rear Yard	7.5 metres	6.0 metres
16.3 (h) Maximum Building Height	10.5 metres	12 metres or 3 storeys, whichever is greater
16.3 (j) Planting Strips	1.5 m minimum in width shall be provided where the boundary of a (RM1) zone abuts an (R1) or (R2) zone	delete

The proposed zoning change will conform to the policies of the Official Plan. The zone standards will allow for efficient residential development while respecting the needs of future residents. In Planning staff's opinion, the proposed zoning change will apply good planning principles.

### **Submitted Reports:**

The applicant provided copies of the following reports in support of the applications:

*Stage 1, 2 and 3 Archaeological Assessments prepared by Mayer Heritage Consultants Inc.*

The Stage 3 Archaeological Assessment recommended no further investigation and a letter was provided by the Ministry of Culture concurring with this recommendation.

*Functional Servicing Report prepared by Upper Canada Consultants*

The Functional Servicing Report makes recommendations for stormwater management, water and sanitary servicing. These recommendations will be required to be integrated into the engineering design for the subdivision which is required to be reviewed and approved by the Town as a condition of approval.

*Planning Justification Report prepared by Upper Canada Consultants*

The Planning Justification Report concludes that the proposed subdivision is efficient and well designed, compatible and appropriate development of the lands, represents good planning and conforms to Provincial Plans and local Plans and should be supported.

Digital copies of the reports are available by contacting the Planning Division.

### **Agency Comments:**

On October 30, 2020 a public meeting notice was circulated to external agencies and internal departments regarding the proposed applications. Full versions of

comments received to date have been included in Appendix A to this report. The following is a summary of those comments:

Hydro One: No comments or concerns.

Bell: Requests conditions for easements.

Public Works: No objections subject to conditions of draft plan approval.

Niagara Region:

Regional staff have no objection to the proposed Zoning By-law Amendment and Draft Plan of Subdivision from a Provincial and Regional perspective subject to the conditions.

Pelham Active Transportation Committee:

Supportive of:

- Pedestrian bridge crossing over the watercourse
- Pathway to park
- Cycling infrastructure on Klager and McCaw

Requests that the Town:

- Ensure active transportation facilities move forward as identified in the Active Transportation Master Plan, particularly Map 10.
- The ATMP should be shared with the developers, as well as the Active Transportation Demonstration Plan in the East Fonthill Secondary Plan which provides more detail.
- Ensure safe crossing at the roundabout at Klager, particularly as traffic increases
- If fencing along lane/pathway, consider visibility
- Ensure lighting that meets accessibility needs (across bridge, on pathways)

Ideally, the PATC would like to see:

- Winter snow removal (heated trails/sidewalks)
- A trail or pathway on both sides of the waterway
- Signage to identify the multi-use paths, including distance in km, for example, to a location (e.g., Steve Bauer Trail) or markers to mark distance along a pathway.
- Benches or seating at certain vistas.

**Planning:**

The Demonstration Plans contained in Appendix A to the Official Plan, 2014 show a north-south road connection on the subject property connecting to properties to the north. Policies B1.7.3.1(j), (k) and (l) speak to the importance of a well-designed, multi-modal, connected modified grid street network. Further, Policy B1.7.4.1 states that development within the East Fontheil Secondary Plan Area shall be generally consistent with the Demonstration Plans attached to this Plan as Appendix A and that refinements shall not require an amendment to the Official Plan, provided the intent and general design approach in the Demonstration Plans are achieved to the satisfaction of the Town.

**Public Comments:**

On October 30, 2020 a public meeting notice was circulated to all property owners within 120 metres of the property's boundaries. In addition, public notice signs were posted facing Station Street and Summersides Boulevard. A public meeting was held on November 23, 2020. The following comments were received:

*Randy Zwierschke & Marleah Proulx:* Request that the laneway proposed behind their property be relocated due to noise and privacy concerns.

*Stephen Kaiser:* Supports the proposal as it fits the original vision for East Fontheil.

*Warren Calvert:* Concerned that there are no splash pads or playgrounds in the area for families, lack of seniors programming and activities, parking, narrow roads, narrow driveways, snow removal and the ability for firetrucks to access the development. Feels that the proposal is high density and is opposed to high density development.

**Staff Comments:**

Commenting agencies, departments and utilities offered no objections to the applications subject to conditions. All requested conditions of approval from agencies and utilities have been included in the recommended conditions contained in Appendix B to this report.

Comments from the Pelham Active Transportation Committee (PATC) are noted and items such as roundabout, sidewalk, fencing and lighting designs will be addressed as part of the detailed engineering design which is required as a condition of

approval. The engineering plans will be brought back to the PATC for review and comment when received.

Concerns originally noted by Planning staff regarding the need for a north-south road connection have been addressed through the revised draft plan of subdivision.

The changes to the draft plan of subdivision (removal of the laneway behind 1405 Station Street and replacement with single detached dwellings) have addressed the concerns of Randy Zwierschke and Marleah Proulx with respect to their privacy and potential noise impacts.

