

## REGULAR COUNCIL AGENDA

**C-17/2021 - Regular Council**

**Monday, October 18, 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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### Pages

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

##### **1.1. Land Recognition Statement**

We begin this meeting by acknowledging the land on which we gather is the traditional territory of the Haudenosaunee and Anishinaabe peoples, many of whom continue to live and work here today. This territory is covered by the Upper Canada Treaties and is within the land protected by the Dish With One Spoon Wampum agreement. Today this gathering place is home to many First Nations, Metis, and Inuit peoples and acknowledging reminds us that our great standard of living is directly related to the resources and friendship of Indigenous people.

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

3. Disclosure of Pecuniary Interests and General Nature Thereof
4. Hearing of Presentation, Delegations, Regional Report
  - 4.1. Presentations
    - 4.1.1. COVID-19 Pandemic Update - CEMC  
B. Lymburner, Community Emergency Management Co-Ordinator
    - 4.1.2. COVID-19 Pandemic Update – CAO  
D. Cribbs, Chief Administrative Officer
  - 4.2. Delegations
    - 4.2.1. Niagara Region - 1-5 Year Transportation Capital Budget Outlook 8 - 20  
Carolyn Ryall, Director of Transportation Services  
Beth Brens, Associate Director Reporting & Analysis
  - 4.3. Report of Regional Councillor
5. Adoption of Minutes
  - 5.1. SC-16/2021 - Special Council Meeting - October 4, 2021 21 - 24
  - 5.2. RC-16/2021 - Regular Council Meeting - October 4, 2021 25 - 43
6. Business Arising from Council Minutes
7. Request(s) to Lift Consent Agenda Item(s) for Separate Consideration
8. Consent Agenda Items to be Considered in Block
  - 8.1. Presentation of Recommendations Arising from COW or P&P, for Council Approval
  - 8.2. Minutes Approval - Committee
  - 8.3. Staff Reports of a Routine Nature for Information or Action

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[niagararegion.escribemeetings.com/filestream.ashx?DocumentId=18260](https://pub-niagararegion.escribemeetings.com/filestream.ashx?DocumentId=18260)

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<https://pub-niagararegion.escribemeetings.com/filestream.ashx?DocumentId=18269>

8.5.6.4.      **Niagara Region Memo re NRT OnDemand -      108 - 113**  
                 **October 12, 2021**

## **8.6.      Regional Municipality of Niagara - Action Items**



## **8.7. Committee Minutes for Information**

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## **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**

<b>10.2.1. Joint Accessibility Advisory Committee - 'JAAC' - 2022-20224 Proposal, 2021-0163-Clerks</b>	<b>165 - 179</b>
<b>10.2.2. 2022 Municipal and School Board Election - Alternative Voting Methods, 2021-0173-Clerks</b>	<b>180 - 185</b>
<b>10.2.3. Covid 19 Vaccination Clinic Extension 2022, 2021-0178-Fire Dept</b>	<b>186 - 188</b>
<b>10.2.4. Mandatory Covid Vaccination for Elected Officials -</b>	<b>189 - 209</b>

**Amendments to the Code of Conduct, 2021-0181-Chief  
Administrator Officer**

**11. Unfinished Business**

**12. New Business**

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

210 - 211

1. By-law 4395(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**

**14.1. Councillor Stewart re Yearly Garden Competition**

Moved By: Councillor Stewart

Seconded By: Councillor Haun

WHEREAS the Town of Pelham is committed to enhancing engagement with the community and building strong communities;

AND WHEREAS the Council for the Town of Pelham has proclaimed the year 2022 as the Year of the Garden;

AND WHEREAS gardening is an activity enjoyed by many which provides numerous benefits to the gardener;

NOW THEREFORE BE IT RESOLVED THAT the Town of Pelham Council direct staff to research various gardening initiatives the Town of Pelham can consider launching in 2022, including but not limited to a garden bed competition, community vegetable gardens and bee friendly gardens;

AND THAT Council direct staff to include potential budget implications in the said report back to Council;

AND THAT Council direct staff to report back by November 15, 2021.

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:

(b) personal matters about an identifiable individual and (d) - labour relations or employee negotiations (1 item);

(f) - advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and (j) - a trade secret or scientific, technical, or financial information that belongs to the municipality or local board and has monetary value or potential monetary value (1 item)

18. **Rise From In Camera**
19. **Confirming By-Law**
20. **Adjournment**

212 - 212

<b>Name:</b> Carolyn Ryall, Director Transportation Services, Beth Brens, Associate Director Reporting & Analysis	
<b>Address:</b> 1815 Sir Isaac Brock Way, Thorold, ON	
<b>Postal Code:</b> L2V 4T7	<b>Telephone #:</b> 905-980-6000
<b>Email Address:</b> carolyn.ryall@niagararegion.ca / beth.brens@niagararegion.ca	
The Council Chambers Is equipped with a laptop and projector. Please Check your audio/visual needs: <div style="text-align: center;"> <input checked="" type="checkbox"/> Laptop    <input type="checkbox"/> Speaker    <input type="checkbox"/> Internet Connection         </div>	
<p>PLEASE INDICATE THE DATE OF THE COUNCIL MEETING YOU WISH TO ATTEND AS A DELEGATION:          Regular Council: 1<sup>st</sup> and 3<sup>rd</sup> Monday of the month; 5:30 p.m. (except summer schedule)</p> <p>DATE: <u>Monday, October 18, 2021</u></p> <p>Please identify the desired action of Council that you are seeking on this issue:          1. 1-5 year Transportation Capital Budget Outlook – (Presentation for information only)</p> <hr/> <hr/> <hr/> <hr/>	
<p>I have never spoken on this issue before. Key points of my deputation are as follows:  <b>(Presentation must accompany the request)</b></p> <hr/> <hr/> <hr/> <hr/> <hr/>	
<p>In accordance with the Procedure By-law, Requests to Appear before Council with respect to a matter already on Council's Agenda shall submit a written request to the Clerk no later than 12:00 noon, eight business days prior to the meeting of Council. Delegation requests to address Council on matters not already on the Agenda of Council must be submitted at least fourteen (14) days before the date and time of the Meeting of Council. Delegations shall only be heard at regular Meetings of Council, unless specifically invited by Council to a Meeting of a Committee of Council.</p> <p><b>All requests must include a copy of the presentation materials as detailed in the deputation protocol. Failure to provide the required information on time will result in a deferral or denial. Delegations are limited to ten (10) minutes.</b></p> <p>I have read and understand the deputation protocol included with this form; and, that the information contained on this form, including any attachments, will become public documents and listed on Town Meeting Agendas and on the Town's website. I also understand that as a participant of this meeting, I will be recorded and further understand that this recording will be posted to the Town of Pelham's YouTube Channel.</p> <p>I also understand that presentation materials must be submitted with this deputation form. Electronic presentations must be e-mailed to <a href="mailto:hwillford@pelham.ca">hwillford@pelham.ca</a> in accordance with the deadlines outlined above.</p>	
Judy MacPherson _____ Signature	August 4, 2021 _____ Date

**DEPUTATION PROTOCOLS:**

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

**Before:**

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

**During:**

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

**After:**

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

**In Addition:**

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

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

# TRANSPORTATION SERVICES

## CAPITAL PROJECTS - 5 YR OVERVIEW



# Agenda

- I-5 Year Capital Forecast
- 10 Year Capital Outlook
- Safety Initiatives
- Regional Vision

# Capital Budget Allocation

Niagara Region's Capital Budget is broken down into four (4) main areas:

- Network Expansion
- Intersection Improvement Program
- Roads Rehabilitation Program
- Structure Rehabilitation Program



# Program Definitions

➤ **Network Expansion**  
includes the construction of new roads, and the widening of existing roads to accommodate growth and development as part of the Region's 10-Year Capital Roads Program identified in the Transportation Master Plan.

➤ **Intersection Improvement Program**  
involves modifications to improve the safety of the intersection, such as adding turn lanes and curbs, resurfacing the road and changing pavement markings, installing new traffic signals, and creating roundabouts.

➤ **Roads Rehabilitation Program**  
involves reconstruction of roads to address deteriorating pavement conditions and improve the cross section. This may include new buried infrastructure, curb and gutter and active transportation.

➤ **Structure Rehabilitation Program**  
Will include one of the following strategies:  
**Bridge Rehabilitation** involves the modification, alteration or improvement of existing bridges on Regional Roads. The work is performed to correct deficiencies that will extend the service life or increase the load carrying capacity.  
**Bridge Replacement** involves the replacement of existing bridge structures that have reached the end of their service life.

# I-5 Year Capital Forecast Network Expansion

## Regional Road 37 Merritt Road From Niagara Street to Rice Road

Status  
EA Underway



Merritt Rd looking west to road allowance to Rice Road

# I-5 Year Capital Forecast Network Expansion

## Regional Road 54 Rice Road From Merritt Road to Quaker Road

Status  
EA Underway



Rice Rd looking south to Quaker Rd intersection



Rice Rd looking north to Merritt Rd



# I-5 Year Capital Forecast Intersection Improvement Program

## Regional Road 24 Victoria Ave

At RR63 Canboro Rd

Status

Design Phase



Victoria Avenue - looking north



Canboro Road - looking west

# I-5 Year Capital Forecast Roads Rehabilitation Program

Status  
Construction underway

Regional Road 529 Effingham Street  
From Webber Road to River Road



Effingham Street looking south to River Road

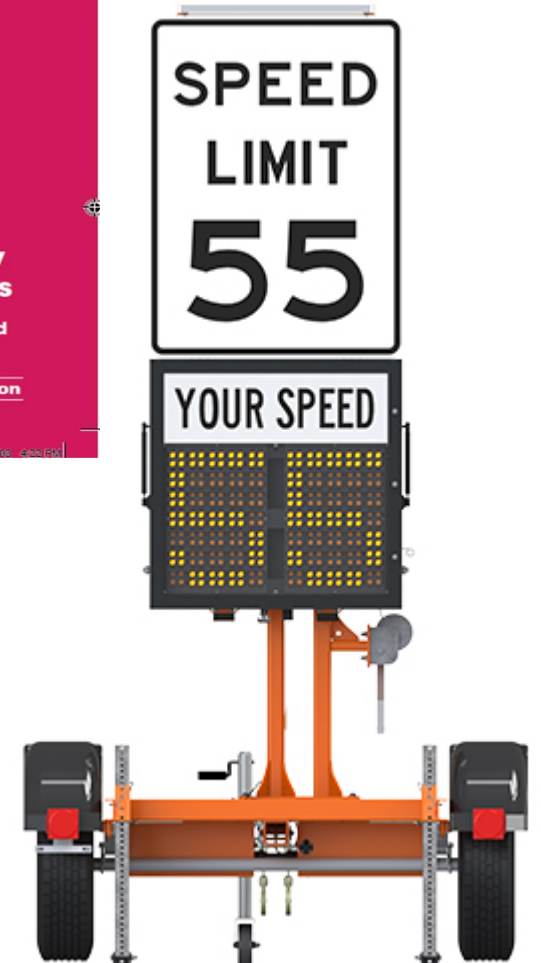


RR529 Effingham St during reconstruction



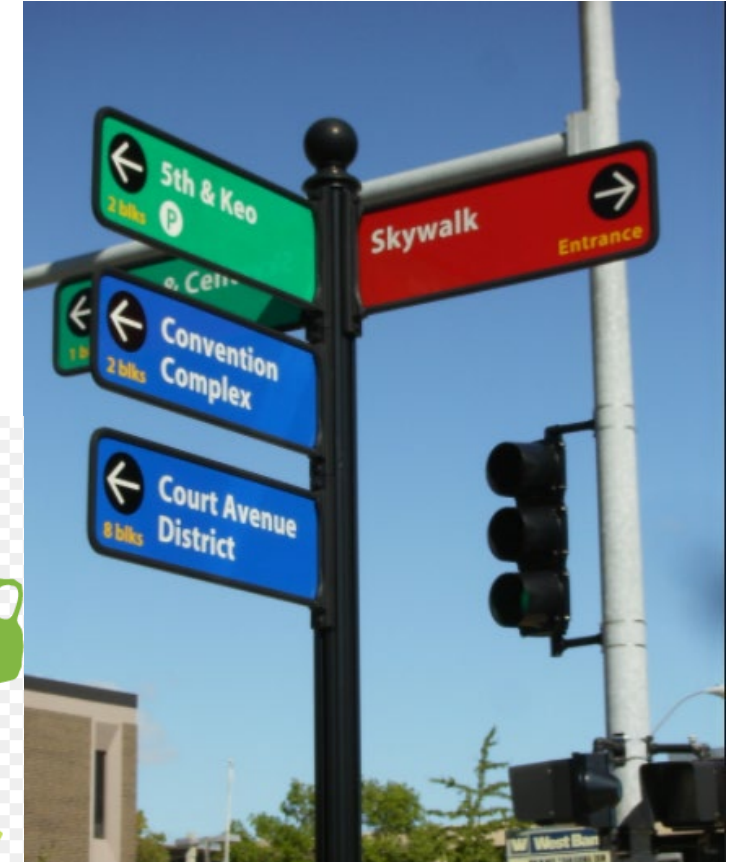
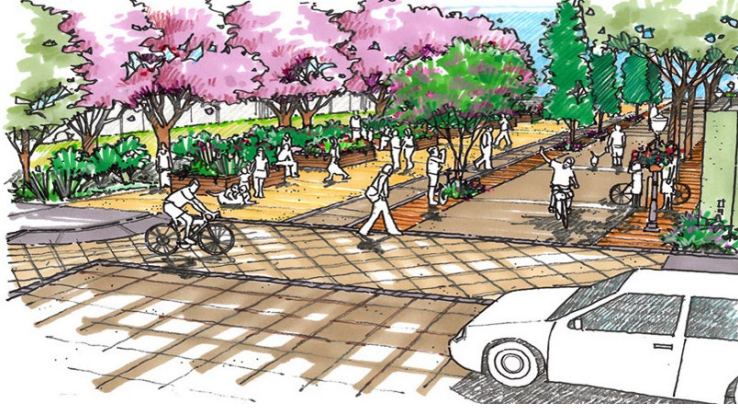
# Safety Initiatives

- Vision Zero Road Safety Program
- Pavement Line Marking and Crosswalks
- Speed Display Trailer
- Sign Installations



# Regional Vision

- Complete Streets
- Regional Wayfinding
- Niagara-Hamilton Trade Corridor
- New Escarpment Crossing



# Thank-you



## SPECIAL COUNCIL MINUTES

**Meeting #:** SC-16-2021  
**Date:** Monday, October 4, 2021, 4:30 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  
Sarah Leach  
Holly Willford

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

Noting that a quorum was present, the Mayor called the meeting to order at approximately 4:30pm.

**1.1 Land Recognition Statement**

The Mayor read the Pelham Land Recognition Statement into the record.

**2. Approval of the Agenda**

**Moved By** John Wink  
**Seconded By** Wayne Olson  
**BE IT RESOLVED THAT the agenda for the October 4, 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>
		<b>Carried (7 to 0)</b>

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

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

**4. Resolution to Move in Camera**

**Moved By** Marianne Stewart

**Seconded By** Lisa Haun

**BE IT RESOLVED THAT the next portion of the meeting be closed to the public in order to consider the following pursuant to Section 239(3) of the Municipal Act:**

**Section 239(3.1) - Educational or training sessions (1 item)**

	<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>

**5. Rise From In Camera**

**Moved By** Bob Hildebrandt

**Seconded By** Ron Kore

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

	<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** Lisa Haun

**Seconded By** John Wink

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

**Being a By-law No. 4393(2021) to Adopt, Ratify and Confirm the proceedings of Council of the Town of Pelham at its Special Meeting held on the 04th day of October, 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** Bob Hildebrandt

**Seconded By** Lisa Haun

**BE IT RESOLVED THAT this Special Meeting of Council be adjourned until the next regular meeting scheduled for October 4, 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)

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Mayor Marvin Junkin

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Town Clerk, Holly Willford

## REGULAR COUNCIL MINUTES

**Meeting #:** C-16/2021 - Regular Council  
**Date:** Monday, October 4, 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  
Barbara Wiens  
Holly Willford  
Charlotte Tunikaitis  
Sarah Leach

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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 5:45pm.

#### 1.1 Land Recognition Statement

The Mayor read the Pelham Land Recognition Statement into the record.

### 2. Approval of Agenda

**Moved By** Lisa Haun

**Seconded By** Marianne Stewart

**BE IT RESOLVED THAT the agenda for the October 4, 2021 Regular meeting of Council be adopted.**

	<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>		

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

#### **3.1 Bob Hildebrandt - Appointment to Peninsula West Power Inc. Board of Directors - Councillor Hildebrandt**

Councillor Hildebrandt declared a conflict with respect to item 8.4.1 on the consent agenda, subsequently lifted to item 9.2. He stated he is a member of the board.

### **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** Bob Hildebrandt

**Seconded By** Wayne Olson

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

	<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>		

4.1.2 COVID-19 Pandemic Update - CAO

Mr. David Cribbs, CAO, up-dated Council on the Town of Pelham’s staff mandatory vaccination policy. He stated the policy as drafted relates to staff and not elected officials.

Moved By John Wink  
Seconded By Ron Kore

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

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

4.2 Delegations

4.2.1 Joint Accessibility Advisory Committee ("JAAC")

Mr. Rhys Evans and Ms. Ann Villalta provided Council an update presentation with respect to the Joint Accessibility Advisory Committee. A copy of the presentation is on record with the Clerk.

Moved By Marianne Stewart  
Seconded By Wayne Olson

BE IT RESOLVED THAT Council receive the delegation from Rhys Evans and Ann Villalta on behalf of the Joint Accessibility Advisory Committee, for information.

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

John Wink	X	
<b>Results</b>	<b>7</b>	<b>0</b>
<b>Carried (7 to 0)</b>		

**4.2.2 Turkstra Mazza Associates re: Kunda Park and Forest Park**

Mr. Scott Snider from Turkstra Mazza Associates provided Council a presentation on behalf of his clients being the applicants of the Kunda Park and Forest Park proposed developments. Mr. Snider requested Council consider providing an exemption to their previous motion barring all crossings over the Steve Bauer Trail.

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

**BE IT RESOLVED THAT Council receive the delegation from Turkstra Mazza Associates regarding Kunda Park and Forest Park, 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>
<b>Carried (7 to 0)</b>		

**4.3 Report of Regional Councillor**

**5. Adoption of Minutes**

**Moved By** Wayne Olson  
**Seconded By** Bob Hildebrandt

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

- 1. SC-15/2021 - Special Council - September 20, 2021; and**
- 2. RC-15/2021 - Regular Council - September 20, 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>

**6. Business Arising from Council Minutes**

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

Councillor Wink requested item 8.3.2 be lifted.

Councillor Stewart requested item 8.4.1 be lifted.

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

**Moved By** John Wink

**Seconded By** Ron Kore

**BE IT RESOLVED THAT the Consent Agenda items as listed on the October 4, 2021 Council Agenda be received and the recommendations contained therein be approved, save and except items 8.3.2 and 8.4.1:**

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

8.3.1. Renaming of Human Resources and Health and Safety Department, 2021-0171-Chief Administrator Officer

BE IT RESOLVED THAT Council receive Report #2021-0171 – Renaming the Human Resources and Health and Safety Department, for information purposes.