In response to the concerns raised by Mr. Calvert, Planning staff advise that the development of the parks is being planned and there will be consideration given to playgrounds and other amenities geared toward families with children. It is noted that a splash pad is planned for Marlene Stewart Streit Park and the lands are within walking distance to the Meridian Community Centre that provides recreational opportunities for families and is a designated seniors' centre with seniors programming available. Adequate parking will be available. The proposed roads and driveways meet the requirements of the Town, are of standard widths and will allow access for snowplowing and Fire and Emergency Services. The property is designated EF – Medium Density and the uses proposed (single detached and townhouse dwellings) are permitted in the Medium Density designation and are not considered high density uses and are consistent with the planned density approved through the East Fonthill Secondary Plan.

In summary, it is Planning staff's opinion that the proposed draft plan of subdivision and zoning by-law amendment are consistent with Provincial policy and plans, conform to the Regional and Town Official Plans and represent good planning and therefore, should be approved subject to the recommended conditions of draft plan approval contained in Appendix B.

### **Alternatives:**

Council could choose not to approve the applications for draft plan of subdivision and amendment to the Zoning By-law.

Council could choose to approve the applications subject to modifications.

**Prepared and Recommended by:**

Shannon Larocque, MCIP, RPP  
Senior Planner

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

**Reviewed and Submitted by:**

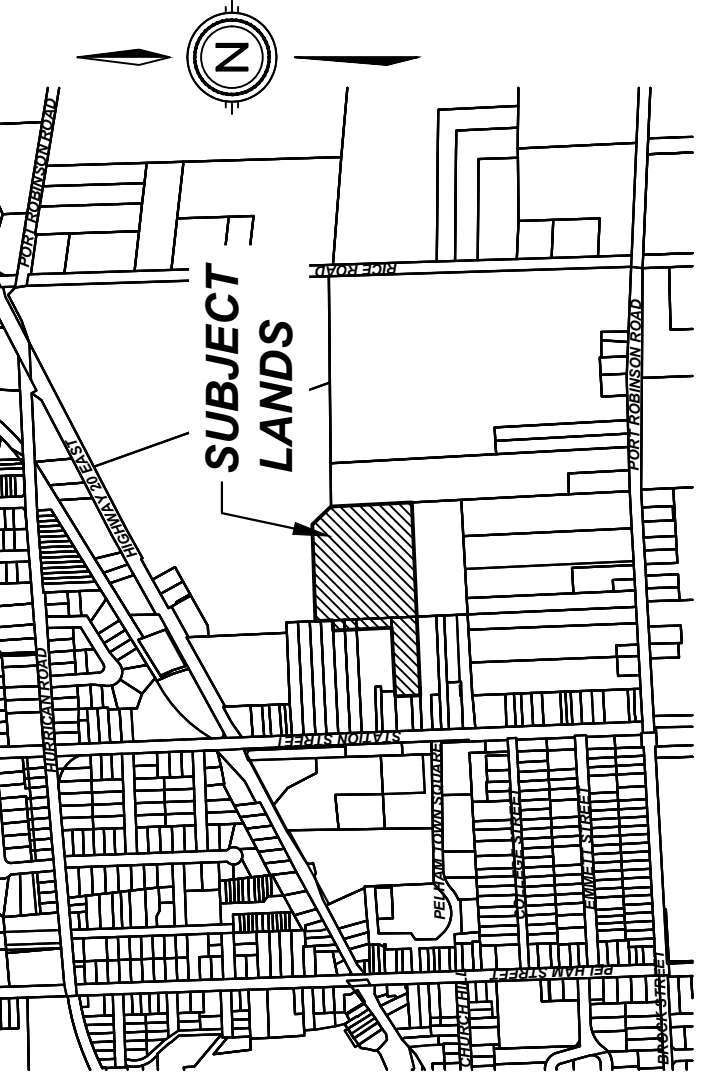
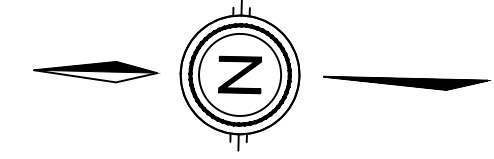
David Cribbs, BA, MA, JD, MPA  
Chief Administrative Officer



LEGAL DESCRIPTION

PART OF LOTS 3, 8, 9, 13 & 14,  
REGISTERED PLAN 1717  
PART OF THOROLD TOWNSHIP  
LOTS 166 & 167  
GEOGRAPHIC TOWNSHIP OF THOROLD  
IN THE  
TOWN OF PELHAM  
REGIONAL MUNICIPALITY OF NIAGARA

PARK PLACE SOUTH  
TOWN OF PELHAM



KEY PLAN  
N.T.S.

DRAFT PLAN OF SUBDIVISION

OWNER'S CERTIFICATE

BEING THE REGISTERED OWNER, I HEREBY  
AUTHORIZE UPPER CANADA CONSULTANTS TO  
PREPARE AND SUBMIT FOR THE TOWN OF PELHAM  
FOR APPROVAL.

MOUNTAINVIEW HOMES (NIAGARA) LTD. (APPLICANT '1') DATE  
JUNE 17, 2020

MICHAEL DEFazio (APPLICANT '2') DATE  
AUGUST 10, 2020

FRANK DEFazio (APPLICANT '2') DATE  
AUGUST 10, 2020

FRANCESCO GROTTOLO (APPLICANT '2') DATE  
AUGUST 10, 2020

ALEXANDER MACKAY (APPLICANT '3') DATE  
AUGUST 10, 2020

BERYL GEORGIEV (APPLICANT '3') DATE  
AUGUST 10, 2020

ROBIN BURNS KAISER (APPLICANT '4') DATE  
AUGUST 10, 2020

VICTORIA BALD (APPLICANT '4') DATE  
AUGUST 10, 2020

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE BOUNDARIES OF  
THE LANDS TO BE SUBDIVIDED ARE  
CORRECTLY SHOWN.

J.D. BARNES LIMITED  
20-16-044-01  
DATE  
Dec. 17, 2020

REQUIREMENTS OF SECTION 51(17)  
OF THE PLANNING ACT

- a) SEE PLAN  
b) SEE PLAN  
c) SEE PLAN  
d) SEE PLAN  
e) SEE PLAN  
f) SEE PLAN  
g) SEE PLAN  
h) SEE PLAN  
i) SILTY SAND  
j) SEE PLAN  
k) FULL SERVICE  
l) SEE PLAN

#	ISSUED FOR APPROVAL	REVISION	DATE	M.K.	INIT
0			2020-12-17		



UPPER CANADA  
CONSULTANTS  
ENGINEERS / PLANNERS

DRAWING TITLE

DRAFT PLAN OF  
SUBDIVISION

DRAFTING M.K.

DATE JANUARY 13, 2020

PRINTED FEBRUARY 26, 2021

SCALE 1:750

DWG No.

REV

1890-DP

## APPENDIX B

### Conditions of Draft Plan Approval

#### Park Place South Plan of Subdivision (File No. 26T19-02-2020)

The headings inserted in these draft plan conditions are inserted for convenience only and shall not be used as a means of interpreting these draft plan conditions. The conditions of final approval and registration of the Park Place South Plan of Subdivision by Mountainview Homes (Niagara) Ltd. (file no. 26T19-02-2020) Town of Pelham are as follows:

#### DRAFT PLAN

1. This approval applies to the Park Place South Draft Plan of Subdivision, Part of Lots 7, 8, 9, 13 & 14, Registered Plan 717; Part of Thorold Township Lots 166 & 167, Geographic Township of Thorold in the Town of Pelham, Regional Municipality of Niagara prepared by J.D Barnes Ltd. dated January 13, 2020 printed February 26, 2021 showing:
  - 16 single detached dwelling lots
  - Blocks 17-30 for 56 two-storey townhouses
  - Blocks 31-34 for 17 rear lane townhouses
  - Blocks 35-39 for 40 back to back townhouses
  - Block 40 for 3.0 metre walkway
  - Blocks 41-42 for future development
  - Blocks 43-50 for 0.3m reserves
  - 1.299 ha for right of way
2. This approval is for a period of three (3) years. Approval may be extended pursuant to Section 51 (33) of the *Planning Act R.S.O. 1990, c. P.13* but no extension can be granted once the approval has lapsed. If the Developer wishes to request an extension to the approval, a written explanation on why the extension is required, together with the resolution from the Region must be submitted for Town Council's consideration, prior to the lapsing date.
3. If final approval is not given to this draft plan within three (3) years of the approval date, and no extensions have been granted, approval will lapse under Section 51 (32) of the *Planning Act R.S.O. 1990, c. P.13*.
4. It is the Developer's responsibility to fulfill the conditions of draft plan approval and to ensure that the required clearance letters are forwarded by the appropriate agencies to the Town, quoting file number **26T19-02-2020** and referencing the conditions that are cleared.

#### AGREEMENTS AND FINANCIAL REQUIREMENTS

## **APPENDIX B**

5. The Developer shall provide an electronic copy of the pre-registration plan, prepared by an Ontario Land Surveyor, and a letter to the Department of Community Planning and Development stating how all the conditions imposed have been or are to be fulfilled.
6. The Developer shall provide an electronic copy of the lot priority plan to the Department of Community Planning and Development.
7. The Developer shall agree to pay to the Town of Pelham all required processing and administration fees.
8. The Developer shall submit a Solicitor's Certificate of Ownership for the Plan of Subdivision of land to the Department of Community Planning and Development prior to the preparation of the Subdivision Agreement.
9. That the Subdivision Agreement between the Developer and the Town of Pelham be registered by the Municipality against the lands to which it applies in accordance with the *Planning Act R.S.O. 1990, c. P.13*.
10. That the Developer shall pay the applicable Town of Pelham, Niagara Region, and Niagara District Catholic School Board development charges in place at the time of the Building Permit issuance.
11. That the Developer agrees in writing to satisfy all of the requirements, financial and otherwise, of the Town of Pelham concerning the provision of roads, daylight triangles, lot reserves, road widenings, sidewalks, fire hydrants, streetlighting, the extension and installation of services, stormwater management and drainage including the upgrading of services and the restoration of existing roads damaged during the development of the Plan of Subdivision.
12. That the Developer agrees to pay their proportionate share of the costs associated with the establishment of the Singers Corner Municipal Drain.
13. That the Developer will not negatively impact trees on neighbouring properties.
14. That the Developer agrees to pay the required cost allocation for oversizing of the Storm Water Facility and Storm Sewer.
15. That the Developer agrees to construct a steel framed wood deck pedestrian crossing over the watercourse connecting the development to the trail on the north side of the watercourse to the satisfaction of the Town noting that a development permit is required from the Niagara Peninsula Conservation Authority.