~~8.3.2 Town Policy Regime Requiring Staff Vaccination, 2021-0169-Chief Administrator Officer~~

~~BE IT RESOLVED THAT Council receive Report #2021-0169—Town Policy Requiring Staff Vaccination, for information purposes.-(lifted)~~

8.4. Action Correspondence of a Routine Nature

~~8.4.1. Appointment to Peninsula West Power Inc. Board of Directors—Councillor Hildebrandt~~

~~BE IT RESOLVED THAT the Council receive the correspondence from the Peninsula West Power Inc. advising that the Pelham representative term for Councillor Hildebrandt expires on December 31, 2021;~~

~~AND THAT the Town of Pelham nominates Councillor Hildebrandt to be appointed for a subsequent 1-year term, ending December 31, 2022;~~

~~AND THAT Peninsula West Power Inc. and Councillor Hildebrandt be so advised.~~(lifted)

8.4.2. Women's Place of South Niagara Proclamation and Flag Raising Request - International Day for the Elimination of Violence Against Women

BE IT RESOLVED THAT the Corporation of the Town of Pelham hereby proclaim November 25, 2021 as the International Day for the Elimination of Violence Against Women;

AND THAT Council approve the flag raising request for Women's Place of South Niagara for the week of December 2, 2021 to December 9, 2021.

8.5. Information Correspondence Items

8.5.1. Deborah Caldwell-McLellan's Comments re Speeding on Pelham Street

BE IT RESOLVED THAT Council receive correspondence from Deborah Caldwell-McLellan regarding speeding on Pelham Street, for information.

8.5.2. City of Welland Resolution re: Support for Loan to Niagara Central Dorothy Rungeling Airport Commission

BE IT RESOLVED THAT Council receive the resolution dated September 14, 2021 from the City of Welland supporting the \$600,000 loan to Niagara Central Dorothy Rungeling Airport Commission, for information.

8.7. Committee Minutes for Information

8.7.1. Committee of Adjustment Minutes

BE IT RESOLVED THAT Council receive the Committee of Adjustment minutes dated April 7, 2021, May 4, 2021, June 1, 2021, July 6, 2021 and August 3, 2021, for information.

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

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

**9.1 Town Policy Regime Requiring Staff Vaccination, 2021-0169-  
Chief Administrator Officer**

**Moved By** John Wink

**Seconded By** Ron Kore

BE IT RESOLVED THAT Council receive Report #2021-0169 – Town Policy Requiring Staff Vaccination, for information purposes.

**Amendment:** **Moved By** John Wink

**Seconded By** Ron Kore

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

**AND THAT Council direct staff to revise the Council Code of Conduct to include that members of Council be required to be fully vaccinated (including booster shots, if necessary)**

	<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>6</b>	<b>1</b>
<b>Carried (6 to 1)</b>		

**Main Motion as Amended** : **Moved By** John Wink

**Seconded By** Ron Kore

**BE IT RESOLVED THAT Council receive Report #2021-0169 – Town Policy Requiring Staff Vaccination, for information purposes;**

**AND THAT Council direct staff to revise the Council Code of Conduct to include that members of Council be required to be fully vaccinated (including booster shots, if necessary)**

	<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>6</b>	<b>1</b>
<b>Carried (6 to 1)</b>		

**9.2 Appointment to Peninsula West Power Inc. Board of Directors - Councillor Hildebrandt**

Councillor Hildebrand vacated the electronic meeting by turning off his video and muting himself.

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

BE IT RESOLVED THAT the Council receive the correspondence from the Peninsula West Power Inc. advising that the Pelham representative term for Councillor Hildebrandt expires on December 31, 2021;

AND THAT the Town of Pelham nominates Councillor Hildebrandt to be appointed for a subsequent 1 year term, ending December 31, 2022;

AND THAT Peninsula West Power Inc. and Councillor Hildebrandt be so advised.

**Amendment:** **Moved By** Marianne Stewart  
**Seconded By** Ron Kore

THAT the motion be amended to strike “1 year term, ending December 31, 2022” to be replaced with: “3 year term, ending December 31, 2024”

	<b>For</b>	<b>Against</b>
Marvin Junkin		X
Lisa Haun	X	
Ron Kore	X	
Wayne Olson		X
Marianne Stewart	X	
John Wink		X
<b>Results</b>	<b>3</b>	<b>3</b>
<b>Defeated (3 to 3)</b>		

**Original Main Motion:** **Moved By** John Wink  
**Seconded By** Ron Kore

**BE IT RESOLVED THAT the Council receive the correspondence from the Peninsula West Power Inc. advising that the Pelham representative term for Councillor Hildebrandt expires on December 31, 2021;**

**AND THAT the Town of Pelham nominates Councillor Hildebrandt to be appointed for a subsequent 1 year term, ending December 31, 2022;**

**AND THAT Peninsula West Power Inc. and Councillor Hildebrandt be so advised.**

	<b>For</b>	<b>Against</b>
Marvin Junkin	X	
Lisa Haun	X	
Ron Kore	X	
Wayne Olson	X	
Marianne Stewart	X	
John Wink	X	
<b>Results</b>	<b>6</b>	<b>0</b>
		<b>Carried (6 to 0)</b>

**10. Presentation & Consideration of Reports**

**10.1 Staff Reports Requiring Action**

**10.1.1 2022 Council Meeting Schedule, 2021-0166-Clerks**

Councillor Hildebrandt returned to the meeting electronically.

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

**BE IT RESOLVED THAT Council receive Report #2021-0166 – Clerks – 2022 Council Meeting Schedule;**

**AND THAT the 2022 Council Meeting Schedule as provided in Appendix A to this Report be approved, as amended;**

**AND THAT Staff be directed to publish the 2022 Council Meeting Schedule to the Town of Pelham Website.**

	<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)

**10.1.2 Town of Pelham Wastewater Model and GIS Update, 2021-0157-Public Works**

**Moved By** Marianne Stewart

**Seconded By** Lisa Haun

**BE IT RESOLVED THAT Council receive Report #2021-0157 – Town of Pelham Wastewater Model and GIS Update;**

**AND THAT Council APPROVE the award of the engineering assignment to GM Blue Plan Engineering in the amount of \$75,500 plus HST to complete the update.**

**AND THAT the Town of Pelham Wastewater Model and GIS Update be funded through capital accounts WST 01-20 (Sanitary I&I Study) and WST 03-21 (Sanitary I&I Study Program – Planned Replacements and Rehabilitation).**

	<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)

**10.1.3 Kunda Park and Forest Park Road Network and Crossing of Steve Bauer Trail, 2021-0168-Planning**

**Moved By** Bob Hildebrandt

**Seconded By** Marianne Stewart

BE IT RESOLVED THAT Council receive Report #2021-0168 – Kunda Park and Forest Park Subdivision Road Network and Crossing of Steve Bauer Trail, for information;

AND THAT COUNCIL allow an exception to its motion restricting road crossings over the Steve Bauer Trail by adopting Option #1 in this report which contemplates and allows one road crossing with pedestrian access over the Steve Bauer Trail to connect the proposed Kunda Park Phase 4 subdivision and the proposed Forest Park subdivision;

AND THAT COUNCIL direct staff to prepare the By-law to dedicate the proposed Steve Bauer Trail crossing as a public road allowance for Council’s consideration.

**Amendment:** **Moved By** Lisa Haun  
**Seconded By** John Wink

**THAT the motion be amended to strike paragraphs 2 and 3;**

**AND THAT Council direct staff to work with the developer to develop further options available for Council's consideration with respect to trail crossings, other than level crossings (overpass, underpass, tunnel, etc.)**

	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>6</b>	<b>1</b>
<b>Carried (6 to 1)</b>		

**Main Motion as Amended:** **Moved By** Bob Hildebrandt  
**Seconded By** Marianne Stewart

**BE IT RESOLVED THAT Council receive Report #2021-0168 – Kunda Park and Forest Park Subdivision Road Network and Crossing of Steve Bauer Trail, for information;**

**AND THAT Council direct staff to work with the developer to develop further options available for Council's consideration with respect to trail crossings, other than level crossings (overpass, underpass, tunnel, etc.)**

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

Results

6

1

Carried (6 to 1)

10.2 Reports from Members of Council:

10.2.1 Councillor Hildebrandt

Councillor Hildebrandt updated Council on work being done by the CLC-12 – Regional Waste Management Committee.

Moved By Lisa Haun  
Seconded By Ron Kore

BE IT RESOLVED THAT Council receive the verbal presentation from Councillor Hildebrandt with respect to Regional Waste Collection, for information.

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

Carried (7 to 0)

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

Moved By John Wink  
Seconded By Bob Hildebrandt

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 4391(2021) - Being a by-law to authorize the execution of a Development Agreement for the lands located at 614 Metler Road. Timothy Isaac Sinke & Laura Rose-Marie Sinke. File No. DA-02-21



**2. By-law 4392(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 Add Fees and Charges to the Public Works Schedule.**

	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>
		<b>Carried (7 to 0)</b>

**14. Motions and Notices of Motion**

**14.1 Councillor Olson - Remembrance Day**

The Mayor vacated his seat and Deputy Mayor Wink presided over this portion of the meeting.

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

**WHEREAS the Town of Pelham is committed to the preservation of community heritage by way of recognizing and commemorating Remembrance Day;**

**AND WHEREAS on November 11, 2021, the Town of Pelham will join in the nationwide day of Remembrance to mark the sacrifice of the many who have fallen in the service of their country and acknowledge the courage, valor and sacrifice of the military personnel who have served and continue to serve;**

**AND WHEREAS the Canadian Warplane Heritage Museum historically hosts the largest annual indoor Remembrance Day service and second largest attended Remembrance Day service in Canada which has been suspended due to the COVID-19 pandemic;**

**AND WHEREAS the Canadian Warplane Heritage Museum is committed to the recognition of Remembrance Day thereby proposing a community Cenotaph flyover traversing Hamilton and participating communities with the Lancaster and B25 vintage military aircraft;**

**AND WHEREAS the Canadian Warplane Heritage Museum has called upon communities within the Golden Horseshoe for monetary support to facilitate a community Cenotaph flyover;**

**NOW THEREFORE BE IT RESOLVED THAT the Council of the Town of Pelham pledge a contribution of \$2,500.00 to offset the expense of operating the vintage military aircraft to be used within the 2021 Remembrance Day service and ensure the Town’s inclusion in this act of Remembrance;**

**AND THAT staff are authorized and directed to make said contribution from the Special Events account and provide the payment to the Canadian Warplane Heritage Museum forthwith.**

	<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>

**14.2 Councillor Olson - 2022 Year of the Garden Proclamation**

The Mayor returned to his seat as presiding officer.

During the discussion of this matter, Councillor Stewart advised her intention to bring a Motion regarding a yearly garden competition.

**Moved By** Wayne Olson

**Seconded By** John Wink

**WHEREAS the Year of the Garden celebrates the Centennial of Canada’s horticulture sector;**

**AND WHEREAS gardens and gardening contribute to the quality of life of our municipality and create safe and healthy places where people can come together;**

**AND WHEREAS gardens and gardening have helped us face the challenges of the COVID pandemic;**

**AND WHEREAS the Year of the Garden will highlight and celebrate the important contributions of our local gardening organizations and horticulture professionals and businesses;**

**AND WHEREAS Communities in Bloom in collaboration with the Canadian Garden Council, invites all municipalities to celebrate the Year of the Garden;**

**NOW THEREFORE BE IT RESOLVED THAT the Town of Pelham hereby proclaims 2022 as the Year of the Garden in celebration of the contribution of gardens and gardening to the development of our country, our municipality and the lives of our citizens in terms of health, quality of life and environmental challenges;**

**AND THAT the Saturday before Father’s Day, June 18, 2022, be recognized as Garden Day in the Town of Pelham as a legacy of Canada’s Year of the Garden 2022;**

**AND THAT the Town of Pelham is committed to be a Garden Friendly Town supporting the development of its garden culture;**

**AND THAT all municipalities across Canada be invited to proclaim 2022 to be the Year of the Garden in their respective municipalities, and that a copy of this Proclamation be provided to the FCM, AMO, and sent to MP Dean Allison for that purpose.**

	<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>		

- 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** John Wink  
**Seconded By** Marianne Stewart

**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:**

**(b) personal matters about an identifiable individual and (d) - labour relations or employee negotiations (3 item); and**

**(f) - advice that is subject to solicitor-client privilege, including communications necessary for that purpose; (i) - a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization; j) - a trade secret or scientific, technical, commercial or financial information that belongs to the municipality or local board and has monetary value or potential monetary value; and (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)**

	<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>

**18. Rise From In Camera**

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

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

**Moved By** John Wink  
**Seconded By** Lisa Haun

**BE IT RESOLVED THAT Council receive the Pelham Art Advisory Committee application from Tammy van den Brink;**

**AND THAT Council hereby appoint Tammy van den Brink to the Pelham Art Advisory Committee;**

**AND THAT the appointment By-Law be presented at the next Regular Meeting of Council being October 18, 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>

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

**WHEREAS the Town of Pelham received funding from the Modernization Grant to review web services;**

**AND WHEREAS the Town of Pelham has issued two Requests for Proposals for a review of web services with no successful bidder on either occasion;**

**AND WHEREAS Council for the Town of Pelham deems it desirable at this time to sole source a third party, being ESRI Canada Limited, to complete an independent review for web services, to be funded by the Modernization Grant Intake 2;**

**AND NOWTHEREFORE BE IT RESOLVED THAT Council for the Town of Pelham direct staff to sole source and hire ESRI Canada Limited to complete a review of web services and to provide the Town of Pelham potential software application options for the Town’s needs, for consideration;**

**AND THAT Council for the Town of Pelham authorize this expense to be solely covered by the amount of funding received from the Modernization Grant Intake 2.**

	<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>		

**Moved By** Lisa Haun  
**Seconded By** Bob Hildebrandt

**BE IT RESOLVED THAT the Chief Administrative Officer and Clerk be and is hereby authorized to undertake the directions provided during the In Camera meeting of October 4, 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>		

**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. 4394(2021) to Adopt, Ratify and Confirm the proceedings of Council of the Town of Pelham at its Regular Meeting held on the 04th day of October, 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>		

20. Adjournment

Moved By Ron Kore  
Seconded By Wayne Olson

BE IT RESOLVED THAT this Regular Meeting of Council be adjourned until the next regular meeting scheduled for October 18, 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>
<b>Carried (7 to 0)</b>		

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

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

## PUBLIC WORKS DEPARTMENT QUARTERLY REPORT

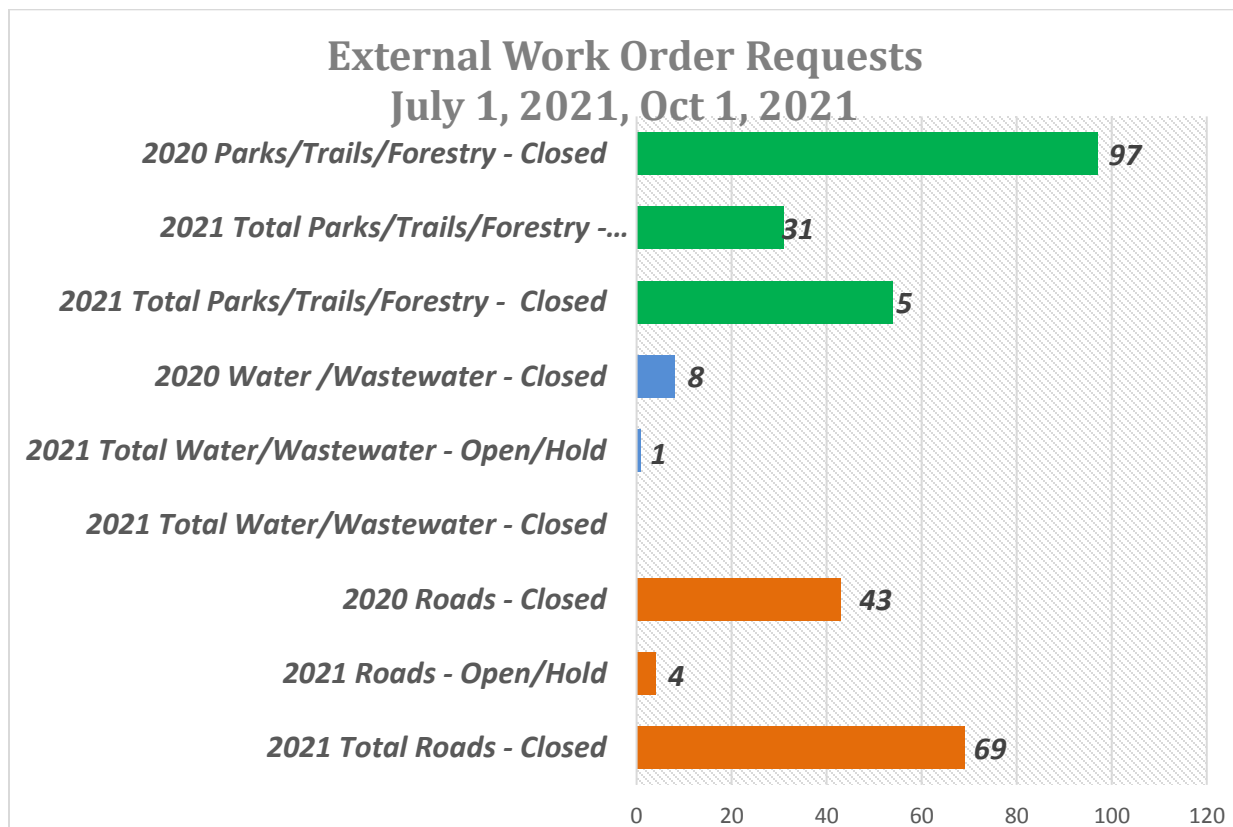
Monday, October 18, 2021

**Reporting Period:** Public Works Department Quarterly Report for the period: October 2021

### Recommendation:

**BE IT RESOLVED THAT Council receive the Q3/2021 Public Works Department Report, for information.**

### Department Overview and Statistics:





## **ROADS**

Roads staff continue to perform maintenance activities identified during routine road patrols as per the Ontario Regulation 239/02; Minimum Maintenance Standards (MMS) for Municipal Highways, passed pursuant to the *Municipal Act, 2001*.

In addition, Roads staff have installed and replaced a number of driveway culverts and road crossing culverts and have repaired washouts after heavy rainstorms. Further, Roads staff keep an eye on plugged catch basins and clear them off as required ahead of a big rain event in order to try and mitigate flooding concerns.

Roads staff continue to concentrate their efforts on patching roads, completing signage improvements, and general road maintenance activities. Hot-mix asphalt and QPR cold patch has been utilized to patch hundreds potholes throughout the Town's transportation system during this period.

Four additional dynamic speed indicator signs have been installed on Effingham, Port Robinson, Merritt, and Canboro Roads as per Public Works Report 2020-0123. This work was completed as part of Capital Project RD 17-21 Effingham Street Safety Signage Improvements. Speed studies have been initiated on Canboro Road in the vicinity of St. Ann School and Pelham Street North.

In the coming month staff will begin to prepare for the Winter Season including the commissioning of the fleet and installation of snow fence.

## **BEAUTIFICATION**

Beautification has been in full swing throughout the summer as grass continued to grow. Turf crews were at capacity keeping the turf cut and trimmed.

Horticulture installed/maintained 58 hanging baskets and 10 annual beds, as well as a complete overhaul of the planting bed in the lower parking lot of Town Hall. In addition, the Horticulture department has installed large annual planters at the MCC, Town Hall, on Pelham St in Downtown Fonthill and in Downtown Fenwick.

The cemetery operations continued to provide services to the public even during the Provincial lockdown. Fonthill and Hillside Cemeteries have had an average number of internments so far this period.