## **LAND TRANSFERS AND EASEMENTS**

## **APPENDIX B**

16. That the Developer agrees to deed any and all easements that may be required for access utility and drainage purposes be granted to the appropriate authorities and utilities.
17. That the Developer shall provide the following 0.3m wide reserves to the Town of Pelham: Blocks 43 – 50. These must be free and clear of any mortgages, liens and encumbrances.

### **ZONING**

18. That prior to final approval, the zoning by-law amendment application (File No. AM-08-20), which reflects the layout of the draft plan of subdivision has come into effect in accordance with the provisions of Section 34 of the *Planning Act R.S.O. 1990, c. P.13*.
19. The Developer shall submit to the Department of Community Planning and Development an electronic copy of the proposed draft plan and a letter prepared by an Ontario Land Surveyor to confirm zoning compliance.
20. That the Director of Community Planning and Development be provided with a surveyor's certificate showing lot frontages and net lot area for the final Plan of Subdivision.

### **ROADS**

21. That all roads and laneways within the subdivision be conveyed to the Town of Pelham as public highways.
22. That the streets be named to the satisfaction of the Town of Pelham.
23. That the Developer provides detailed engineering design drawings for the roads, sidewalks and street lighting facilities required to service the subject lands in accordance with the East Fonthill Secondary Plan Area Urban Design Guidelines to the Director of Public Works for review and approval.
24. The Developer shall be responsible for the construction of all primary and secondary services, including sidewalks, boulevard plantings and sodding/hydroseeding, in accordance with the policies of the East Fonthill Secondary Plan Area Urban Design Guidelines.
25. That the Developer agrees to provide decorative street lighting to the satisfaction of the Director of Public Works.
26. That the Developer agrees to provide a detailed streetscape plan in accordance with the East Fonthill Secondary Plan Area Urban Design Guidelines to the satisfaction of the Director of Community Planning and Development and the Director of Public Works

## **APPENDIX B**

illustrating street trees, on-street parking and driveway entrances.

27. That the Developer agrees to install sidewalk and grade and sod boulevards in accordance with the requirements of the East Fonthill Secondary Plan Area Urban Design Guidelines. All sidewalks shall be deemed to be Secondary Services and shall be completed within six (6) months of occupancy of each dwelling, except between November 15<sup>th</sup> and April 15<sup>th</sup> at which time the sidewalks must be installed as soon as possible, at the locations shown on the Plans and in accordance with the approved Subdivision Grade Control Plan or as amended by the Director of Public Works. The sidewalks are to be constructed in their entirety in block long sections.
28. That the Developer agrees to provide curb side parking in accordance with the East Fonthill Secondary Plan Area Urban Design Guidelines to the satisfaction of the Director of Public Works.
29. That the Developer agrees to provide lay-by parking on Summersides Boulevard in accordance with the East Fonthill Secondary Plan Area Urban Design Guidelines to the satisfaction of the Director of Public Works.
30. That the Developer agrees to pay for the north half of Summersides Boulevard abutting the subdivision lands as per the Summersides Boulevard Cost Sharing Agreement.
31. That prior to any construction taking place within the Town road allowance, the Developer shall obtain a Town of Pelham Temporary Works Permit. Applications must be made through the Department of Public Works.

### **MUNICIPAL SERVICES**

32. Prior to any site alteration, or final approval, the Developer shall submit all supporting materials and engineering design, prepared by a qualified professional, as required by the Town or any applicable authority, and shall agree to implement the recommendations of the reports, studies and plans to the satisfaction of the Director of Public Works, and any other applicable authority.
33. That a Servicing Study Report indicating that the accepting servicing infrastructure (storm sewers, sanitary sewers, and water mains) can accommodate the additional flows and adequate fire flows are provided to the development be submitted to the Town of Pelham for review and to the satisfaction of the Director of Public Works and the Fire Chief.
34. That the Developer will provide the Town of Pelham with the proposed site servicing plans for the subject property. The Director of Public Works shall approve the plans prior to final approval of the subdivision.