The Forestry Department continues to be very busy throughout this period. In addition to working through individual service requests the Arborist has been

working on pruning in residential areas that require immediate attention prior to start of the prescribed pruning cycle as outlined in the Tree Maintenance Policy S802-01. The Forestry Department has also begun utilizing a GIS based software program to map urban boulevard trees so that Pelham can maintain an accurate database as well as to complete work orders assigned to specific trees. Staff are experimenting and having early success with the implementation of a digital tree inventory and using this software to assign and track work orders.

As well as the above items, Beautification, with assistance from Roads staff have begun improving trail surfaces most notably the section of the Steve Bauer trail between Hwy 20 and Hurricane Road. Roads and Water/Wastewater staff have installed drainage tile header to address wet areas in Harold Black Park as part of Capital Project PRK-04-21. Additional weeping tile leads running from the header will be installed in the near future. The area will be levelled and restored for use in 2022.

## **WATER/WASTEWATER**

Water/wastewater maintenance activities continue throughout the year. Operators perform system pressure monitoring, flush water mains to ensure adequate chlorine residual, and respond to customer complaints or concerns.

The water operators have been working closely with contractors on the Pelham Street South road reconstruction project as well as the commissioning of a large section of new watermain in the East Fonthill development Saffron Meadows Phase 3.

The Town's water operators completed the annual hydrant inspection and maintenance program in accordance to the Drinking Water Quality Management System and have begun the valve maintenance program that will be completed this fall season.

## **ENGINEERING**

The following is a summary of the activities that have occurred in the Engineering Department between August 2021 and October 2021:

**Sulphur Springs Rehabilitation** – The Sulphur Springs Road Reconstruction project was awarded to Duffin Contracting under a design/build contract. The design-build contractor worked closely with the engineering team and the approval agencies to obtain the permits necessary to undertake the works. The contractor

commenced work at Site 1 (approx. 200 m north of Luffman Drive) on September 7th. The original deadline to complete the work based on the Department of Fisheries and Oceans (DFO) was September 15<sup>th</sup>. As a result of delays associated with obtaining the required permits through the Niagara Peninsula Conservation Authority (NPCA) and the Niagara Escarpment Commission (NEC) an extension to the in-water working window was granted to October 15<sup>th</sup>. On September 30th, the contractor finished the in-water works at Site 1, which consisted of the placement of armour stone and rounded river stone at the toe of the slope. The contractor has had trouble with the progression of the work schedule based on the erosion and sediment control measures implemented on-site resulting in non-compliance with the approved permits issued through the NPCA and NEC. To date neither the contractor nor the Town have received a notice of violation with respect to the non-compliance. The contractor continues to work closely with Town staff and the environmental approval agencies to ensure that the restoration of the site is completed in accordance with the detailed project design and the permits that were issued for the project. Based on the work completed to date the contractor anticipates completing Site 1 and re-opening the roadway by the end of November. Site 2 will commence in July of 2022 once the contractor is permitted to work within the watercourse. (See Appendix A - Project Photographs).

**Pelham Street North** – Works for this project are complete with the exception of final pavement marking, which is scheduled for the week of October 12<sup>th</sup>, weather permitting. Engineering and Public Works staff engaged in a warrant study to determine if a 3-way stop is required at the intersection of Pelham Street North and Shorthills Place based on a petition received from the local residents. It was determined that a 3-way stop controlled intersection was not warranted at this location based on the study. Staff will continue to monitor the traffic and pedestrian movements at this intersection and if a 3-way stop controlled intersection is required, it will be installed with crosswalks.

**Pelham Street South** – The Town has received Federal and Provincial funding towards completing a total reconstruction of Pelham Street to the Town Boundary south of Welland Road. The works include new storm sewers, updates to existing water mains, as well as new curb, asphalt, the construction of on-road bicycle lanes and new sidewalks. Design for this work was originally completed in 2013. Staff prepared an RFP for an engineering consultant to confirm the existing design and update it in accordance with current standards. Engineering works for this project were awarded to Associated Engineering, which completed design for Phase 1 of the project (College Street to Port Robinson and Pelham Street intersection) and Phase 2 (Port Robinson Road to John Street).

The design for Phase 1 was tendered in the fall of 2020 and was awarded to Rankin

Construction Inc. Work for Phase 1 commenced November 2020, and is now complete. Phase 2 of the project was tendered and awarded to Rankin Construction, which commenced on-site works in June 2021. The works include complete urbanization of Pelham Street including new curb and gutter, new sidewalks, new storm sewers and new watermain. This section of road will also receive dedicated 1.5 m on-road bicycle lanes in both directions. In addition, because the intersection at Port Robinson Road and Pelham Street experiences high traffic volumes and given the fact that it is within a school zone particular attention has been given to ensure it is designed with pedestrian safety in mind while accommodating all types of active transportation.

The contractor is progressing well with the schedule. At the time of writing this report, the underground storm sewers and watermains have been completed and road reconstruction has commenced.

It is anticipated that the project will be substantially complete (including concrete curbs, sidewalks, and base course asphalt) prior to the end of the calendar year.

**Road Base and Patching Repair Program** – This program was Tendered and Awarded to Circle P Paving. The purpose of this annual program is to preserve the condition of the pavements and extend the pavement life. This was a recommendation made in the recent 2019 Pavement Condition report prepared by ARA Consultants. Repaving of the parking lot of Fire Station #3 was also included in the scope of work for this project to facilitate drainage improvements. Work for this program concluded on October 1st, 2021.

**Road Rehabilitation and Resurfacing Program (2021)** – This program has been tendered and awarded to Walker Construction. Engineering staff worked with Public Works Operations staff to determine a list of road candidates for resurfacing. Criteria for road selection was based off the Pavement Condition Index Report as well as roads that are on the cycling route for the 2022 Canada Games. The roads that are to be resurfaced under this contract are: Foss Road between Victoria Avenue and Church Street, Cream Street between Tice Road and Metler Road, and Metler Road between Hansler Street to approximately 900m west of Effingham Street. Work has commenced and the contractor anticipates this project being complete prior to the end of October.

**Concrete Repair and Replacement Program** – This program has been tendered and awarded to Sacco Construction. Scope of work for this project involves repair and replacement of cracked or deficient sidewalk panels and curb at various locations throughout Town. Work is currently ongoing, and is expected to be completed by mid-November, 2021.

**Sixteen Road Bridge Replacement Program** – This project was tendered and awarded to Rankin Construction. ELLIS Engineering, the design consultant, completed Contract Administration and inspection services throughout the course of construction. The scope of work for this project involved replacing two large elliptical culverts under Sixteen Road east of Balfour Street. Work commenced early August and the project obtained substantial completion on September 22<sup>nd</sup>; 1 week earlier than anticipated. The project also came in approximately \$17,000.00 under budget thanks to the strong working relationship and communication between the Town, Rankin Construction, and ELLIS Engineering.

**Roadside Ditching Program** – This program has been awarded to CRL Campbell and includes ditching of approximately 14km of roadside ditches. This program is anticipated to be completed by mid-November, 2021.

**Station Street Storm Pond Rehabilitation** – This project has been awarded to Duffin Contracting Inc. The commencement of the project has been delayed as a result of receiving permits from the NPCA and permission to enter and gain access over a hydro easement that runs between Station Street and Cataract Road directly adjacent to the storm water pond outlet. The contractor is continuing to work with the design consultant, Town Staff and Hydro One to get the approvals necessary to gain access to the site and complete the work. It is anticipated that the construction will commence in the spring of 2022 and will be completed in the summer of 2022.

**Foss Road Sanitary Sewer Design Upgrades** – This project is currently at 90% design stage with GHD. However, there have been some challenges with regards to the CPR crossing, which is delaying the finalization of design. Coordination with relevant agencies is being conducted in order to bring this project to completion and be construction ready. Staff are working diligently with the consultant to determine the most cost effective method of installing the sanitary sewer under the CPR right-of-way. The preferred method of crossing the tracks will be a trenchless method using either a jack and bore method or a micro-tunneling method. In order to complete, the installation using one of these trenchless methods there will be significant de-watering required. Council approved \$1.3 M to construct this project as part of the 2020 Capital Budget. As a result of the above challenges and revised scope of work there will be increased costs to complete the project as previously reported to Council in council report 2021-0144. The additional costs to complete the work is estimated at \$2,100,000.

**Church Street Sanitary Sewer Design Upgrades** – This project is currently at 90% design with AE and is currently being updated with Public Works' review comments. Similar to the Foss Road project there will be challenges associated

with crossing the CPR tracks. It is more than likely that a similar trenchless method of installing the sanitary sewer under the CPR right-of-way will be required. The additional cost to complete this project is estimated at \$752,000. It is anticipated that this project will go to construction in 2022 pending budget approval in the 2022 capital budget.

In addition to the current capital projects, Engineering staff continue to thoroughly review all Planning and Committee of Adjustment applications. Reviews entail a site visit and detailed analysis of drawings and reports, to ensure Town standards are adhered to. For more complex applications, this process sometimes involves several re-submissions and repeated reviews by staff. Engineering staff also continue to manage requests for assumption of subdivisions, and for reduction of securities at various stages of the development process. In addition, Engineering Staff complete reviews on lot grading plans for building permits received through the Planning Department. Further, Engineering Staff continue to support the Pelham Active Transportation Committee (PATC), generating reports for other departments to be sent back to the federal government, and coordinating with other Town departments for assistance. Engineering staff are also participating in the development of the Niagara Region Stormwater Management Guidelines. The Guidelines are at 70% Draft Stage and are currently being reviewed by other Departments at the Town.

## **CORPORATE CLIMATE CHANGE ADAPTATION STRATEGY AND ADAPTATION PLAN**

The Climate Change Coordinator presented the Town's Climate Change Adaption Plan at the regular council meeting in June and it was unanimously endorsed. Town staff will now be focused on working on a range of adaptation and mitigation policies, as well as, looking into amendments to the Town's Engineering Design Guidelines.

### **Constituent Concerns and Issues Arising:**

On September 7<sup>th</sup> the Town officially re-opened its doors to the public. As a result, the current work from home arrangement ended and staff are now working from the office on a regular basis.

In addition, the schedule for the public works staff operating out of the Tice Road Operations Centre has shifted back to the regular 7 am to 3:30 pm workday. During COVID 19 protection measures and during the lockdown the public works staff were working through the lunch period on the job site in order to limit and mitigate the interaction of employees at the yard. Staff continue to apply social

distancing strategies and wear proper PPE when working in close proximity to other town employees, contractors, and suppliers.

### **Employee Updates:**

The Climate Change Coordinator resigned from the position in August. This position was being funded from a grant received through the Federation of Canadian Municipalities (FCM), which was set to expire in December of 2021. As a result, it was decided not to fill this position and instead use the employee savings to further the implementation of the climate change adaption plan approved by Council.

Council recently approved the recruitment of a new Engineering Technologist position for the Engineering Department. Human Resources is currently in the process of filling this position within the department.

### **Grants, Concerns, RFPs, Agreements:**

Please see Corporate Services report regarding contract assignments and grant submissions and approvals.

### **Meetings:**

The following meetings were attended by Public Works staff:

Public Works Officials Meetings



## APPENDIX A – PROJECT PHOTOGRAPHS



Site 1 Sulphur Springs Roadway Restoration project lookiouth



Site 1 Sulphur Springs Road looking north



**Reporting Period:** Clerk's Office Quarterly Report for the period:  
 July, August, September 2021

**Recommendation:**

**BE IT RESOLVED THAT Council receive the Q3/2021 Clerk's Report, for information.**

**Department Overview and Statistics:**

<u>Year</u>	<u>2019</u>	<u>2020</u>				<u>2021</u>			
<u>Quarter (Year to Date)</u>	<u>Year End</u>	<u>Q1</u>	<u>Q2</u>	<u>Q3</u>	<u>Q4</u>	<u>Q1</u>	<u>Q2</u>	<u>Q3</u>	<u>Q4</u>
Insurance or Small Claims Processed (incl.potential)	29	5	8	16	21	4	8	18	
Pelham Deaths Registered	68	11	36	53	64	28	43	52	
Deaths Outside of Pelham Registered	96	28	53	77	110	31	55	76	
Lottery Licenses Issued	33	7	7	9	12	1	2	4	
Council Meetings Attended/Minuted	21	5	11	17	21	5	11	15	
Special Council Meetings Attended/Minuted	41	6	10	15	18	7	11	16	
COW Meetings Attended/Minuted	17	2	2	4	6	-	-	1	
Public Meetings Attended/Minuted	6	2	2	4	8	3	4	5	
P & P Meetings Attended/Minuted	8	1	1	1	1	-	-	-	
Affidavits Sworn	127	38	39	58	79		73	104	
FOI Requests Received/Processed	5	4	8	13	15	2	12	16	
FOI Appeal or Complaint	0	-	-	-	1	-	1	1	
Closed Meeting Investigation	0	1	1	1	1	-	1	1	
Committee of Adjustment – Variances	29	22	23	26	28	18	31	36	
Committee of Adjustment – Consents	12	9	9	11	11	18	24	30	
Committee of Adjustment – Hearings	13	6	11	15	15	4	8	11	
LPAT Appeals C of A	4	3	3	3	3	-	-	-	
Property Standards Appeals	0	-	-	-	0	-	-	-	
Fence Viewing Meetings	0	-	-	-	0	-	-	-	
By-laws	120	37	63	96	114	27	56	88	
Itinerant Seller/Vehicle Licenses Issued	1	-	1	1	1	1	2	2	
Short Term Accommodation Licences Issued	-	-	-	0	1	2	2	3	
Wet/Dry Status to AGCO	1	-	3	4	4	-	-	1	
Sidewalk Patio/Sidewalk Sale Permits	2	-	-	4	4	-	2	3	

Special Event Permit – Private	1	-	-	-	0	-	2	2
Livestock Valuer Claims	2	-	-	-	0	-	-	-
AMP Review Hearings	19	23	23	28	29	1	2	2
AMP Review Decision Appeals	0	-	-	-	0	-	1	1
Marriage Licenses Issued	31	5	5	27	29	5	21	50
Civil Marriage Ceremonies Officiated	13	-	-	10	15	1	4	9
Proclamations	8	5	5	5	5	1	6	6
Press Releases	27	12	31	44	51	13	26	37
News Briefs	66	42	92	136	164	33	68	81
PSR	-	-	-	-	0	-	-	1

[Click here to enter text.](#)

## Projects:

### Council Advisory Committees

To ensure consistency and continuity, the Clerk's department has created standardized agenda and minute templates for the use of Council Advisory Committees. Moving forward, Committees will now have a standard template to use for developing their agendas and minutes.

### 2022 Council and Committee of Adjustment Schedule

The Clerk's department conducted research to determine best practices with regard to creating the 2022 Council and Committee of Adjustment schedule. In an effort to strengthen the Corporation's commitment to inclusivity, the adopted schedule now recognizes World Religious Holidays.

### General Training

The Clerk's department conducts introductory training with new staff on the eSCRIBE platform as well as report writing and recommendation / resolution formulation.

## PR/ Marketing Analytics, July – September 2021

Page Views	Pages per Session	Average Time on Page
115,334	2.02	1:41

Top 5 pages: Main Page, Online Services, Careers, Meridian Community Centre, Arena and Skating Programs

### Twitter

Tweets	Interactions	New Followers
112	304	40

### Facebook

Engagement	Page Views	Total Reach
4,058	1,627	69,081

## Instagram

Total Posts	Engagement	Post Video Views
154	1.5k	1.2k

## engagingpelham.ca (Bang the Table)

Engagement	New Registrations	Engaged/ Informed Visitors
496	44	41/149

## Marketing Projects

- SummerChill Print/Radio advertising campaign
- Town of Pelham Map
- Mike Ciolfi Memorial Area Photos

## **Constituent Concerns and Issues Arising:**

None.

## **Employee Updates:**

The title of Communications and Public Relations Specialist has been changed to Communications Specialist.

Effective September 13, 2021, Leah Letford assumed the role of Communications Specialist.

Effective October 25, 2021, Jacqueline Miller will assume the role of Legislative and Committee Coordinator.

## **Grants, Concerns, RFPs, Agreements:**

None.

## **Meetings:**

### Town Clerk

- Legislative and Committee Coordinator Recruitment
- Various training sessions with IT and HR
- SLT
- Committee of Adjustment Hearings
- EOC
- JAAC Admin Group Meeting
- Area Clerk Meeting re Municipal Election

## Deputy Clerk

- Legislative and Committee Coordinator Recruitment
- Committee of Adjustment Hearings
- Committee of Adjustment Test Sessions
- Pre-Consultation Meetings for Committee of Adjustment
- Area Clerk Meeting re Municipal Election

**RECREATION, CULTURE & WELLNESS QUARTERLY REPORT**

Monday, October 18, 2021

**Reporting Period:** Recreation, Culture and Wellness  
Quarterly Report for the period: Q3 2021**Recommendation:**

**BE IT RESOLVED THAT Council receive the Q3/2021 Recreation, Culture and Wellness Department Report, for information.**

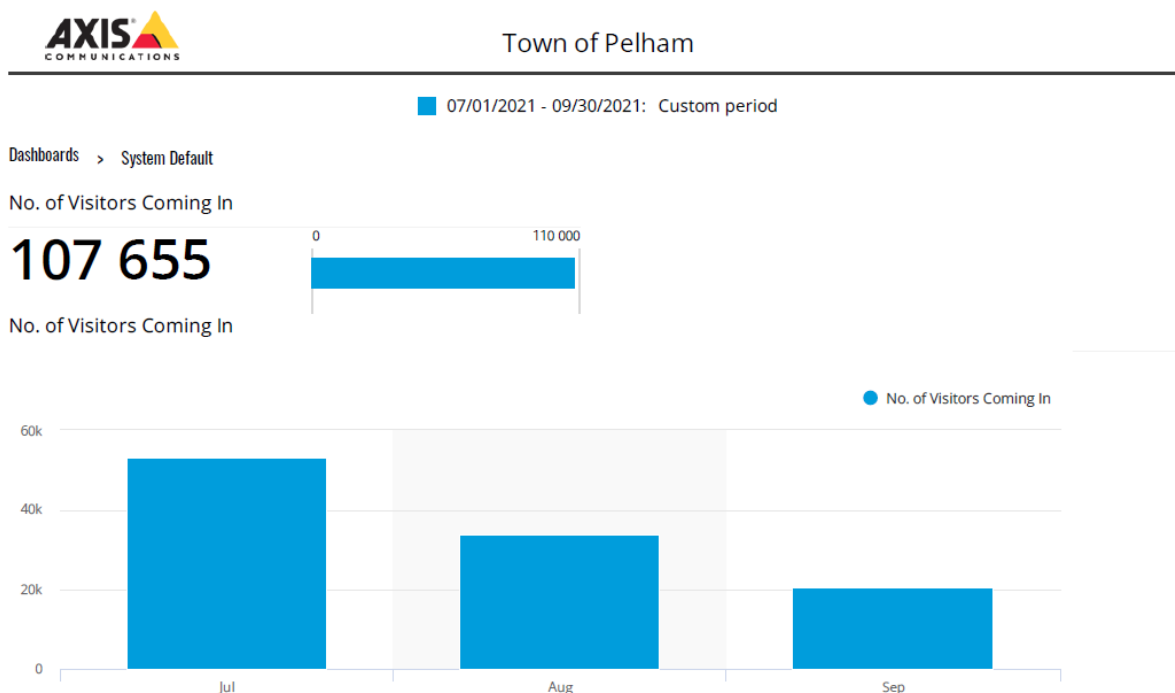
**Department Overview and Statistics:****Projects:****Facilities, Programming and Rentals**

Town of Pelham's Facilities team saw a busy July and August with the Province's Roadmap to reopen and capacity limits increased to 50% for indoor programming and spectators. As of July 16<sup>th</sup>, 2021 the Meridian Community Centre opened to indoor on ice programming at 50% capacities. In July the Meridian Community Centre received 53,275 visitors through the doors. The Niagara Region Vaccination Clinic and ice rentals were at their max capacities for the latter half of July. Facility Staff were busy with indoor and outdoor programming following Provincial guidelines and keeping all facilities clean and disinfected. In August the Niagara Region Vaccination Clinic was relocated to the Accursi room at a smaller limited capacity and the majority of visitors switched to people using the facility for ice and gym rentals. August saw 33,886 visitors through the Meridian Community Centre including the Doug Burr Memorial Jr Hockey tournament.