## **APPENDIX B**

35. That the Developer submit to the Town of Pelham for review and approval by the Director of Public Works a Geotechnical Study, prepared by a qualified engineer, that verifies the soil bearing capacity, recommends appropriate sewer pipe design, pipe bedding, backfill and roadway designs.
36. That the design of all Municipal and public utility services for the Subdivision be coordinated with adjacent development.
37. That the design drawings for the sanitary sewer and stormwater drainage systems to service this development be submitted to the Regional Public Works Department for review and approval. (Note: Any stormwater management facility that may be proposed for this development would require the direct approval of the Ministry of the Environment, Toronto). The Town of Pelham is responsible for the review and approval of watermains under the MOE Water License Program.
38. That prior to registration of this plan, the Developer must obtain Environmental Compliance Approval from the Ministry of Environment, Conservation and Parks for sewer and storm water management works needed to service the proposed development. Prior to installing the watermain to service the proposed development, the Developer must submit Ministry of Environment 'Form 1' Record of Watermain.
39. At the end of the project, the design engineer shall certify that all grading, storm sewers, and stormwater management controls have been constructed in general conformity to the approved drawings. Copies of the certification shall be circulated to the Town of Pelham and the Regional Municipality of Niagara.
40. That all foundation drainage be directed to a sump pump in each house discharging via storm laterals. Foundation drains will not be connected to the sanitary sewer system.
41. Roof water drainage from any structure or building shall be directed via downspouts discharging via splash pads (concrete or other suitable material) to grass surfaces. These splash pads shall extend a distance at least 1.2 metres away from the structure and must direct the flow away from the building, not onto walks or driveways, and not towards adjacent property.

### **STORMWATER MANAGEMENT, GRADING AND SEDIMENT AND EROSION CONTROL**

42. That the subdivision agreement between the Developer and the Town of Pelham contain provisions whereby the Developer agrees to implement the approved stormwater management plan required in accordance with Condition 32.
43. That the Developer prepare a detailed subdivision grade control plan showing both existing and proposed grades and the means whereby major storm flows will be



## **APPENDIX B**

accommodated across the site to be submitted to the Town of Pelham and Regional Municipality of Niagara Development Services Division for review and approval.

44. That prior to approval of the final plan or any on-site grading, the Developer submit to the Town of Pelham for review and approval two copies of a detailed stormwater management plan for the subdivision and the following plans designed and sealed by a suitably qualified professional engineer in accordance with the Ministry of the Environment documents entitled "Stormwater Management Planning and Design Manual (March 2003)" and "Stormwater Quality Guidelines for New Development (May 1991)", and in accordance with the Town of Pelham's Lot Grading and Drainage Policy, and the Town of Pelham's Stormwater Management Facility Standards:
- a) Detailed lot grading and drainage plans, noting both existing and proposed grades and the means whereby overland flows will be accommodated across the site; and,
  - b) Detailed sediment and erosion control plans.

### **PUBLIC PARK**

45. That the Developer shall install black wrought iron style fencing or acceptable alternative along the rear and exterior side yards of the lots backing on the park to the satisfaction of the Director of Community Planning and Development.
46. That the Developer shall convey land for park purposes as permitted in Section 51.1 of the *Planning Act R.S.O. 1990, c. P.13* or alternatively, the Town may accept cash-in-lieu of the conveyance and under the provisions of Section 51.1 (3) of the *Planning Act R.S.O. 1990, c. P.13* and pursuant to the Town Parkland Dedication By-law 3621(2015).

### **ARCHITECTURAL CONTROL**

47. The Developer/Owner agrees to comply with the East Fonthill Secondary Plan Area Urban Design Guidelines and retain the services of a Design Architect. The submission of building permit application shall include the building's licensed Architect/Designer stamp and a statement on the submitted plans comply with the East Fonthill Secondary Plan Area Urban Design Guidelines.

### **UTILITIES**

48. That the Developer shall co-ordinate the preparation of an overall utility distribution plan to the satisfaction of all affected authorities.
49. The Developer agrees that should any conflict arise with existing Niagara Peninsula Energy Inc. facilities or easements within the subject area, the owner shall be responsible for the relocation of any such facilities or easements at their own cost.

## **APPENDIX B**

50. That the Developer shall enter into any agreement as required by utility companies for installation of services, including street lighting, all in accordance with the standards of the Town of Pelham. All utilities servicing the subdivision shall be underground. Upon installation and acceptance by the Town, streetlights and streetlight electrical supply system will be added to the Town's inventory.

### **CANADA POST**

51. The Developer shall include on all offers of purchase and sale, a statement that advises the prospective purchaser that:

- i) the home/business mail delivery will be from a designated Central Mail Box;
- ii) the developer/owners be responsible for officially notifying the purchasers of the exact Centralized Mail Box locations prior to the closing of any home sales.

52. The Developer agrees to:

- i) work with Canada Post to determine and provide temporary suitable Centralized Mail Box locations which may be utilized by Canada Post until the curbs, boulevards and sidewalks are in place in the remainder of the development;
- ii) install a concrete pad in accordance with the requirements of and in locations to be approved by Canada Post to facilitate the placement of Community Mail Boxes;
- iii) identify the pads above on the engineering servicing drawings. Said pads are to be poured at the time of the sidewalk and/or curb installation within each phase of the plan of subdivision;
- iv) determine the location of all centralized mail receiving facilities in co-operation with Canada Post and to indicate the location of the centralized mail facilities on appropriate maps, information boards and plans. Maps are also to be prominently displayed in the sales office(s) showing specific Centralized Mail Facility locations.

### **NIAGARA REGION PLANNING AND DEVELOPMENT SERVICES DEPARTMENT**

53. That a Stage 3 Archaeological Assessment, prepared by a licensed archaeologist, be submitted to the Ministry of Heritage, Sport, Tourism and Culture Industries (MHSTCI) for review and approval for AgGt-265. The report must be accepted by the MHSTCI, to the satisfaction of Niagara Region, prior to clearance of this condition. If the consultant recommends / the MHSTCI requires further Archaeological Assessments, these report(s) must also be submitted to and accepted by the MHSTCI, to the satisfaction of Niagara Region, prior to clearing this condition. NOTE: No demolition, grading or other soil disturbances shall take place on the subject property prior to the issuance of a letter



## APPENDIX B

from the MHSTCI confirming that all archaeological resource concerns have been mitigated and meet licensing and resource conservation requirements.

54. That the following clause be included in the subdivision agreement:

“Should deeply buried archaeological remains/resources be found on the property during construction activities, all activities impacting archaeological resources must cease immediately, notify the Archaeology Programs Unit of the Ministry of Heritage, Sport, Tourism and Culture Industries (416-212-8886) and a licensed archaeologist is required to carry out an archaeological assessment in accordance with the Ontario Heritage Act and the Standards and Guidelines for Consultant Archaeologists.

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

55. That the owner ensure that all streets and development blocks can provide an access in accordance with the Regional Municipality of Niagara policy and by-laws relating to the curb side collection of waste and recycling throughout all phases of development. If developed in phases, where a through street is not maintained, the owner shall provide a revised draft plan to reflect a proposed temporary turnaround/cul-de-sac with a minimum curb radius of 12.8 metres.

56. That the owner submits a written undertaking to the Niagara Region that draft approval of this subdivision does not include a commitment of servicing allocation by the Regional Municipality of Niagara as this servicing allocation will be assigned at the time of registration and any pre-servicing will be at the sole risk and responsibility of the owner.

57. That the owner submits a written undertaking to the Niagara Region that all offers and agreements of Purchase and Sale, which may be negotiated prior to registration of this subdivision, shall contain a clause indicating that a servicing allocation for this subdivision will not be assigned until the plan is registered, and a similar clause be inserted in the subdivision agreement between the owner and the Town.

58. That prior to final approval for registration of this plan of subdivision, the owner shall submit the design drawings [with calculations] for the sanitary and storm drainage systems required to service this development and obtain Ministry of the Environment, Conservation and Parks, Environmental Compliance Approval under the Transfer of Review Program.

## **APPENDIX B**

59. That prior to approval of the final plan or any on-site grading, the owner shall submit a detailed stormwater management plan for the subdivision and the following plans designed and sealed by a qualified professional engineer in accordance with the Ministry of the Environment and Climate Change documents entitled Stormwater Management Planning and Design Manual, March 2003 and Stormwater Quality Guidelines for New Development, May 1991, or their successors to the Niagara Region for review and approval:
- i. Detailed lot grading, servicing and drainage plans, noting both existing and proposed grades and the means whereby overland flows will be accommodated across the site; and
  - ii. Detailed erosion and sedimentation control plans.
60. That the subdivision agreement between the owner and the Town contain provisions whereby the owner agrees to implement the approved plan(s) required in accordance with the condition above.

### **Clearance of Conditions**

#### **FINAL APPROVAL**

1. Subject to the conditions set forth herein, this Draft Plan is approved under Section 51 (31) of the *Planning Act R.S.O. 1990, c. P.13*. Final approval shall be granted by the Town

#### **CLEARANCE OF CONDITIONS**

Prior to granting final plan approval, the Department of Community Planning and Development requires written notice from applicable Town Departments and the following agencies indicating that their respective conditions

Town Department of Community Planning and Development for Conditions 5-22 (Inclusive), 45-47 (Inclusive),

Town Department of Public Works for Conditions 23-44 (Inclusive), 48 and 50

Niagara Peninsula Energy Inc. for Condition 49.

Canada Post for 51-52 (Inclusive)

Niagara Region Planning and Development Services Department for Conditions 53-60 (Inclusive)

THE CORPORATION OF THE  
T O W N O F P E L H A M  
BY-LAW #4344(2021)

**Being a by-law to appoint Melissa Grodesky (Officer #126) as By-law Enforcement Officer, Property Standards Officer, Provincial Offences Officer and Weed Inspector for the Corporation of the Town of Pelham;**

**AND to appoint Ceara Obdeyn (Officer #119) as By-law Enforcement Officer and Provincial Offences Officer for the Corporation of the Town of Pelham.**

WHEREAS authority is granted pursuant to Section 15 of the Police Services Act, R.S.O. 1990, Chapter P.15, as amended, to municipal councils to appoint persons to enforce the by-laws of the municipality who shall be peace officers for the purpose of enforcing municipal by-laws;

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

- (1) THAT Melissa Grodesky is hereby appointed as Municipal By-law Enforcement Officer, Property Standards Officer, Provincial Offences Officer and Weed Inspector for the Corporation of the Town of Pelham.
- (2) THAT Ceara Obdeyn is hereby appointed as Municipal By-law Enforcement Officer and Provincial Offences Officer for the Corporation of the Town of Pelham.
- (3) THAT the Municipal By-law Enforcement Officer, Property Standards Officer, Provincial Offences Officer and Weed Inspector shall be responsible for the enforcement of all by-laws passed by the Council of the Corporation of the Town of Pelham.
- (4) THAT this by-law shall come into force and take effect on the 03rd day of May 2021.
- (5) THAT by-law 4244(2020) be and is hereby repealed.