Seasonal programming such as public skating, shinny, stick and puck and ticket ice were back in action at limited capacities. The MCC has had many happy visitors express gratitude for opening doors to the public once again, keeping them busy and all the while safe by following Provincial guidelines and decisions made by the Emergency Operation Centre. September brought some normality back to all the facilities with the Pelham Pool closing Labour Day weekend, Pelham Soccer finalizing its season and baseball finals set to be played. The Meridian Community

Centre had 20,494 visitors mainly for ice programming and basketball in the gyms. Children were now back in classes with Schools opening their doors once again. Pelham's largest user groups are now back in the Community Centre with tryouts, practices and games, taking up the majority of ice and gym rentals. New Ontario Regulations seen the Meridian Community Centre require proof of fully vaccinated visitors for 12 years and older spectators and limited exemptions for users of various associations. Due to this new regulation the Town of Pelham hired help from Signal 88 Security to aid in the initial rollout. As the new policies and procedures are rolling out, administration is returning to regular programming with happy visitors and smiles back in the building. In the last 3 months the MCC has had 107,655 visitors making use of the facility and keeping staff on their toes.

Due to the Covid-19 pandemic, Ice rentals continued to be in high demand with both rinks. Accipter and Duliban ice pads both reopened for regular rentals July 16<sup>th</sup>, 2021, with bookings 7 days a week from 6am – 10pm daily. Beginning the second week in September, we have our regular ice rental user groups scheduled to start there season ending the end of March 2021.



**SAY IT! On Stage** (Seniors & Youth Intergenerational Theatre, On Stage): The SAY IT! On stage group comprised of 15 members of seniors and youth, have continued to meet both virtually and in person outdoors for filming. They have completed the script and began filming in the June for "Millennium Mission to Mars." The group has finalized all raw filming as of August and staff are working with the

volunteers to assist in final production and distribution of the final video. More information can be found here [www.pelham.ca/arts](http://www.pelham.ca/arts)

### **Pelham Farmers Market**

The Pelham Farmers Market, with staff assistance, operated Thursdays through the season. The Market had only one night with adverse weather and was unable to operate. Average attendance of 250 continued with increased traffic when the Bandshell weekly concert series was live. The Farmers Market and staff have continued to host the virtual scavenger hunt called Junior Growers and several families have completed every mission offered weekly. All the information about the virtual scavenger hunt and list of vendors can be found on the Pelham Farmers Market website: [www.pelham.ca/farmers-market](http://www.pelham.ca/farmers-market)

### **Christmas in Pelham**

Town staff continue to stay up to date on pandemic restrictions related to in person events. Application for Christmas in Pelham to receive funding support from Provincial Reconnect Grant was successful. Current planning is in place for modified Outdoor Christmas Market, house decorating and light tour, Santa Claus Parade and a Great Elf Challenge virtual scavenger hunt.

### **River Estates Park Development**

Staff received RFPs for the River Estates park development on May 27 and worked with the approved submission to host a community feedback survey from June 1 – June 15 on the engaging Pelham website. This feedback allowed residents to vote on three different designs, and allowed for additional comments. The final responses were in favor of design #2 and staff will be proceeding with this selection based on community feedback. The total number of survey responses was 60, and 180 “door knocker” notices were hand delivered to each house in the River Estates neighbourhood.

The archived survey and information for River Estates survey can be found here: [River Estates Engaging Pelham Survey](#). The water department has installed service for the water feature and the tentative start date for construction is October 12th.

### **Summer Chill Series**

Staff collaborated with local establishments, and organizations to coordinate a hybrid event called Summer Chill Series, with funding received from the Re-Connect program to help support a safe and enjoyable event. Summer

Chill Series partnered with the Welland/Pelham Chamber of Commerce, XplorNet, Niagara Symphony and the Niagara Region economic development department to bring back elements of the Thursday Night Experience safely to residents in a modified version.

The Summer Chill Series was essentially comprised of two main components; the Summer Chill Eats and Summer Chill Challenge. Summer Chill Eats was an in-person culinary market with music hosted by the Niagara Symphony. The first event took place Thursday, July 15, and thereafter ran every Thursday evening until wrapping up on September 2. The Bandshell Concert Series accompanied the Summer Chill Eats event from August 5 until September 2. The local vendor participants were: The Travel Café, Fonthill Lions, Marble Slab Creamery, Kame & Kettle Brewery, 26 Acre Cidery, and Vineland Estates. Pre-registration was a requirement for picnic table reservations. As well, contact tracing information was collected for all residents that dined at the event. There were approximately 300-500 people moving through the event space over the course of each evening.

Two youth volunteers donated their time to assist with the Summer Chill Eats event; one attending four of the eight events, and the other volunteering all eight weeks.

The Summer Chill Challenge is a virtual scavenger hunt that highlighted Pelham's local establishments and local amenities. This interactive event allowed residents to complete tasks (missions) to gain points and be part of a physically distanced hybrid experience. The challenge ran from July 8 to September 30, with over 20 households participating. The event was facilitated through a free downloadable app called GooseChase. Pelham inspired prizes will also be distributed to participants of the Summer Chill Challenge.

[www.pelham.ca/summerchill](http://www.pelham.ca/summerchill)





**Mural at Marlene Stewart Streit Park** E.L. Crossley students completed the mural on the Pool Shed at Marlene Stewart Streit Park. The Mural is a compilation of two images depicting Marlene Stewart Streit in during her golf

career. Mural painting took place in early July and once the painting was completed an official reveal of the mural took place on July 20th. Marlene Stewart Streit was able to attend the reveal by a dedicated zoom link.



### **Active Programs**

With the re-opening of the Meridian Community Centre following the last lockdown, many active programs have begun again, welcoming participants of all ages back into the facility. These programs include: Ticket Ice for figure skaters, Brock FIT, Yogalates, Adult learn to skate, Shinnies for all ages, Indoor Pickleball and more. With reduced space availability due to the continuing COVID-19 vaccine clinics, programs, participants and instructors have been very flexible in utilizing new locations, dates and times for programs. Once the Accursi room is available again for program use, additional active activities will be offered for both adults and youth. For programming taking place outside of the MCC, Ballroom Dance lessons have begun at Old Pelham Town Hall, and the Centennial Park courts continue to be accessed by the community.

### **55+ Programs**

With the re-opening of the Meridian Community Centre, many programs that cater to community members 55+ have been able to resume. This includes Brock FIT, 55+ Aerobics with conditioning, indoor pickleball and 60+ Shiny and more. These programs are requiring participants to pre-reserve their space to ensure capacities are not exceeded, and so far, all programs have had a great participation rate and response. Now that most of the active programs that were available before lockdown have begun again, more social and educational programs will be introduced to the Seniors Lounge at the Meridian Community Centre this fall.



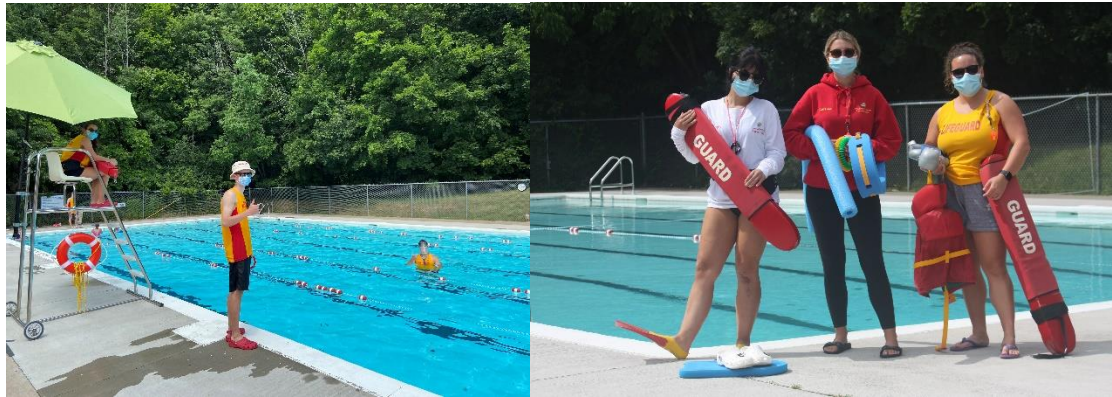
## Summer Camp

This summer, the Town of Pelham provided over 600 campers with a fun summer experience, even in the midst of a global pandemic. Although this summer still didn't reflect typical programming, staff made it as fun and engaging as possible, bringing guests and fun activities to the Meridian Community Centre. Guests included Niagara Inflatables, Magician Scoop McCoy, child performer Barry O', the Niagara Falls Art Gallery, the 2022 Summer Games and more. The camps followed and exceeded the required COVID precautions, providing each camper with their own individual bin of supplies to avoid sharing, holding a smaller 2:14 ratio for staff to campers, and utilizing various Town locations including the MCC, Old Pelham Town Hall, Fire Station 2 and Fire Station 3 to allow groups to physical distance. The Camp staff also worked closely the Pelham Public Library to provide campers with books each week, as well as Story Walks at both the Meridian Community Centre and Old Pelham Town Hall. This summer the Town of Pelham provided their regular summer day camps, as well as two weeks of Bike Camp, a week of Leader-in-Training Leadership Camp, two weeks of Art & Theatre Camp, and a week of Amazing Animal Camp



## Aquatics

The Pelham Pool had a very successful season this summer, seeing many new and returning families to the facility! This summer, Pelham Swim Instructors taught over 300 children and youth swimming lessons, ranging from swimmer 3 to Bronze Cross, over 4, two week sessions. In addition to lessons, the Pelham pool also welcomed 120 Lane swimmers each week, reaching the maximum capacity for registration. Additional programming at the Pelham Pool also included family swim (renting ¼ of the pool for 50 minutes for up to 10 people in your social bubble) and Aqua Zumba multiple times per week, while also being available for private rentals.



### **Centennial Park Tennis/Pickleball Courts**

This summer, the Town of Pelham worked with the Pelham Tennis Association to offer tennis and pickleball programs and memberships throughout the late spring and summer months at Centennial Park. This summer, the courts saw 14 adult members, 30 child members (under 14), 25 family memberships, 116 senior members and 3 student members. The courts were accessible throughout the summer for both tennis and pickleball play, with designated days and times for each, while also offering lots of time for member only access, as well as instructor lead tennis lessons.

This year, the Town installed a locking system accessible by key fob, which has been a great addition to the courts. This allows members to access anytime between 5am and 11pm, 7 days a week. The locking system automatically unlocks from 1-3pm daily for community access. All players who access the courts use a screening tool QR code, which helps us to contact trace and screen players passively. Great feedback has been received by players and members, as these outdoor courts have been a great way for the community to stay active during the global pandemic and the restrictions in place.

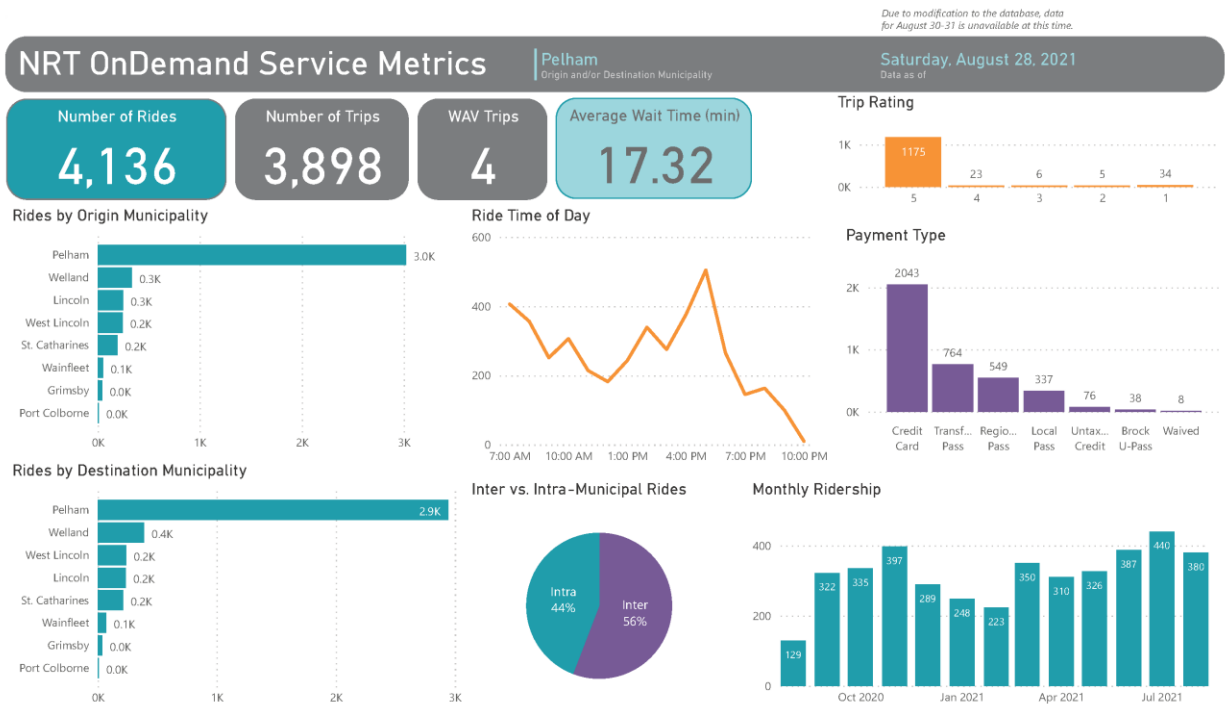


### **MYAC Updates**

The Mayor's Youth Advisory Council term of 2021/2022 came to an end in June after a successful term during an unconventional year. Applications for the 2021/2022 term became available in early August, and closed at the beginning of September. By the end of September, the council for 2021/2022 was selected by the executive members at the end of September, welcoming 18 members, varying in age, grade and school. Meetings will begin in October, with a new, dedicated council who are very excited to get started!

**Street Pole Banners/Honour our Veterans Banner Program** The Veterans Banner program for inclusion in the 2021 installation are now open and an additional brackets have been installed to accommodate the program growth. This year an additional 4 banners will be installed mid October. Staff will continue to support the program with the assistance of coordinating location installations for both the existing and new banners added to the program this year.

## Transit Update August 28, 2021:



## Constituent Concerns and Issues Arising:

Since the Region has implemented an earlier start time and pre-booking staff have had very few complaints about the service.

## Employee Updates:

Amanda Deschenes was hired as the Special Events and Festivals Programmer in September. Amanda is taking over for Leah Letford who has accepted the position as communication officer.

## Grants, Concerns, RFPs, Agreements:

Application for Reconnect funding was awarded for two applications. SummerChill Series and Christmas in Pelham.

**Meetings:**

MCC User group roundtable zoom meetings  
Niagara Parks and Recreation bi-weekly information exchange zoom meeting  
Network of Municipal Event Planners Quarterly Meeting  
Mayor's Youth Advisory Zoom Meetings  
Aquatic Sharing Information Group Zoom Meetings  
Pelham Seniors Advisory Zoom Meetings  
Pelham Canada Day Planning Group  
Aquatic and Camp Staff In-Service Weekly Meetings  
Health and Safety Policy Training  
Niagara Official Plan for Mayor's Youth Advisories Meeting  
IMT Working Group Meeting



**COMMUNITY PLANNING & DEVELOPMENT QUARTERLY REPORT**

Monday, October 18, 2021

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**Reporting Period:** Community Planning and Development Department Quarterly Report for the period: July 1 – September 30, 2021

**Recommendation:**

**BE IT RESOLVED THAT Council receive the Q3/2021 Community Planning and Development Department Report, for information.**

**Department Overview and Statistics:**

The Planning Department continues to work on the following development applications: 9 Subdivision Applications, 5 condominium applications, 4 Official Plan Amendment applications, 15 Zoning By-Law Amendments, 6 applications for Site Plan Approvals, 10 consent applications, 7 minor variance applications and 4 Niagara Escarpment Development Permit applications.

Planning staff approved 1 site plan agreement application for a 5 storey, 132 unit assisted living retirement residence in East Fonthill.

There is one appeal relating to a Development Charges By-law Amendment; 3 appeals on the Cannabis Official Plan Amendment and 3 appeals relating to the Cannabis Zoning By-law Amendment. A Case Management Conference was held with regards to the 3 appeals on the Cannabis Official Plan and Zoning By-law amendments on June 29<sup>th</sup>, 2021 at which time the Tribunal scheduled a 4-day hearing to hear these appeals commencing on January 24<sup>th</sup>, 2022. The OLT appeal on the extension of the interim control by-law has been withdrawn by the appellant and the OLT has closed their file on the matter.

The court application by Woodstock Biomed with regards to the initial Interim Control By-law is also pending and the responding material was filed with the Courts. The parties are awaiting a court date.



Two court applications to quash the Odorous Industries Nuisance By-law have been filed with the courts and filing materials are pending by both parties.

An appeal has been received with regards to Council's refusal to pass a zoning by-law amendment for 1307 Haist Street. Minutes of Settlement were agreed to by Council and presented to the OLT with the OLT approving the Minutes of Settlement and Zoning By-law Amendment through its decision of September 17, 2021. This matter is now concluded and the zoning by-law amendment in effect.

Further there is a court application by C. Montemurro relating to the issuance of a building permit, responding materials have been filed with the courts and staff were deposed. The original hearing date was scheduled for March 25<sup>th</sup>, 2021 and was cancelled by the courts with a new date scheduled for June 28<sup>th</sup>, 2021. The June date was also cancelled and rescheduled to September 27<sup>th</sup>, 2021. The matter was not heard on September 27<sup>th</sup> as there was no Judge available to hear the matter on that day. The matter will be rescheduled to a date after November 22, 2021. At this time the parties are awaiting a new court date.

A second public meeting was held regarding Second Dwelling Units in June. A Public Meeting was scheduled for 1365 Station Street Official Plan and Zoning By-law Amendment applications and was requested to be adjourned by the applicant. A Public Meeting was held with regards to the proposed Zoning By-law Amendment and revised Draft Plan of Subdivision for 155 Port Robinson Road.

### **Building:**

The Building Department continues to receive incoming permit applications consistent with seasonal trends and remains occupied with inspections. The building department was able to conduct a total of 1,016 inspections since the 2021 second quarterly report.