ENACTED, SIGNED & SEALED THIS  
03rd DAY OF MAY, 2021 A.D.

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MAYOR MARVIN JUNKIN

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HOLLY WILLFORD, ACTING TOWN CLERK

THE CORPORATION OF THE  
T O W N O F P E L H A M  
BY-LAW 4345(2021)

**Being a by-law to set the rates of taxation for the year 2021.**

WHEREAS Section 312 of the Municipal Act, S.O. 2001, c.25, as amended, provides that the Council of a local municipality shall, each year, pass a by-law levying a separate tax rate, as specified in the by-law, on the assessment in each property class in the local municipality rateable for local municipality purposes;

AND WHEREAS Section 307 and 308 of the said Act requires tax rates to be established in the same proportion to tax ratios;

AND WHEREAS tax ratios for prescribed property classes for the 2021 taxation year have been set by the Regional Municipality of Niagara;

AND WHEREAS the Regional Municipality of Niagara has by by-law set the tax rates, pending tax ratios and tax rate reductions for Region, Waste Management and Education purposes;

AND WHEREAS the Council of the Corporation of the Town of Pelham passed By-law #4306(2021) to adopt estimates of all sums required by the Corporation for the year 2021;

AND WHEREAS the 2021 adjustments for the capped classes have been determined;

AND WHEREAS it is necessary for the Council of the Corporation of the Town of Pelham, pursuant to the Municipal Act, to levy on the whole rateable property according to the last revised assessment roll for The Corporation of the Town of Pelham the sums set forth for various purposes in Schedule "A" hereto attached for the current year;

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

- (1) THAT for 2021, the Corporation of the Town of Pelham shall levy upon the whole rateable properties, the rates of taxation on the current value assessment for general purposes as set out in Schedule "A" attached hereto and forming part of this by-law.
- (2) THAT the levy provided for in Schedule "A" attached to this by-law shall be reduced by the amount of the interim tax levy for 2021 and the balance shall be due and payable in two instalments – June 30<sup>th</sup>, 2021 and September 30<sup>th</sup>, 2021.
- (3) THAT a penalty of 1.25% of the amount of each instalment shall be imposed on the first day of default and on the first day of each calendar month thereof in which default continues until taxes are paid as prescribed by Subsections 345 (1), (2) & (3) of the Municipal Act, S.O. 2001, c.25.
- (4) THAT the Treasurer of the Corporation of the Town of Pelham shall send a tax bill to the taxpayer's residence or place of business or to the premises in respect of which the taxes are payable unless the taxpayer directs the treasurer in writing to send the bill to another

address, in which case it shall be sent to that address, at least 21 days before any taxes shown on the tax bill are due.

- (5) THAT all monies raised, levied or collected under authority of this by-law shall be paid into the hands of the Town Treasurer, to be applied and paid to such persons and corporations and in such manner as the laws of Ontario and the by-laws or resolutions of the Council direct.
- (6) THAT this by-law shall come into force and effect upon the final day of passing thereof.

ENACTED, SIGNED & SEALED THIS  
03rd DAY OF MAY, 2020 A.D.

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MAYOR MARVIN JUNKIN

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HOLLY WILLFORD, ACTING TOWN CLERK