### **Building Activity Statistics from July 1 – September 30, 2021:**

Months	Building Permits	Inspections	Demolitions	Commercial Sq. Ft.		New Dwellings	Value of Construction
July	40	365		3	3,701	28	\$10,919,500
August	29	318	2	2	2,039	9	\$6,162,300
September	25	333		4	5,936	10	\$44,589,907
<b>Total:</b>	<b>94</b>	<b>1,016</b>	<b>2</b>	<b>9</b>	<b>11,676</b>	<b>47</b>	<b>\$61,671,707</b>

### Building Permit Time Frames from July 1 – September 30, 2021:

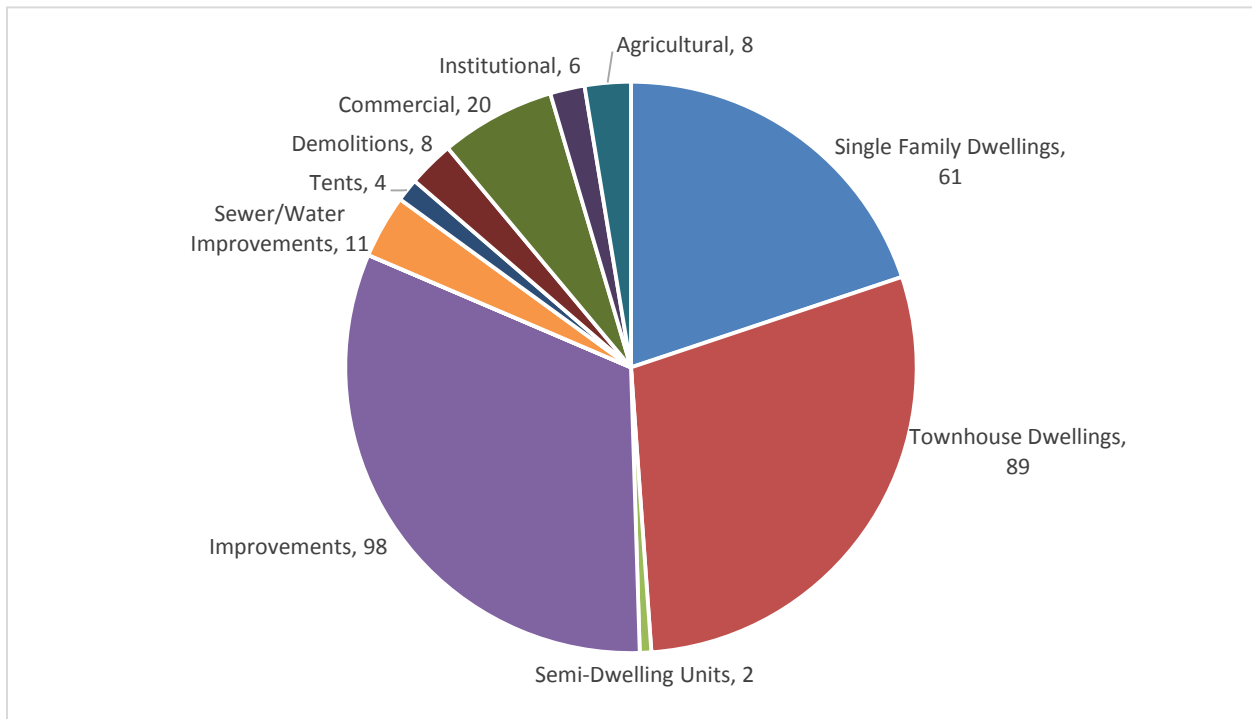
Building Type and Number of required days to issue	Number of Permits Issued	Average Number of Days to Issue Permit
House: 10 days	71	7
Small Building: 15 days	16	11
Large Building: 20 days	7	11
Complex Building: 30 days		
<b>Total:</b>	94	

### Major Building Projects Over \$250,000 (excluding single family dwelling units):

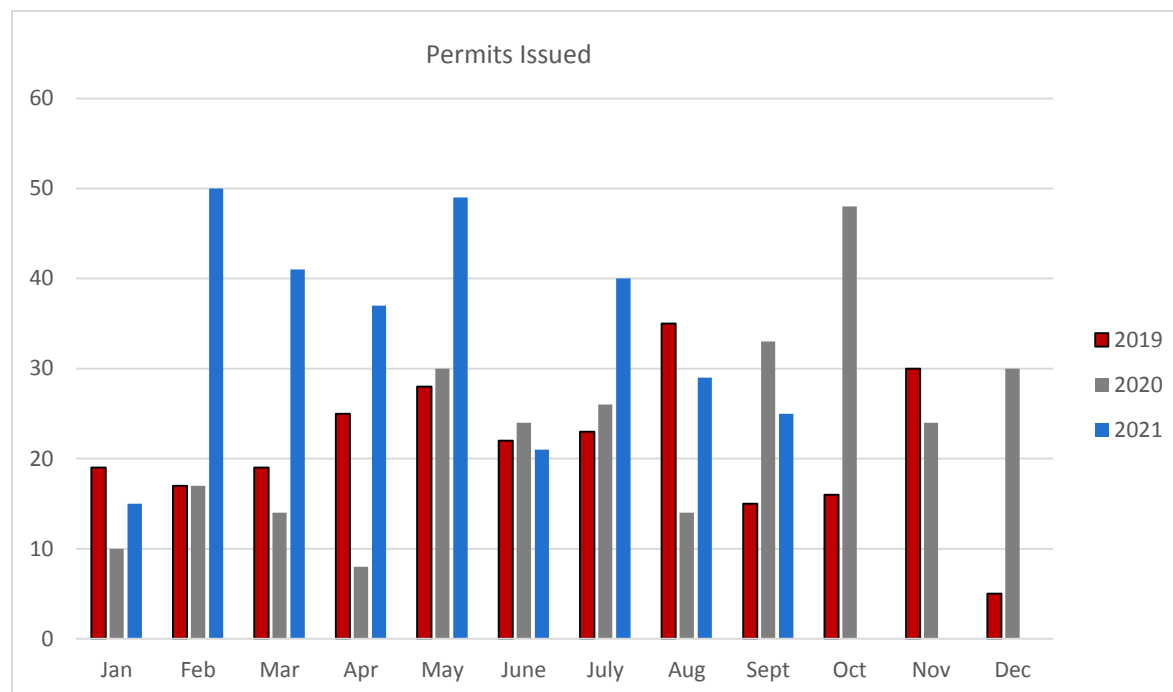
- 1) Alterations to a single family dwelling, \$500,000
- 2) 6-Storey mixed use building, \$40,000,000

**Town Development Charges collected by the Finance Department** for the period July 1 to September 30, 2021 total \$606,301.

### Building Permit Breakdown (Year to Date):



## Comparative Building Activity Statistics from 2019 to 2021:



## Projects:

**Cannabis** – The Cannabis Control Committee continues to meet with regards to implementation of OINBL. The cannabis producers have filed court actions against the Town with regards to the OINBL. A 4-day Ontario Land Tribunal (OLT) hearing has been scheduled for January 24, 2022 to hear the appeals on the Official Plan and Zoning By-law amendments that were adopted by Council to address planning matters related to cannabis land use. The Town's external legal counsel is engaging in discussions with the appellants on these matters.

**Comprehensive Zoning By-law** The first phase of public consultation has been initiated and the public engagement page regarding the Zoning By-law review and update has been launched on the Town website at the following link <https://engagingpelham.ca/comprehensive-zoning-bylaw-review>. Planning staff continued with 'Tuesday's with Tara' where Planning Staff are available to take one-on-one questions via calls and meetings with the public on matters related to the Zoning By-law review. The Zoning By-law review and update is a significant undertaking and involves looking at the By-law in its entirety. A status report on what we heard during the engagement process to date was presented to Council in August.

**Second Dwelling Unit Official Plan and Zoning By-law Amendment:** of particular interest to the public is second dwelling unit permissions to comply with *More Homes, More Choice Act*. A public meeting on this topic was held on February 8<sup>th</sup> and June 12<sup>th</sup> and a public on-line engagement page was launched on the Town website at the following link <https://engagingpelham.ca/second-dwelling-units>. The recommendation report on this matter was presented to Council in July and August with Council adopting the Official Plan and Zoning By-law amendments on September 7, 2021.

**Comprehensive Parking Strategy** Due to the pandemic restrictions and Stay at Home Order with the regards the ability of businesses to be open to the public this project has been delayed. The consultants are working on parking count surveys and parking surveys were launched on the Engaging Pelham webpage to gain public input and feedback on parking concerns in downtown Fonthill, Fenwick and Ridgeville and at the MCC.

**Big Creek Municipal Drain Assessment Schedule Update** K. Smart Associates is completing this work on behalf of the Town. The project has been expanded to include an update to the assessment schedules for the Nunn, Disher, Swayze and Ridgeville drains.

**Constituent Concerns and Issues Arising:**

n/a

**Employee Updates:**

The Senior Planner attended Near-Urban Nature Network: A Solution for Climate Change and Biodiversity.

The Building Intake/Zoning Technician completed Plumbing All Buildings course and examination, and Ontario Building Officials Association Energy Efficiency Design course.

The Director attended a seminar on the proposed amendments to the Land Use Compatibility Guidelines hosted by the Ministry of Environment, Conservation and Parks in June and presented at the AMO Conference on Pelham's experience with cannabis in August.

The Policy Planner resigned from the Town to take a planning position with another municipality.

**Grants, RFPs, Agreements:**

RFP for Vision and Design of Town Square was released.

**Meetings:**

On-going meetings:

- EOC Meetings
- Cannabis Control Committee Meetings
- OBOA Niagara Chapter Meetings
- Pre-Consultation Meetings
- SLT Meetings
- Joint Health & Safety Meetings
- Area Planners Meetings
- Regional Process Improvement Team Meetings
- Internal Budget Meetings

In addition to the various conversations with property owners and consultants regarding potential development applications, Staff have been involved in meetings regarding the following substantive matters:

- Meeting with Region of Niagara Planning Staff on Regional Official Plan update
- Merritt and Rice Road EA Stakeholder and Agency Meeting
- Region of Niagara DC Study Update Stakeholder Meeting

**FIRE AND BY-LAW ENFORCEMENT QUARTERLY REPORT**

Monday, October 18, 2021

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**Reporting Period:** Fire and By-law Enforcement  
Department Quarterly Report for the period: Quarter 3  
(three) July – September 2021

**Recommendation:**

**BE IT RESOLVED THAT Council receive the Q3/2021 Fire and By-law  
Enforcement Department Report, for information.**

**Department Overview and Statistics:**

**By-law**

**July 2021** - Grass and weed complaints continue to make up the majority of by-law complaints for July. By-law department received 2 complaints relating to cannabis odour for the month of July, 1 from Pelham and 1 from Welland. Random testing continued for the month of July resulting in no violations.

**August 2021** - Grass and weed complaints continue in August. By-law department received 4 Repeat complaints relating to cannabis odour for the month of August, 3 were from the same person. Bylaw department completed 20 Random Odour tests in the month with no violations occurring.

**September 2021** - By-law received a total of 3 cannabis odour complaints in September of which 2 were from repeat complainants and 1 was made in error. The Bylaw Department completed 39 Random Odour tests in the month with no violations occurring.

Covid complaints increased in September with majority being complaints against businesses for not screening patrons correctly or not asking for proof of vaccinations.

## **Fire Prevention - July, August, and September update**

Fire Prevention has kept busy over the last 3 months promoting fire safety in the community.

Many inquiries from residents about fire safety and back yard fire pits. Advertising in "The Voice" & fire department social media sites has most definitely brought an increase of new recreational burn permits (back yard fire pits). Both new residents and long-term residents who did not know they had to obtain burn permits for fire pits they have used for years prior.

It is good to see this safety message is getting out to the property owners of Pelham.

Weather has cooperated this summer, Pelham fire department has not had to issue a burning ban.

As the new updated Covid regulations have changed so have occupancies for event rooms changed. Fire prevention has been working with town staff and businesses in the community to help them stay current with changing occupancy regulations.

With most of the town staff partially or fully returned to offices from remote work, the fire department has had a few requests for extra PPE and cleaning supplies. There is still a very healthy stock of PPE and cleaning products available for all town staff as they return to there work place.

## **Training**

**July** - Completed follow-up annual Defibrillation testing for members that could not attend the scheduled test nights.

Thursday morning training sessions began. This additional training time is allotted for members who were not able to attend their normal Tuesday night training session that week.

Attended National Training Management webinar

**August** - Thursday morning training continues.

Training officer meeting held for all three stations. Different topics were discussed, training plan is being put in place to bring consistency to all training.

Recruit training resumed with 2 dedicated training sessions including structure search where recruits are trained on searching a structure with little to no visibility.

Annual fire hose testing began.

**September** - Thursday morning training continues.

Recruit training concluded this month after completing the remainder of the probationary training program. This included attending the Niagara Falls Fire Department's training centre to participate in 'Live Fire' training. Recruits were introduced to working in an environment containing live fire, including conducting primary search, advancing charged hose lines and fire attack. Recruits have completed a full year of training. Next step is written and practical testing to be held in mid October.

Attended the Niagara Regional Training Officers Association meeting, held in Lincoln. Training and education for 2022 was discussed and will be presented to the Regional Fire Chiefs.

Attended the Ontario Association of Fire Training Officers (OAFTO) training officer's workshop. A weeklong virtual training session. Training sessions provided by Combat Ready Fire Training, Orange Ambulance, OFMEM, OFC, OMMI, AS&E, Section 21 Committee

Completed the annual hose testing.

First Aid Instructors from all three stations were invited to attend Medical Protocol training hosted by West Lincoln Fire. Niagara Falls Fire provided the training.

Training started two new courses, NFPA 1041 Instructor level II and NFPA 1021 Fire Officer I.

### **Emergency Management**

Town of Pelham remains in a declared state of emergency and the EOC is in partial activation. The emergency control group meets virtually Monday @ 0900.

### **Suppression**

Pelham fire department continues to respond to all types of incidents. Fire equipment continues to be cleaned after each use and at least once per week if no responses occur. Resources are not compromised at this time and the Town continues to respond with full complement.

Firefighter training sessions continued at all 3 (three) stations, continuing with maintaining social distancing and cleaning procedures of all areas and equipment.

### **Projects:**

Nothing to report



## **Constituent Concerns and Issues Arising:**

Ongoing COVID-19 pandemic

## **Employee Updates:**

### **Anniversaries**

In the month of July Pelham fire had several anniversaries

July 1 – **20 years** Captain Roy Moffat, Captain Alvin Bearing, Captain Glenn Harrison, Captain Chris Ker & Captain Dave Kszan.

July 23 – **20 years** Lieutenant Edward Slappendel & Captain Pete Wierenga

August 1 – **25 years** Captain Phil Toffolo

September 17 – **20 years** Firefighter Phil Topa

Congratulations and gratitude to all for tenure of service and continued commitment to the community!

## **Grants, Concerns, RFPs, Agreements:**

Nothing to report

## **Meetings:**

SLT (senior leadership team), EOC (emergency operations centre), MEG (municipal emergency group), REOC (regional emergency operations centre), MAC (medical assist committee), DC (district chiefs), JHSC (joint health & safety committee), regional chiefs, mayor, council, cannabis control committee

FIRE & BY-LAW ADMINISTRATION

FIRE RESPONSES										
	Total	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP
STRUCTURE/VEHICLE FIRE	5	0	3	0	0	2	0	0		
MUTUAL AID OTHER DEPT	7	0	0	2	3	1	0	1		
MVC	35	7	5	4	3	3	4	3	4	2
REMOTE ALARMS	40	3	2	4	5	4	8	7	4	3
MEDICAL ASSIST	107	9	14	4	8	11	14	10	15	22
EMERG. & NON EMERG ASSIST	22	2	3	2	0	2	4	3	4	2
PUBLIC ASSISTANCE	1	0	0	0	0	0	0	0		1
GRASS/BRUSH FIRE/COMPLAIN	36	2	3	8	2	9	2	4	5	1
RESCUES	0	0	0	0	0	0	0	0		
ODOUR INVESTIGATION	3	0	0	0	0	0	0	0		3
CO INVESTIGATIONS	14	0	5	1	1	0	1	1	2	3
Monthly Totals		23	35	25	22	32	33	29	34	37
Annual Total 2021	270									
Total Responses for 2020	286									

FIRE PREVENTION 2021										
INSPECTIONS										
	Total	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEPT
Inspections	34	5	7	5	6	7	4			
Town Monthly Building Inspect.	72	12	12	12	12	12	12			
Plan reviews	19	2	1	4	3	5	4			
Tapp-C	1	0	0	0	1	0	0			
Fireworks Permit	1	0	0	0	0	0	0	0	0	1
Open Air Burning Permit	206	7	4	58	44	48	22	12	5	6
Observed fire drill	0	0	0	0	0	0	0			
Court appearance	0	0	0	0	0	0	0			
Monthly Totals		26	24	79	66	72	42	12	5	7
Annual Total 2021	333									
Total Responses for 2020	333									
HLY COMMITTEE/ASSOCIATION MEETINGS										
	Total	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEPT
OMFPOA	9	0	1	1	2	2	2	1	0	0
Arson Committee	3	0	1	0	0	0	1	0	0	1
TAPP-C	1	0	0	0	1	0	0	0	0	0
Development Coordinator Meeting	0	0	0	0	0	0	0	0	0	0
Town staff meeting	0	0	0	0	0	0	0	0	0	0
Meetings, various (n.o.s.)	54	5	4	3	6	7	6	5	8	10
Monthly Totals		5	6	4	9	9	9	6	8	11
Annual Total 2021	67									
Total Responses for 2020	61									
FIRE INVESTIGATIONS										
	Total	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEPT
	1	0	0	0	0	1	0			
Monthly Totals		0	0	0	0			0	0	0
Annual Total 2021	1									
Total Responses for 2020	2									
PUBLIC EDUCATION										
	Total	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEPT
Station Visit School	0	0	0	0	0	0	0	0	0	0
Fire Prevention Education Event	0	0	0	0	0	0	0	0	0	0
Child / Children Visit Station	12	0	1	3	2	0	0	2	3	1
Public Education Presentation	0	0	0	0	0	0	0	0	0	0
General inquiries	123	10	12	14	18	15	14	13	12	15
Facebook Public Education Posts	182	24	20	22	24	20	20	14	22	16
Other Public Education Activities	1	0	0	0	0	0	1	0	0	0
Monthly Totals		34	33	39	44	35	35	29	37	32
Annual Total 2021	318									
Total Responses for 2020	445									
OTHER ACTIVITIES										
	Total	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP
Compliance Letter	11	1	1	0	2	3	2	0	0	2
Fire safety plan/drill scenario review	5	0	0	0	0	2	3	0	0	0
Training for firefighters	2	1	0	0	0	0	0	0	0	1
Training Course	9	1	2	1	2	2	1	0	0	0
Monthly Totals		3	3	1	4	7	6	0	0	3
Annual Total 2021	27									
Total Responses for 2020	17									

BY-LAW SERVICES REPORT 2021										
BY-LAW COMPLAINTS RECEIVED										
	TOTAL	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEPT
Complaints Received		5	14	26	27	31	37	20	28	16
Monthly Total		5	14	26	27	31	37	20	28	16
Y-T-D Total 2021	204									
2020 Total	209									
PARKING INFRACTIONS ISSUED										
		JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEPT
Tickets Issued	Total	11	6	0	0	3	2	2	0	1

Monthly Total		11	6	0	0	3	2	2	0	1
Y-T-D Total 2021	25									
2020 Total	108									
PARKING WARNINGS ISSUED										
		JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEPT
Warnings issued	Total	0	0	0	0	0	2	1	0	0
Y-T-D Total 2021	3									
2020 Total	64									
ENVIRONMENTAL BY-LAW FILL APPLICATIONS RECEIVED										
		JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEPT
	Total	0	0	0	0	0	1	2	0	2
Received	5									
Authorized	2									2
Properties Exempt	0									
Denied	0									
Monthly Total		0	0	0	0	0	0	0	0	0
Y-T-D Total 2021	5									
2020 Total	12									
POLICE REPORTS FILED										
		JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEPT
	Total	0	0	0	0	0	0	0	0	0
Mischief	0									
Vandalism	0									
Trespassing	0									
Graffiti	0									
Other	0									
Monthly Total		0	0	0	0	0	0	0	0	0
Y-T-D Total 2021	0									
2020 Total	2									
CANNABIS ODOUR COMPLAINTS RECEIVED										
		JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEPT
	TOTALS	5	12	16	10	2	5	2	4	3
NEW Complaints	16	2	2	6	4	1		0	0	1
REPEAT Complaint	43	3	10	10	6	1	5	2	4	2
Number of Violations		0	0	0	0	0	0	0	0	0
Nasal Ranger detection		2	1	0	0	0	0	0	0	0
fresh air detection		4	3	0	0	0	0	0	0	0
From PELHAM	48	4	9	15	9	2	5	1		3
From WELLAND	7	1	3	1	1	0		1		
Monthly Total		5	12	16	10	2	5	2	4	3
Y-T-D Total 2021	59									
2020 Total	79									
RANDOM CANNABIS ODOR TESTING										
		JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEPT
Tests Completed		46	30	41	12	11	3	8	20	39
Number of Violations		0	0	0	0	0	0	0	0	0
Nasal Ranger detection		2	2	3	0	0	0	1	1	0
fresh air detection		4	1	8	1	0	1	3	1	9
Monthly Total		46	30	41	12	11	0	8	20	39
Annual Total 2021	207									
2020 Total	60									
CANNABIS OPERATIONS LIGHT POLLUTION COMPLAINTS RECEIVED										
		JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEPT
	TOTALS	0	0	0	0	0	0	0	0	0
NEW Complaints	0									
REPEAT Complaints	0									
From PELHAM	0			0						
From WELLAND	0									
Monthly Total		0	0	0	0	0	0	0	0	0
Y-T-D Total 2021	0									
2020 Total	2									
					NOISE COMPLAINTS					
		JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEPT
	TOTALS	0	0	5	5	0	1	3	7	2
NEW Complaints	18			5			1	3	7	2
REPEAT Complaints	0									
Monthly Total		0	0	5	0	0	1	3	7	2
Y-T-D Total 2021	18									
2020 Total	25									
NON-PARKING AMP CITATIONS ISSUED										
		JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEPT
AMPS ISSUED		0	0	0	1	0	0	0	3	0
Y-T-D Total 2021	4									
2020 Total	9									

## **Reporting Period:** Corporate Services Department Quarterly Report for the period: July, August, September 2021

### **Recommendation:**

**BE IT RESOLVED THAT Council receive the Q3-2021-0179 - Corporate Services Department Report, for information.**

### **Department Overview and Statistics:**

#### **July**

In July, staff continued working on the 2022 budget for salaries, benefits, and a preliminary reserve forecast for the Capital Budget.

#### **August**

In August, mid-year budget review meetings were held with department directors and work continued on the 2022 budget.

#### **September**

In September, the Public Budget Open House was held to receive input from the public regarding the 2022 budget, which will also be informed by Council's strategic plan. The 2022 operating, capital, and rate setting budgets are in progress, having received submissions from all departments and the reserve forecasts and budget book summary are being prepared. Staff are working with consultants in a department review of automation opportunities as part of the Municipal Modernization Grant.

F.H. Black is the successful consultant group on the RFP for Corporate Services automation project which is funded by the Modernization grant. Staff are working with this consultant on reviewing and documenting all business processes and finding efficiencies with automation, eliminating manual processes.

Watson and Associates Inc. is the successful consultant in the RFP for the Review of the Union Library between the Pelham Library and Lincoln Library. This project is funded by the Modernization grant. Staff have been involved in meetings discussing current processes and exploring how the libraries can be combined in order to find efficiencies.

The months of July, August and September have been busy with staff interviews as we interviewed for three positions (Fixed Asset Accountant, Revenue Analyst and Tax Clerk). This represents 21% of our department in new positions. The final position in the department was filled on September 17, 2021. It will take until November for all the new staff to be trained.

The Treasurer's focus in this quarter has been on multiple grant applications and RFPs for the 4 Modernization Phase 2 grants that were awarded.

### **Taxes**

The Tax Clerk sent out the first three sets of supplemental bills in the third quarter totaling \$497,286, of which the Town's share was \$196,292.

### **Information Technology**

#### July

Editing, uploading and archiving all Town Advisory Committee meetings from the Zoom application into Pelham's YouTube channel.

Noratek Building permit on-line portal module. Permit applications can be submitted online through the City Reporter Portal, which will then allow applicants to track their application through the process, and review their application history. Applicants will also receive automatic emails each time an application is returned, approved or declined.

Installed and mounted digital signage for second floor building/planning department. The media content is streamed via LSquared software, which is also used for digital signage at MCC.

#### August

Installation and configuration of MCC Serverly ACTIVENet Workstation with tap functionality. The remaining two ACTIVENet workstations at the MCC have also been converted to tap enabled workstations.

Planning additional upgrade to our Council Chamber technology for audio/video services. Additional programming will include the ability to override active speaker microphone and allow for a dual split screen presentation. Thus, when the Town

does have a hybrid-meeting scenario, the livestream will be able to show the Zoom participants and the participants in Council Chambers via the live camera switching. Upgrade to system is expected to be completed by middle-end of October.

### September

Replacement of current Town Hall main core router to a Cisco NID (Network Interface Device). A NID provides the demarcation point between the internet fiber network and the Town's internal network. Since we have now removed and replaced the aging router, we have eliminated another potential point of failure in our networking topology. Additional upgrade is expected to be completed by the end of September in order to allow for an increase in bandwidth for our Town Hall, MCC and Firehall Station 1.

Installation of backup generator (Capital project 2019) has been partially completed on Friday, September 10. The generator is mainly providing backup electrical services to our Town Hall server room. This will ensure that all network services (internal/external) will remain online during a power outage. On Tuesday, September 14, Town Hall did experience a power outage for approximately 3.5 hours between the hours of 9:00am – 12:30pm. The generator was functioning as expected, by providing server access and internet services to Town Hall, MCC, Tice Road and Firehall Station 1. Remote workers will still be able to continue working off-site.

### **Accounts Payable**

Accounts Payable is actively engaged in weekly meetings with the LEAN review team and F.H. Black in an effort to continue to innovate, improve and assist with implementing more efficient Accounts Payable and Purchasing processes for all staff. Meetings with F.H. Black have focused on the potential to automate processes in the Corporate Services Department.

### **Water**

The Water Department arranged for 130 meter replacements for non-functioning meters, which were completed by the Public Works Department in the most recent meter replacement notifications. There were 189 repair notices mailed out. The estimated usage and new meter information is then processed by the water clerk for each account. This has had a positive impact on clearing the backlog created by COVID-19 shutdowns.

## **Employee Updates:**

The Staff Accountant and Payroll Clerk completed his Bachelor of Business Administration in Accounting with Honours from Laurentian University. He is now working towards his CPA designation.

The Manager Financial Services and Deputy Treasurer completed the AMCTO-Ivey Executive Municipal Leadership program.

The IT Manager attended three online Cyber webinars presented by the Ministry of Government and Consumer Services Cyber Security Division. They shared the latest updates and advice on cyber security threats and topics of interest to the community.

The Fixed Asset Accountant left on July 2, 2021 for a position at the City of Kitchener.

The Tax Clerk started on August 2, 2021 as the Fixed Asset Accountant. She has a Bachelor of Business Administration (Concentration in Accounting), and has also completed the Municipal Administration Program through AMCTO, The Municipal Tax Administration Program at Seneca College, and has been working towards the CPA designation over the last two years. This position's title has now changed to Financial Analyst.

Emily Hope started on July 26, 2021 as the Revenue Analyst. Emily has a Bachelor of Accounting degree with Honours from Brock University and private sector industry experience.

Zain Elias started on September 17, 2021 as the Tax Clerk. Zain has a Bachelor of Science in Economics and Management and is a Chartered Professional Accountant. He has experience working with KPMG as their Supervisory Senior Consultant in the Internal Audit, Risk and Compliance Services Department.

Jacquie Miller who was the part-time Revenue Analyst (from November 16, 2020 to July 23, 2021) and Part-time Corporate Services Administrative Assistant (July 2021), is working 2 days a week supporting the Clerk's department filling in for their Legislative and Committee Coordinator vacancy; and 3 days a week in Corporate Services working on the department's records management.

## Grants, Concerns, RFPs, Agreements:

In Q3, the following is a list of grants that the Town has applied for, been approved for, and those for which the Town has received funding.

Applied For	Grant	Amount
Investing in Canada Infrastructure Program: Green Infrastructure Stream 2021 Intake. Total project cost is \$3,500,000.	Replace 3,000m of cast iron water main: Canboro Rd to Haist St to Pelham Rd	Federal 40.63% for \$1,400,000 Provincial 33.3% for \$1,166,500 Town 26.07% for \$933,450
Canada Community Revitalization Fund Total project cost is \$269,000.	Replace tennis courts at Centennial Park	Grant portion is 75% for \$201,750 Town portion is \$67,250
Canada Community Revitalization Fund Total project cost is \$1,210,000	Community Event Space at Peace Park	Grant is for \$750,000 Town portion is \$460,000
Green and Inclusive Community Buildings Grant Total project cost is \$9,500,000	New library at the Meridian Community Centre, replacing Fonthill Library	Grant is 60% for \$5,400,000 Town portion is \$4,100,000 to be covered by Fonthill Library building sale, Development Charges and Fundraising
Ontario Trillium Foundation: Community Building Fund Capital Stream Total project cost of \$480,000	6 new pickleball courts and resurfacing of the multi-purpose court at Centennial Park	Grant is funding 100% of the project for \$480,000
Senior Active Living Centre 2021-2022 grant	Senior Hub at the MCC	\$42,700
Approved For	Grant	Amount
Ministry of Heritage, Sport, Tourism and Culture Industries: Reconnect Festival and Events Program	Summer Chill Series	\$26,385
Ministry of Heritage, Sport, Tourism and Culture Industries: Reconnect Festival and Events Program	Christmas in Pelham, including parade	\$10,000
Canada Community Building Fund (formally Federal Gas Tax Grant)	2021 doubling of the grant (to be applied to 2022 capital projects)	\$521,661



Grants Denied	Grant	Amount
FCC – Farm Credit Canada AgriSpirit Grant	Digital Pagers for Volunteer Fire Department	\$25,000

## Current Bids and Tenders

<b>Invitation to Bid# 2021-CS-05 – Audit Services</b>		
<b><u>Bidders</u></b>	<b><u>Amount</u></b>	
MNP LLP	\$228,900	Evaluation Score 74/100
Antares Professional Corporation	\$426,500	Evaluation Score 46/100
KPMG LLP	\$240,000	Evaluation Score 82/100
Grant Thornton (Canada) LLP	\$202,500	Evaluation Score 80/100
Deloitte LLP	\$192,200	Evaluation Score 90/100
<b>Award is to Deloitte LLP with a contract value of \$192,200. Evaluation Score 90/100 approved through Council.</b>		
<b>Invitation to Bid# 2021-PW-06 – Roadside Ditching Program 2021</b>		
<b>Original Budget: RD 12-21 \$71,600 (Balance from RD 02-20)</b>		
<b><u>Bidders</u></b>	<b><u>Amount</u></b>	
CRL Campbell Construction & Drainage LTD	\$73,900	
Anthony's Excavating Central Inc.	\$113,750	
<b>Award is to CRL Campbell Construction &amp; Drainage LTD with a contract value of \$73,900.</b>		
<b>Invitation to Bid# 2021-PW-08 – Engineering Services for the Design of Station Street, Clare Avenue, and Park Lane, Watermain Replacement</b>		
<b>Original Budget: WTR 03-21 \$250,000</b>		
<b><u>Bidders</u></b>	<b><u>Amount</u></b>	
Associated Engineering (Ont.) Ltd.	\$143,241	Evaluation Score 87/100
Metropolitan Consulting Inc.	\$110,330	Evaluation Score 76/100
MTE Consultants Inc.	\$105,785	Evaluation Score 80/100
Kerry T. Howe Engineering Limited	\$69,500	Evaluation Score 97/100
<b>Award is to Kerry T. Howe Engineering Limited with a contract value of \$69,500. Evaluation Score of 97/100.</b>		
<b>Invitation to Bid# 2021-CS-07 – Review and Analyze Corporate Services Functions, Modernization Grant Project</b>		
<b>Original Budget: \$143,500</b>		
<b><u>Bidders</u></b>	<b><u>Amount</u></b>	
Blackline Consulting	\$47,700	Evaluation Score 89/120
KPMG LLP	\$125,000	Evaluation Score 80/120
F.H. Black & Company Incorporation	\$142,000	Evaluation Score 95/120
<b>Award is to F.H. Black &amp; Company Incorporation with a contract value of \$142,000. Evaluation Score of 95/120.</b>		
<b>Invitation to Bid# 2021-CS-08-2 – Digitize Human Resources Performance Management System</b>		
<b><u>Bidders</u></b>	<b><u>Amount</u></b>	
HR Strategies Consulting Inc.	\$20,110	Evaluation Score 82/100

SP Maloney Corp  
MyMatchWork Inc.

\$49,000 Evaluation Score 60/100  
\$130,725 Evaluation Score 40/100

**Award is to HR Strategies Consulting Inc. with a contract value of \$20,110. Evaluation Score of 82/100.**

**Meetings:**

Pelham Finance and Audit Committee

F.H. Black

Questica

Deloitte

Marmak

Lincoln/Pelham Library Integration Meeting



ADR

CHAMBERS

Integrity Commissioner Office  
for the Town of Pelham

DEBORAH A. ANSCHELL  
Integrity Commissioner by Delegation  
Town of Pelham

August 18, 2021

Sent by email to:

Holly Willford, Town Clerk  
Town of Pelham  
[hwillford@pellham.ca](mailto:hwillford@pellham.ca)

**Re: Complaint IC– 12626-0221**

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Dear Ms. Willford:

On April 5, 2021, Edward T. McDermott, in his capacity as Integrity Commissioner for the Town of Pelham, delegated to me all of his powers and duties as Integrity Commissioner to independently inquire into, investigate, and, if warranted, prepare a report with respect to the Complaint referenced above (the “Complaint”), pursuant to section 223.3 (3) of the *Municipal Act, 2001*.

Please be advised that I have completed my investigation into the Complaint and I have determined that no contravention of the Town of Pelham’s Code of Conduct was committed by the Member of Council with respect to the matters raised in the Complaint.

A copy of my Report was provided to the Complainant and the Member of Council on August 17, 2021.

This matter is accordingly now concluded and we are proceeding to close our file.

Yours very truly,

A handwritten signature in blue ink, appearing to read "D. Anschell". The signature is written in a cursive, flowing style.

Deborah A. Anschell  
Integrity Commissioner by Delegation  
Town of Pelham

**From:** Andrea Navin Johnson [REDACTED]

**Sent:** Sunday, October 3, 2021 9:17 PM

**To:** Ron Kore <[RKore@pelham.ca](mailto:RKore@pelham.ca)>; John Wink <[JWink@pelham.ca](mailto:JWink@pelham.ca)>; Marvin Junkin <[MJunkin@pelham.ca](mailto:MJunkin@pelham.ca)>; Sarah Leach <[SLeach@pelham.ca](mailto:SLeach@pelham.ca)>; Barbara Wiens <[BWiens@pelham.ca](mailto:BWiens@pelham.ca)>

**Subject:** Council Meeting - October 4, 2021- Concerns about "Supporting a Steve Bauer Trail Road Crossing"

Good Evening Mr. Mayor, Mr Kore, and Mr. Wink,

I am writing to you as my mayor and as my ward councilors to express my concerns about the request from the *Turkstra Mazza delegation* for an exemption to the council's January 11, 2021 Council Trail System Resolution (Source: [October 4, 2021 Council Meeting Agenda](#)).

I have been a resident of Fonthill since 2009, and one of the reasons I moved to Pelham is because of its rural character, its abundance of green space, and its network of trails. I use the Steve Bauer Trail often, and am especially pleased to see the increased usage of the trail since it was paved.

That is why tomorrow's request from the *Turkstra Mazza delegation* is of great concern to me.

According to the [Town of Pelham Website](#), we have 572 km of roads, 64 km of sidewalks, and just 2.1 km of paved walking trails.

Roads, Mr. Mayor, Mr Kore, and Mr. Wink, are clearly not in short supply in our town.

But trails are rare, and once they are gone, we are never getting them back.

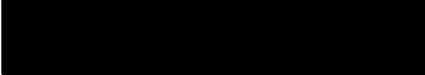
I have reviewed the delegation proposal in detail, and I am concerned as to why the residents of Pelham, both current and future, have to sacrifice so much when the developers of this project are sacrificing nothing.

The trail was built in the 1990s, while according to publically available information this property was acquired by Sterling Reality in 2012. The existence of this trail is not new and, with all due respect, the developers of this project have had ample time to consider all aspects of EMS access and the road network within their existing subdivision design.

If they have overlooked those factors in their site plan, then that is their oversight alone to fix- it should not mean sacrificing the limited amount of trails we have in our beautiful town.

With all of these factors in mind, I urge you, as representatives of the residents of the Town of Pelham, to deny this request for an exemption and to unequivocally deny the request for the approval of a by-law to deem a portion of Steve Bauer Trail a public highway.

Andrea Johnson



CC: Sarah Leach, Deputy Clerk, Town of Pelham; Barb Wiens, Director of Community Planning and Development.



## NIAGARA POVERTY REDUCTION NETWORK

October 5, 2021

To: Fort Erie Council  
Grimsby Council  
Lincoln Council  
Niagara Falls Council  
Niagara-on-the-Lake Council  
Pelham Council  
Port Colborne Council  
St. Catharines Council  
Thorold Council  
Wainfleet Council  
Welland Council  
West Lincoln Council  
Niagara Regional Council

Cc: Wayne Gates, Niagara Falls MPP  
Jennie Stevens, St. Catharines MPP  
Jeff Burch, Niagara Centre MPP  
Sam Oosterhoff, Niagara West MPP  
Tony Baldinelli, Niagara Falls MP  
Chris Bittle, St. Catharines MP  
Vance Badawey, Niagara Centre MP  
Dean Allison, Niagara West MP

To the members of our Niagara municipal councils (cc'ing our provincial and federal representatives):

We are writing on behalf of the Niagara Poverty Reduction Network (NPRN) in order to share some feedback regarding the inter-municipal Moving Transit Forward plan that our councils will be reviewing and voting on this fall. NPRN is a collective of over 30 agencies and individuals working to wipe out poverty in Niagara through education, collaboration, and advocacy to address poverty's root causes. Our vision is for all Niagara residents to live above the poverty line, which can be achieved through our mission of Niagara residents, businesses and organizations working together to improve the quality of life in Niagara.

We appreciate your consideration of our concerns. In an acute way, we recognize that investment in Niagara transit needs to come from provincial and federal governments just as much or more than from our over-burdened municipalities. In light of this, we are particularly grateful for our councils' leadership on the relevant file. Our MPPs

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NIAGARA POVERTY REDUCTION NETWORK

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

c/o United Way Niagara

63 Church St, Suite LC1, St. Catharines, ON L2R 3C4 email: [info@wipeoutpoverty.ca](mailto:info@wipeoutpoverty.ca)



## NIAGARA POVERTY REDUCTION NETWORK

and MPs are cc'd on this letter in order to also inform them of our concerns, and in hopes of hearing their feedback and relevant plans.

Thank you for the years of thought and consultation that you have put into the vital policy debate tied to the Moving Transit Forward plan. Thank you as well for your careful work in developing the plan's various pieces.

Re: Moving Transit Forward Service Plan, Financing, and Governance

The Moving Transit Forward model of improving transit through uploading, i.e. the Region uploading the existing lower-tier transit systems and combining them with the existing Regional system, is one that makes eminent sense to us, as this will improve coordination of our municipalities' scarce transit resources. We thus fully support the plan's core principle of funding transit through the Regional levy.