PROPERTY CLASS	2021 Property Assessment Value	2021 Tax Ratios	Town of Pelham		Regional						Education		2021 Total	
			Tax Rate	Tax Levy	General Tax Rate	Tax Levy	Waste Management	Tax Levy	Total Tax Rate	Total Levy	Tax Rate	Tax Levy	Tax Rate	Tax Levy
RESIDENTIAL/FARM	2,616,394,467	1	0.00537196	\$ 14,055,166.42	0.00587571	\$ 15,373,175.13	0.00048218	\$ 1,261,573.08	0.00635789	\$ 16,634,748.22	0.0015300	\$ 4,003,083.53	0.01325985	\$ 34,692,998.17
MULTI - RESIDENTIAL	18,604,000	1.97	0.01058276	\$ 196,881.69	0.01157515	\$ 215,344.09	0.00094989	\$ 17,671.75	0.01252504	\$ 233,015.84	0.0015300	\$ 28,464.12	0.02463780	\$ 458,361.65
NEW MULTI-RESIDENTIAL	544,000	1	0.00537196	\$ 2,922.35	0.00587571	\$ 3,196.39	0.00048218	\$ 262.31	0.00635789	\$ 3,458.69	0.0015300	\$ 832.32	0.01325985	\$ 7,213.36
COMMERCIAL OCCUPIED	100,241,189	1.7349	0.00931981	\$ 934,229.18	0.01019377	\$ 1,021,835.63	0.00083653	\$ 83,854.76	0.01103030	\$ 1,105,690.39	0.0088000	\$ 882,122.46	0.02915011	\$ 2,922,042.03
COMMERCIAL ON-FARM BUSINESS	4,700	1.7349	0.00931981	\$ 43.80	0.01019377	\$ 47.91	0.00083653	\$ 3.93	0.01103030	\$ 51.84	0.0022000	\$ 10.34	0.02255011	\$ 105.99
COMMERCIAL EXCESS LAND	764,111	1.3445	0.00722286	\$ 5,519.06	0.00790017	\$ 6,036.61	0.00064831	\$ 495.38	0.00854848	\$ 6,531.99	0.0088000	\$ 6,724.18	0.02457134	\$ 18,775.23
COMMERCIAL VAC LAND	3,553,000	1.3445	0.00722286	\$ 25,662.81	0.00790017	\$ 28,069.31	0.00064831	\$ 2,303.45	0.00854848	\$ 30,372.76	0.0088000	\$ 31,266.40	0.02457134	\$ 87,301.96
INDUSTRIAL OCCUPIED	4,165,800	2.63	0.01412825	\$ 58,855.48	0.01545312	\$ 64,374.61	0.00126813	\$ 5,282.78	0.01672125	\$ 69,657.38	0.0088000	\$ 36,659.04	0.03964950	\$ 165,171.91
INDUSTRIAL ON-FARM BUSINESS	50,000	2.63	0.01412825	\$ 706.41	0.01545312	\$ 772.66	0.00126813	\$ 63.41	0.01672125	\$ 836.06	0.0022000	\$ 110.00	0.03304950	\$ 1,652.48
INDUSTRIAL EXCESS LAND	45,100	2.0383	0.01094940	\$ 493.82	0.01197617	\$ 540.13	0.00098280	\$ 44.32	0.01295897	\$ 584.45	0.0088000	\$ 396.88	0.03270837	\$ 1,475.15
INDUSTRIAL VAC LAND	101,000	2.0383	0.01094940	\$ 1,105.89	0.01197617	\$ 1,209.59	0.00098280	\$ 99.26	0.01295897	\$ 1,308.86	0.0088000	\$ 888.80	0.03270837	\$ 3,303.54
PIPELINES	17,725,000	1.7021	0.00914361	\$ 162,070.54	0.01000105	\$ 177,268.61	0.00082072	\$ 14,547.26	0.01082177	\$ 191,815.87	0.0088000	\$ 155,980.00	0.02876538	\$ 509,866.42
FARMLANDS	172,072,933	0.25	0.00134299	\$ 231,092.23	0.00146893	\$ 252,763.09	0.00012055	\$ 20,743.39	0.00158948	\$ 273,506.49	0.0003825	\$ 65,817.90	0.00331497	\$ 570,416.61
MANAGED FORESTS	3,079,300	0.25	0.00134299	\$ 4,135.47	0.00146893	\$ 4,523.28	0.00012055	\$ 371.21	0.00158948	\$ 4,894.49	0.0003825	\$ 1,177.83	0.00331497	\$ 10,207.79
<b>TOTAL ASSESSMENT FOR TAX PURPOSES</b>	<b>2,937,344,600</b>			<b>\$ 15,678,885.15</b>		<b>\$ 17,149,157.03</b>		<b>\$ 1,407,316.30</b>		<b>\$ 18,556,473.33</b>		<b>\$ 5,213,533.80</b>		<b>\$ 39,448,892.28</b>

THE CORPORATION OF THE  
T O W N   O F   P E L H A M  
BY-LAW #4346(2021)

**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 appoint members to the Pelham Public Art  
Committee (Schedule O).**

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 O:     Pelham Public Art Committee  
                       Mary Powley – Add (Citizen Appointee)

ENACTED, SIGNED & SEALED THIS 03rd  
DAY OF May, 2021 A.D.

\_\_\_\_\_  
MAYOR MARVIN JUNKIN

\_\_\_\_\_  
ACTING TOWN CLERK, HOLLY WILLFORD

## 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
- i. Catharine Carr - appointed by By-law #4290(2020)
- ii. Colleen Kenyon – appointed by By-law #4333(2021)
- iii. Darren Keay - appointed by By-law #4333(2021)
- iv. Mary Powley – appointed by By-law #4346(2021)

Council Representative: Councillor Hildebrandt



THE CORPORATION OF THE  
T O W N O F P E L H A M  
BY-LAW #4347(2021)

**Being a by-law to adopt, ratify and confirm the actions of  
the Council at its regular meeting held on the 03rd day of  
May 2021.**

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 03rd day of May, 2021, 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 03rd DAY OF MAY 2021 A.D.

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MAYOR MARVIN JUNKIN

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ACTING TOWN CLERK, HOLLY WILLFORD