However, we are concerned by a principle simultaneously enshrined in the current version of Moving Transit Forward, to the effect that taxpayers in the lower tier municipalities are only to pay for the transit that their individual municipalities receive. This will severely limit the available municipal funds for transit expansion and improvement. The proposed rule will decrease the willingness of taxpayers both in the municipalities that currently use transit more and in the municipalities that currently use transit less from supporting significant new investment.

We thus urge you to consider a more collaborative financing model, pursuant to which higher-income Niagara municipalities agree to pay more for transit that their citizens are not currently using – so as to support our impoverished neighbours across the peninsula in a civic way, but also so as to encourage more transit and ridership within our higher-income communities, as taxpayers demand rightly demand better access to the transit that they pay for.

Our hope is that this direction will be fostered by the proposed Moving Transit Forward governance plan, which rightly enshrines a principle of representation from all municipalities on the regional transit governance body. Simultaneously, given the high economic and social stakes of transit policy, our hope is that councils' concerns about the exact appropriate structure of power-sharing within the governance model will not unduly delay the plan's implementation.

We appreciate the plan's proposal of a citizen advisory body within the transit governance model, separate from the primary governance committee. However, we urge you to incorporate citizens into the primary table, rather than leaving them out. This inclusion will permit our transit governance table to draw on the deep well of talent and goodwill among our communities' potential volunteers, and to leverage the lived experience of regular transit riders.

### Transit and Intersectional Poverty Reduction

From an anti-poverty perspective, we strongly support the coordination of additional investment into transit for Niagara by all three levels of government, aimed at improving transit accessibility, availability, and quality. It is of course central to our analysis that transit is currently more used people in Niagara living in poverty than by non-impovertised people.

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NIAGARA POVERTY REDUCTION NETWORK

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## NIAGARA POVERTY REDUCTION NETWORK

Disproportionate ridership among people living in poverty flows from the reality that many people living in poverty cannot afford a car and/or gas (notwithstanding the fact that a car is generally essential in order to live anywhere in Niagara, even including the peninsula's denser/more urban areas).

As you know, better transit is key to developing our regional economy as a whole and to linking people to jobs. But our status quo in Niagara is insufficient transit (at both the lower tier/local and peninsular inter-municipal levels) and insufficiently coordinated transit (between our lower and upper tiers). The result is too many people unable to get to work opportunities in a reasonable amount of time, and/or simply unable to get to work opportunities at all.

The economic fall-out of this problem is of course felt most keenly by the low-income families and individuals who most rely on transit. Significantly, we note that the fall-out is intersectional: Indigenous, racialized, female, LGBTQ2S+, and/or disabled Niagarans are more likely to be impoverished than white, male, and/or cisgender Niagarans, due to systemic bigotry, and thus rely more on transit. On many levels, then, the Moving Transit Forward plan is justified from the perspective of human rights.

### Transit and Public Health

Better transit is also important from the perspective of improving local health, for all people. In order to get to transit, people have to walk – a small but significant benefit. More use of transit would also be good from the perspective of decreasing emissions from our cars and slowing climate change – developments that would have positive implications for public health. Further, using transit is good from the perspective of mental health. It is certainly less stressful to travel by bus or train, than to drive on our increasingly congested roads.

### Transit Improvement: A Positive Feedback Loop

It was observed at our NPRN Roundtable that it will be vital, precisely from an anti-poverty perspective, for our councils to develop Moving Transit Forward as a plan to make transit more appealing to people of all income levels. In reality and in public perception, transit in Niagara is currently a mode of transportation mostly for the impoverished. While the inconvenience and frequent non-availability of Niagara transit is the primary reason why higher-income people use Niagara transit much less frequently, the brand and image of Niagara transit as "the mode of the impoverished" are also a factor.

In a negative, circular way, the current result of this systemic discouragement of higher-income riders is less investment in Niagara transit, by all levels of government. Higher-income taxpayers are less likely to support investment in systems that they do not use and do not see themselves or their children using in the future. In order for Moving Transit Forward to be truly successful, then, it will have to improve the brand and image of transit. The way to achieve this (now in a positive, circular way) is to be more available and more coordinated.

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## NIAGARA POVERTY REDUCTION NETWORK

Investment to achieve the necessary next stages of improvement will thus require courage and foresight on your part as council members. We are thus particularly grateful for your consideration. In light of the above, we add only that, as transit improves through the investments that you are contemplating, more taxpayers of all income levels will be able to use transit. Public support for even more investment in transit from all three levels of government will thus grow too. We urge you to embrace this positive, cascading effect.

More taxpayers across Niagara support significantly better funded and coordinated transit than is widely known. It is our privilege to speak for some of those citizens through this letter. We are grateful to you for considering their priorities.

Thank you to all of you for your leadership in these challenging, unprecedented days. The fact that our councils are prioritizing discussion of how to improve transit, as part of our pandemic recovery, is a cause for real celebration and hope.

Please feel free to reach out to NPRN regarding any aspect of this letter. We look forward to your feedback.

Best,

Aidan Johnson  
(they/them/Mx)  
Chair, Niagara Poverty Reduction Network

Jennifer Gauthier  
(she/her/Ms)  
Vice-Chair, Niagara Poverty Reduction Network

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## NIAGARA POVERTY REDUCTION NETWORK

### **NPRN Member Organizations:**

Alzheimer Society of Niagara

Ample Labs

Bethlehem Housing and Support Services

CARP Niagara

Community Care of West Niagara

Community Care of St. Catharines

Credit Canada Debt Solutions

Cultivating Hope Foundation

District School Board of Niagara

ETFO Niagara Occasional Teachers

Goodwill Niagara

John Howard Society of Niagara

Niagara Catholic District School Board

Niagara College

Niagara Community Foundation

Niagara Community Legal Clinic

Niagara Falls Community Health Centre

Niagara Furniture Bank

Niagara Region Anti-Racism Association

Positive Living Niagara

Salvation Army Fort Erie

Social Justice Research Institute, Brock University

Start Me Up Niagara

St. Barnabus Anglican Church

Town of Fort Erie

United Way Niagara

Welland Public Library

Women's Place of South Niagara

YMCA

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NIAGARA POVERTY REDUCTION NETWORK

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# Township of Wainfleet

*"Wainfleet - find your country side!"*

October 8, 2021

**SENT ELECTRONICALLY**

City of Port Colborne Clerk – Amber LaPointe  
[cityclerk@portcolborne.ca](mailto:cityclerk@portcolborne.ca)

Town of Pelham Clerk – Holly Willford  
[hwillford@pelham.ca](mailto:hwillford@pelham.ca)

City of Welland Clerk  
[tara.stephens@welland.ca](mailto:tara.stephens@welland.ca)

**RE: City of Welland Correspondence – Niagara Central Dorothy Rungeling Airport Commission Proposal for Loan**

Please be advised that at its meeting of October 5, 2021, the Council of the Corporation of the Township of Wainfleet approved the following resolution:

**“THAT** Correspondence item C-296-2021 respecting a motion passed by the City of Welland approving the proposal for a loan to the Niagara Central Dorothy Rungeling Airport Commission for construction of 10 T hangars be received; and

**THAT** Council endorse the loan proposal from the Niagara Central Dorothy Rungeling Airport Commission as listed in the correspondence; and

**THAT** a business case be presented to the Township of Wainfleet, prior to obtaining the funds from Welland.”

**CARRIED**

Thank you for your attention to this matter. If you have any questions, please do not hesitate to contact the undersigned.

Regards,

Meredith Ciuffetelli  
Deputy Clerk

## **Board of Directors Meeting Highlights – September 17<sup>th</sup>, 2021**

On Friday September 17<sup>th</sup>, 2021, the Board of Directors of the Niagara Peninsula Conservation Authority (NPCA) held its regular monthly meeting electronically. Highlights from the meeting included:

### **2021 Ducks Unlimited Canada Wetland Restoration Partnership**

The Board of Directors approved the 2021 Memorandum of Agreement between Ducks Unlimited Canada (DUC) and the NPCA. Assistance from DUC will allow the NPCA to leverage funds and organizational capacity for financial efficiencies, collective impact and enhanced outcomes when implementing wetland restoration projects.

The Memorandum of Agreement will include seven (7) proposed wetland restoration projects for 2021 that will restore approximately 2.3 ha of wetlands located within the Niagara Region. DUC will contribute up to \$43,300 to the seven (7) proposed projects and the NPCA will contribute an estimated \$60,000 to the projects.

### **2023 NPCA Wedding Facilities Rates**

The Board approved of the Proposed 2023 Wedding Fee structure and schedule for Ball's Falls Conservation Area, as well as facilities at Binbrook, Chippawa Creek and Long Beach Conservation Areas. The approved changes would enact a minor cost increase in venue rentals and set-up costs at Ball's Falls Conservation Area and for pavilion receptions at Binbrook, Long Beach and Chippawa Creek Conservation Areas.

### **Niagara Peninsula Aspiring Global Geopark Memorandum of Understanding**

The Board of Directors was provided an update on the Niagara Peninsula Aspiring Geopark (NPAGG) and approved of a three-year term Memorandum of Understanding (MOU) between NPAGG and NPCA. The MOU grants an NPCA staff member a seat on the NPAGG board that will encourage active participation and inclusion in geopark planning and operations as well a commitment to collaborative projects. The approval of this MOU and partnership is both timely and appropriate, as the NPCA initiates operations under a new strategic plan with a goal to forge strategic partnerships.

### **COVID-19 Vaccination Policy**

Following suit with resolutions passed by the Regional Municipality of Niagara and the City of Hamilton, the Board of Directors approved of the formation and implementation of an NPCA policy on mandatory vaccinations for NPCA staff. The NPCA COVID-19 Vaccination Policy will enhance our commitments to protecting the health and safety of NPCA staff, board and various stakeholders.

Upon development of a COVID-19 vaccination policy, consultation will be held with relevant stakeholders including the NPCA Joint Occupational Health and Safety Committee and the local Union Leadership. The policy will apply to all staff, regardless of work location and/or role, and all staff will be educated on the policy and procedure.

## **2022 Operating and Capital Budget Assumptions**

The Board of Directors approved the use of 2022 Operating and Capital Budget assumptions for use in the development of the 2022 Draft Budget for consultation and submission to municipal partners. Many factors such as: cost of living adjustments, inflation, operational impact of the COVID-19 pandemic and implications of Bill 229 were considered in the formation of assumptions.

## **Banking Policy and Investment Policy Approvals**

The Board approved a formal Banking Policy to establish procedures and practices that ensure fiscally responsible and sound management of the organization's financial resources. The objective of the policy is to set goals and objectives to ensure appropriate stewardship of NPCA's cash and financial assets.

The Board also established an Investment Policy to govern the management of surplus funds and the investment portfolio of the Niagara Peninsula Conservation Authority (NPCA). This policy applies to the investment activities of the NPCA revenue funds, idle cash, reserves and funds held in trust.

## **Contract Award Update - Binbrook Conservation Area Septic System**

The Board of Directors received an update on the capital contract award to Montague Construction Ltd. for the construction of a septic system at Binbrook Conservation Area in the amount of \$910,000 plus HST. The capital disbursement also included a 10% contingency in the amount of \$91,000, for a total capital project approval of \$1.001M plus HST.

## **Links to Agendas, Minutes and Video:**

<https://npca.ca/administration/board-meetings>

September 24, 2021

**CL 18-2021, September 23, 2021**

Hon. Caroline Mulroney  
Minister of Transportation  
Ministry of Transportation  
5th Flr, 777 Bay St,  
Toronto, ON M7A 1Z8

***SENT ELECTRONICALLY***

**Re: Request to Review and Amend Section 128 (Rate of Speed) of the Highway Traffic Act**

Regional Council, at its meeting held on September 23, 2021, passed the following motion:

WHEREAS street design for safe driving behaviour, which includes features such as narrow lane widths, is the most important factor in creating safe streets, but lowering vehicle speeds is another important tool to improve road safety; and

WHEREAS pedestrian and cyclist fatalities increase as vehicle speed goes up and research studies have found that higher speed leads to more collisions involving children, who are more often injured in pedestrian and cycling injuries and casualties and that children are usually injured mid-block, often on residential streets, and in front of their home or a park; and

WHEREAS municipal, provincial, state, and federal governments across North America have invested in active transportation, complete streets design, and healthy community initiatives which has resulted in an increased number of pedestrians and cyclists that need to coexist with vehicles on roads, placing more pressure on setting appropriate speed limits; and

WHEREAS several municipalities across North America, including Edmonton, Toronto, Seattle, Portland, New York and hundreds of others, have reduced speed limits on local roads.

NOW THEREFORE BE IT RESOLVED:

1. That the Region of Niagara **SUPPORT** the motion brought forward by the City of St. Catharines and request the province (Ministry of Transportation Ontario) to review and amend Section 128 (Rate of Speed) of the Highway Traffic Act to adopt Vision Zero principles and reduce the statutory speed limit on a highway within a local municipality or within a built-up area from 50 kilometres per hour to 40 kilometres per hour; and

2. That this motion **BE CIRCULATED** to the local area municipalities.

Yours truly,



Ann-Marie Norio  
Regional Clerk

CLK-C 2021-151

cc: Local Area Municipalities  
Association of Municipalities of Ontario



September 24, 2021

**CL 18-2021, September 23, 2021**

**LOCAL AREA MUNICIPALITIES  
NIAGARA PENINSULA CONSERVATION AUTHORITY  
NIAGARA REGIONAL POLICE SERVICE**

**SENT ELECTRONICALLY**

**Re: Report CAO 15-2021 – Updated Land Acknowledgement Statements**

Regional Council, at its meeting held on September 23, 2021, passed the following motion:

That Report CAO 15-2021, dated August 26, 2021, respecting Updated Land Acknowledgement Statements, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That the short, long and documents versions of Land Acknowledgement Statements outlined in Report CAO 15-2021 **BE APPROVED** and that the short version be recited at Council and Committee meetings on a go forward basis;
2. That the Region's Land Acknowledgement Statements **BE REVIEWED** and updated as new understandings of treaties and agreements in the Niagara Region evolve; and
3. That this report **BE SHARED** by the Regional Clerk with Local Area Municipalities, the Niagara Peninsula Conservation Authority and Niagara Regional Police Service.

A copy of Report CAO 15-2021 is attached for your reference.

Yours truly,

A handwritten signature in black ink, appearing to read "Ann-Marie Norio".

Ann-Marie Norio  
Regional Clerk

CLK-C 2021-151

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**Subject:** Updated Land Acknowledgement Statements

**Report to:** Regional Council

**Report date:** Thursday, August 26, 2021

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## Recommendations

1. That the short, long and documents versions of Land Acknowledgement Statements outlined in Report CAO 15-2021 **BE APPROVED** and that the short version be recited at Council and Committee meetings on a go forward basis;
2. That the Region's Land Acknowledgement Statements **BE REVIEWED** and updated as new understandings of treaties and agreements in the Niagara Region evolve; and
3. That this report **BE SHARED** by the Regional Clerk with Local Area Municipalities.

## Key Facts

- Land Acknowledgement Statements are increasingly being used as a practice of reconciliation aimed at recognizing the traditional or treaty territories of Indigenous peoples. The statements are typically made at the introduction of meetings, gatherings, events, or presentations
- Various versions of a Land Acknowledgement are currently in use by the Local Area Municipalities and the Region
- At the request of community members and the Local Area Municipalities, and as one step in demonstrating the Region's commitment to advancing the recommendations in the Creating our Way Forward Indigenous Engagement report (<https://www.niagararegion.ca/health/equity>) and Niagara's Community Safety and Well-Being Plan (<https://www.niagararegion.ca/projects/community-safety-well-being/>), a consultation was undertaken with multiple Indigenous organizations to develop an updated Land Acknowledgement for the Region
- There are diverse perspectives surrounding the treaties relevant to Niagara. Due to these complexities, there is not consensus among First Nations to the treaties and the historical details relevant to the proposed Land Acknowledgement
- It is proposed that the Region's Land Acknowledgement be reviewed and updated as new understandings of treaties and agreements in relation to the Niagara region evolve

- Staff have created three versions of the Land Acknowledgement for different purposes (long, short, and documents versions)

## **Financial Considerations**

There are no financial considerations associated with this report.

## **Analysis**

Traditional land acknowledgement statements are increasingly being used in Canada by governments, schools, post-secondary institutions, non-governmental organizations, and other civil institutions as a practice of reconciliation aimed at recognizing the traditional or treaty territories of Indigenous peoples. The statements are typically made at the introduction of meetings, gatherings, events, or presentations. Some are featured on organization websites or event description pages. Understanding and recognizing Indigenous history, and an individual's personal and ancestral relationship to this history, is the foundation of respect and reciprocity, which are the building blocks of reconciliation between settlers and First Nations.

Updating the Land Acknowledgement is one step among many that the Region has committed to as a means to improve local understanding and relationships with First Nations communities and those living off-reserve in Niagara. Additional events slated for this Fall will provide opportunities for senior-level staff, Regional Council and Local Area Municipal Councils to engage, learn, and work together with local Indigenous organizations and First Nation governments.

Through consultation with the Mississaugas of the Credit First Nation, Six Nations of the Grand River Elected Council, and leaders from the Niagara Indigenous Community Executives, staff have developed an updated Land Acknowledgement. The history of this land is complex and there are diverse perspectives surrounding the treaties. Due to these complexities, there is not consensus among First Nations to the treaties relevant in Niagara and the historical details relevant to the Land Acknowledgement.

The Land Acknowledgement is a dynamic, living document and should be reviewed on a regular basis as new understandings of treaties and agreements in relation to the Niagara Region evolve.

Feedback from Indigenous community members encourages any person reading or using an acknowledgement to take time to consider its content so that it is not

something that is said and forgotten, or checked off an agenda, but requires thought and intention. The statement should also be part of an integrated process of moving words to action by establishing meaningful relationships and a path towards reconciliation with First Nations, Métis, and Inuit people and organizations in the area.

Staff strongly recommend that everyone who uses a Land Acknowledgement receive locally relevant Indigenous Cultural Safety Training so that the terms, treaties, history, and Nations included become familiar and staff feel comfortable using it. Supports and reference material are being developed. Staff reading the Acknowledgement should practice the pronunciation of the Nations.<sup>1</sup>

### Proposed Land Acknowledgement

Staff have created three versions of the Land Acknowledgement for different purposes. The short version of the Acknowledgement was designed to fit on a presentation slide and would be used by Niagara Regional Council and related Committee meetings and events. This can be used for official openings, large public gatherings, and at any event when a prominent Indigenous person (Chief or Band Councillor), or political representative of the Provincial or Federal government is present. The long version has more details and can be read at the beginning of other meetings, presentations, or gatherings where you would like to provide a bit more context. The document option is the most direct and can be used in written documents (such as strategies, engagement reports, etc), job postings, newsletters, training sessions, websites, and in email signatures.

### Long version

As we take a moment today to reflect on the importance of the land on which we gather, our provider and sustainer, we look to understand the history of the land. Niagara Region is situated on treaty land. These lands are steeped in the rich history of the First Nations such as the Hatiwendaronk, the Haudenosaunee, and the Anishinaabe, including the Mississaugas of the Credit First Nation.

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<sup>1</sup> You can watch a video on how to pronounce Anishinaabe here, <https://www.youtube.com/watch?v=RHFqWyZQ4T0>. You can watch a video on how to pronounce Haudenosaunee here, <https://www.youtube.com/watch?v=jKV9u-pEevk>

Intended to guide the relationship between the First Nations and Europeans, the Two Row Wampum is an important symbol of everlasting equality, peace, and friendship. It remains the foundation upon which Canada was built, and we recognize that this mutually respectful relationship between nations is essential for reconciliation today.

There are many First Nations, Métis, and Inuit people from across Turtle Island that live and work in Niagara today. The Regional Municipality of Niagara stands with all Indigenous people, past and present, in promoting the wise stewardship of the lands on which we live. We recognize that we must do more to learn about the history and current situation of Indigenous people. This will help us better understand our roles and take responsibility towards reconciliation as treaty people, residents, and caretakers.

#### Short version

Niagara Region is situated on treaty land. This land is steeped in the rich history of the First Nations such as the Hatiwendaronk (Hat-i-wen-DA-ronk), the Haudenosaunee (Hoe-den-no-SHOW-nee), and the Anishinaabe (Ah-nish-ih-NAH-bey), including the Mississaugas of the Credit First Nation. There are many First Nations, Métis, and Inuit people from across Turtle Island that live and work in Niagara today. The Regional Municipality of Niagara stands with all Indigenous people, past and present, in promoting the wise stewardship of the lands on which we live.

#### Documents

Niagara Region is situated on treaty land. This land has a rich history of First Nations such as the Hatiwendaronk, the Haudenosaunee, and the Anishinaabe, including the Mississaugas of the Credit First Nation. There are many First Nations, Métis, and Inuit people from across Turtle Island that live and work in Niagara today.

#### **Alternatives Reviewed**

Land Acknowledgements established by other municipalities that fall within the traditional territory of the respective First Nations were consulted to ensure consistency and accuracy of Indigenous history and language is reflected in the new Niagara Region Land Acknowledgement.

## Relationship to Council Strategic Priorities

The Land Acknowledgement relates to the strategic priority of Sustainable and Engaging Government by providing a statement that is supported by the local Indigenous community.

## Other Pertinent Reports

[CAO 12-2021](#) – Niagara's Community Safety and Well-Being Plan 2021-2025

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### Prepared by:

Cassandra Ogunniyi  
Diversity, Equity, and Inclusion Program  
Manager  
Corporate Strategy and Innovation

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### Recommended by:

Natalie Early  
Director  
Corporate Strategy and Innovation

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### Submitted by:

Ron Tripp, P.Eng.  
Acting Chief Administrative Officer

This report was prepared in consultation with Gina van den Burg, Government and Stakeholder Relations Specialist, and Michelle Johnston, Community Safety and Well-being Program Manager, Mississaugas of the Credit First Nation, Six Nations of the Grand River Elected Council, leaders from the Niagara Indigenous Community Executives, ASI Heritage Consultants, and reviewed by Ann-Marie Norio, Regional Clerk.

**Administration**

Office of the Regional Clerk

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

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

September 28, 2021

**CL 18-2021, September 23, 2021**

**PEDC 9-2021, September 15, 2021**

**PDS 36-2021, September 15, 2021**

**LOCAL AREA MUNICIPALITIES**

**SENT ELECTRONICALLY**

Consultation Response and Further Policy Development on Niagara Region Official Plan  
PDS 36-2021

Regional Council, at its meeting held on September 23, 2021, passed the following recommendations of its Planning and Economic Development Committee:

That Report PDS 36-2021, dated September 15, 2021, respecting  
Consultation Response and Further Policy Development, **BE RECEIVED**  
and **BE CIRCULATED** to the Local Area Municipalities.

A copy of PDS 36-2021 is enclosed for your reference.

Yours truly,



Ann-Marie Norio  
Regional Clerk

:cv

CLK-C 2021-154

cc: D. Heyworth, Official Plan Consultant, Planning and Development Services  
M. Sergi, Commissioner, Planning and Development Services  
N. Oakes, Executive Assistant, Planning and Development Services

## **MEMORANDUM**

**Subject: Update on NRT OnDemand Improvements**

**Date: October 12, 2021**

**To: Pelham Town Council**

**From: Matt Robinson, Director – GO Implementation Office**

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Further to the presentation provided at Pelham Town Council by Regional Staff at its meeting of August 23, 2021, this memo serves to provide further operational and customer service improvements both implemented and planned as part of the second year of the NRT OnDemand pilot program.

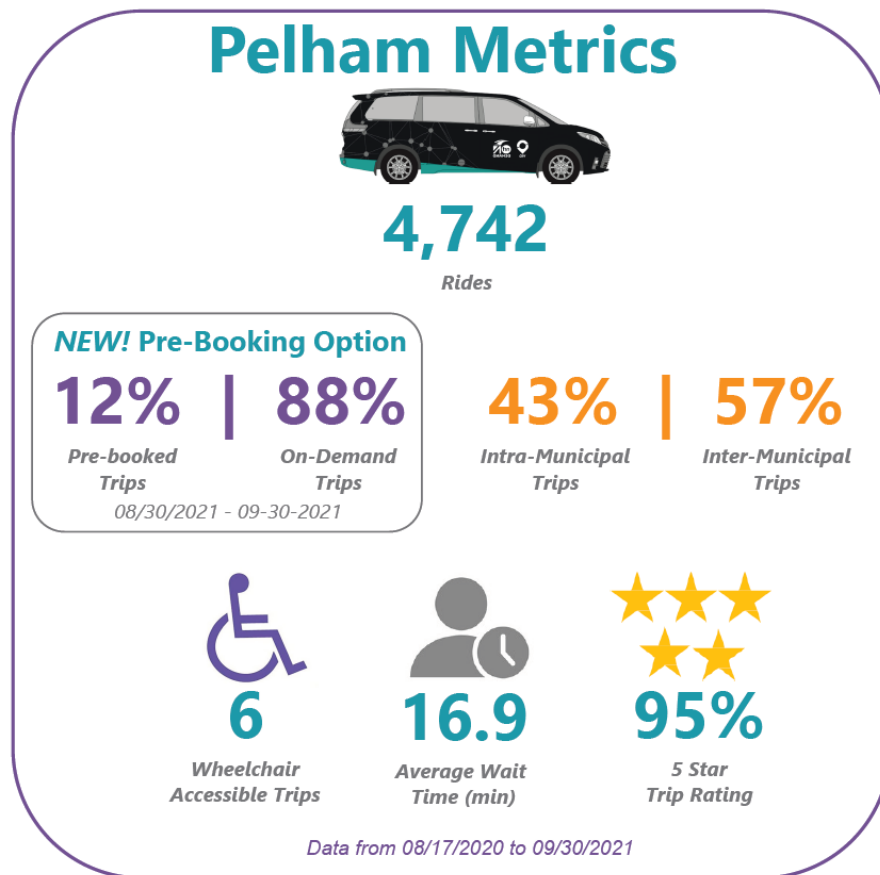
Concerns were raised by Councillors and Town staff related to the NRT OnDemand service and this shall serve to summarize those concerns and address each one in turn: either with a solution already in place, planned resolution, or indicate next steps.

### ***Current NRT OnDemand Service***

Launched August 2020 during the midst of the COVID-19 pandemic to replace the fixed route Pelham Transit system, NRT OnDemand has seen significant growth month over month during the first year of the pilot program. Figure 1 below outlines the key metrics associated with the NRT OnDemand service in Pelham. These include: utilization of the new prebooking feature; distribution of intra- versus inter-municipal trips; number of wheelchair accessible trips; an average wait time of 16.9 minutes; and a 95% 5-star trip rating from riders. When reviewing the metrics, it is important to note that not only does Pelham have the highest response rate, but it also has the highest satisfaction rate with the service – as Pelham has the greatest share of 5-star ratings than any other West Niagara municipality.

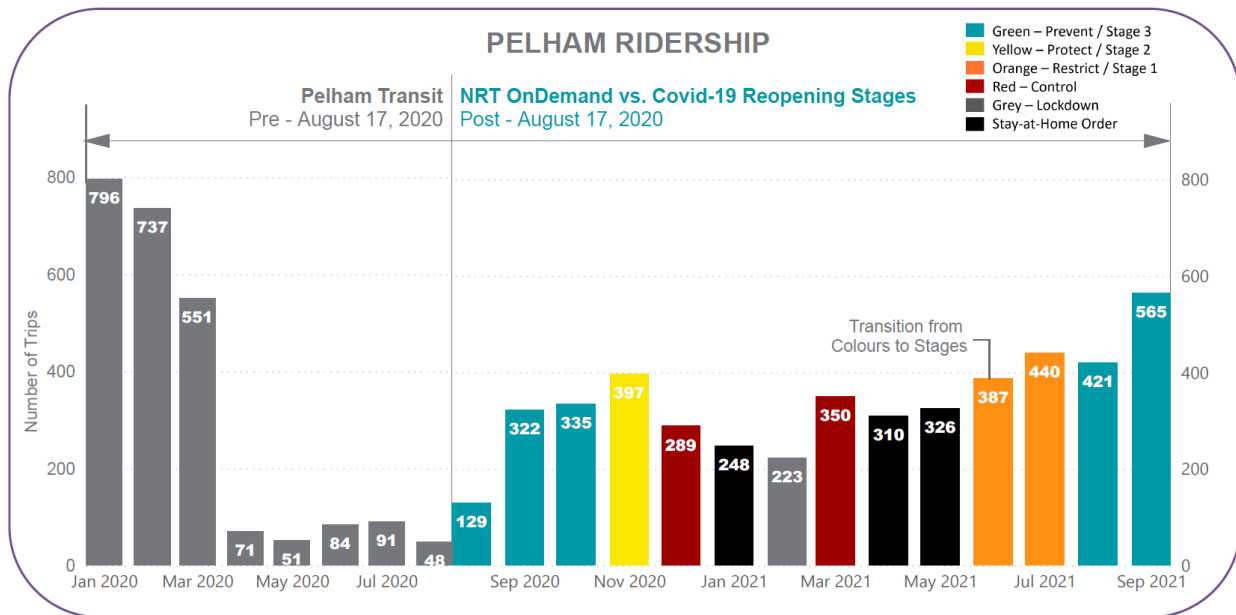


**Figure 1: Pelham Service Metrics**



In Pelham, NRT OnDemand provides full coverage of the entire municipality, allowing access to every resident. Although COVID-19 has brought significant challenges to transit service delivery, Figure 2 shows continuous growth in ridership within Pelham to almost pre-pandemic levels; with the greatest increase thus far between August 2021 and September 2021. With the fourth wave of COVID-19 flattening, the positive ridership trend will continue to increase, optimally reaching (or exceeding) pre-pandemic ridership sometime in 2022.

**Figure 2: Pelham Ridership**



The Town's annual investment of roughly \$178,000 (~\$78,000 levy + \$100,000 MTO Community Transportation Grant) has helped to provide roughly 3,500 of 36,000 hours worth of combined NRT OnDemand service annually. The annual cost to deliver NRT OnDemand services in the west Niagara service area is approximately \$2.6M.

### ***Continuous Operational Improvement***

As the service enters the second year of the two year pilot program, a number of operational and customer-focused improvements are planned as a result of feedback received by staff. Working alongside the service provider, NRT staff are continuously working to make the service better. The following table examines the largest concerns raised by Council and/or Town staff regarding operational improvements for NRT OnDemand and their subsequent solution:

Concern	Solution
Residents without cell phones unable to book return rides	<ul style="list-style-type: none"> <li>✓ Now enabling trip pre-booking (effective Sept. 7, 2021)</li> <li>✓ Planned trips to and from destinations can now be pre-booked the day before departure (up to 3 days in advance)</li> </ul>
Early morning (7am) wait times are increasing, negatively affecting pick-ups first thing as service starts	<ul style="list-style-type: none"> <li>✓ Implemented earlier deployment of vehicles (6:30 a.m. drivers now in-vehicle to arrive at pick up by 7:00 a.m.)</li> <li>✓ New trip pre-booking should also improve availability and provide confidence that your trip is secured</li> </ul>
Direct connections to Welland (Niagara College and Seaway Mall)	<ul style="list-style-type: none"> <li>✓ Medium-term - Barriers eliminated under consolidation</li> </ul>

The implementation of pre-booking is a direct result of customer and councillor feedback in Pelham and Niagara-on-the-Lake. The core objective of the NRT OnDemand pilot is to determine if the on-demand public transit model is the most effective way to serve the large geographic areas of rural municipalities with low population densities. Niagara Region continues to operate Niagara Specialized Transit (NST) concurrently during the NRT OnDemand pilot. NST solely uses a pre-booking system, however it should be noted that during a 2019 NST operational review, the elimination of the pre-booking requirement in favour of same day bookings (i.e. on-demand) was one of the most requested improvements of rider feedback. It is also worth noting that the overwhelming majority of NST trips are taken by seniors.

NRT OnDemand was launched in year one with exclusively on-demand ride requests (i.e. requests are immediately dispatched to the first available vehicle). In year two of the pilot, the program has combined the features and now delivers both on-demand and pre-booked trips. This is a major new feature that will increase the reliability of the service for some residents throughout the day. Trips can continue to be booked either on the phone or via the app. With the launch of the pre-booking feature at the beginning of September, staff saw a total of 211 prebooked trips for the month. Pelham residents accounted for 21.3% of those prebookings, the highest utilization of the new feature of any other service area. As such, this feature should eliminate some frustrations around bookings needed first thing in the morning or late at night. Additionally, it will benefit any riders not using a smartphone by allowing them to ensure there is a trip booked to get them back home.

Regional staff are aware of (and want to highlight) a number of risks and challenges associated with pre-booked trips. The first is that that pre-booked trips significantly reduce the ability to provide services on-demand. This is due to the fact that blocks of time need to be set aside where the pre-booked vehicle cannot be sent to deliver other

on-demand trips because it needs to remain close enough to deliver the pre-booked trip. Moreover, as pre-booking becomes more popular, there is a substantial risk that on-demand becomes wholly unreliable (without drastic changes or a significant investment to add more fleet) due to the vehicles being assigned to pre-booked trips. This could result in a significant increase in the number of passengers seeing the “No vehicle available” warning message, and their not being able to book a trip when they need it.

Another issue with pre-booked trips is the effect that canceled trips will have. Every canceled trip further exacerbates the issue listed previously and while staff will monitor the number of incidents, it is worth noting that despite internal efforts, canceled trips have remained an issue on NST since 2017-2018 when the ridership grew substantially. Additionally, pre-booking requires a 30 minute pickup window to ensure that riders are ready and available so as to help the service remain on time. The 30 minute window is actually made up of two 15 minute periods: one before and one after the requested pickup time. The 30 minute window is typical average for pre-booking services and exists on NST. While it can be reduced, it again comes at a cost of on-demand availability or additional funds to create a larger fleet of vehicles and/or vehicles with more seating.

Another factor that NST clients (who exclusively use pre-booking) have indicated is a challenge for them is trying to “time” their return trip. If they are going to a doctor’s appointment, it can be exceptionally challenging for seniors to properly identify, in advance, what time they need to be picked up. This results in a number of trips being missed by riders. While attempts will be made to dispatch another vehicle using the on-demand booking feature, it is not always possible due to the impacts of pre-booking identified above.

While it may seem from the aforementioned concerns that pre-booking causes more challenges than it solves, Regional staff wanted to ensure that it was implementing solutions to the feedback from residents and councillors while the service is still in a pilot and under evaluation. In all likelihood, providing both options for trip bookings will create a negative trend in the overall value of the service in terms of total trips delivered for money spent. It will be important for all Councils to consider the value that the service brings to its constituents of all demographics when and if a renewal is sought.

The second area of concern relates to availability of vehicles for the early morning start times. NRT OnDemand service runs from 7:00 a.m.-10:00 p.m. Users needing to be picked up at 7:00 a.m. were finding it difficult to book rides prior to that time for a 7:00 a.m. pickup. To address this, earlier deployment of vehicles has been implemented with the service provider to ensure that more 7:00 a.m. pickups are able to be accommodated. It should be noted that the number of 7:00 a.m. trips that can be picked up is a function of the number of vehicles deployed, as any one vehicle can only be at a single location at a given time. This adjustment has been done at the Region’s cost, as driver’s need to now arrive earlier for their shifts. Unfortunately with NRT On-Demand

vehicles no longer able use the Meridian Community Centre as its vehicle depot, the new location at the Grimsby Peach King Centre is much less centrally located. While this change has improved the wait times in Grimsby, it has somewhat offset the improvements in Pelham as vehicles now need to travel further to make their pickups. Although concerns have been raised about passengers receiving the *vehicle unavailable* message, Pelham ride requests only make up 10%, (28 out of 287) which is the lowest among the West Niagara municipalities partnering in NRT OnDemand.

Finally, we know that direct connections to key Welland destinations such as Niagara College, the Seaway Mall and the Welland Hospital remain a priority. Unfortunately, Niagara Region staff have been advised by transit partners that under the current multi-agency governance structure, making these inter-municipal connections is not desirable due to potential labour relations implications (unionized vs. private sector operators). Under a single, consolidated transit system as is being proposed by the new governance model, these types of geographic or jurisdictional issues (e.g. putting riders first, removing municipal barriers, ensuring seamless connections to key destinations across municipal boundaries) will not exist in a transit environment operated by a single Commission. Should the triple majority be achieved and the move to a single Transit Commission approved, it is possible to establish these connections almost immediately.

Should the aforementioned operational context require any further examination or an additional subsequent presentation to Council for insights which have not been addressed through previous presentations or this memo, please advise and staff will make further arrangements accordingly.

We recognize, value and appreciate the partnership with the Town of Pelham in delivering the NRT OnDemand service and for the ongoing collaboration in efforts to make this service grow and effectively serve the residents of Pelham.

Respectfully submitted and signed by,

A handwritten signature in black ink, appearing to read 'M. Robinson', with a horizontal line extending from the end of the signature.

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Matt Robinson  
Director | GO Implementation Office

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

**Meeting #:** CofA 09/2021  
**Date:** Wednesday, September 8, 2021  
**Time:** 4:00 pm  
**Location:** Town of Pelham Municipal Office - Council Chambers  
20 Pelham Town Square, Fonthill

**Members Present** John Klassen  
Sandra Marsh  
Brenda Stan

**Members Absent** Donald Cook  
Bernie Law

**Staff Present** Holly Willford  
Jacqueline Miller  
Kenny Ng  
Tolga Aydin

**1. Attendance**

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

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

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

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

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

**4. Requests for Withdrawal or Adjournment**

Ms. Holly Willford, Secretary-Treasurer stated no requests for withdrawal or adjournment have been made.

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

### **5.1 A32/2021P - 1363 Station Street**

#### **Purpose of Application**

Application for relief of:

Section 5.54(a) “Apartment Dwelling” Definition – to permit dwelling unit entrances from the exterior without an interior corridor, whereas the by-law requires that dwelling units be accessible from a corridor system connecting with a common entrance from outside the dwelling;

Section 6.16(d)(i) “Ingress and Egress” – to permit a minimum driveway width of 6.2m whereas the by-law requires 7.5m;

Section 6.16(i) “Parking Area Location on Lot” – to permit a minimum parking area distance of 3.7m to the street line and 0.9m to the south side lot line for the existing front parking area whereas the by-law requires 7.5m to the street line and 3m to the side lot line or rear lot line;

Section 17.2(g) “Minimum Rear Yard” – to permit a minimum rear yard of 5m whereas the by-law requires 12m or one-half the height of the building, whichever is greater;

Section 17.2(h) “Minimum Interior Side Yard” – to permit a minimum interior side yard of 3.8m whereas the by-law requires 6m or one-half the height of the building, whichever is greater;

Section 17.2(j) “Minimum Landscaped Area” – to permit a minimum landscaped area of 23% whereas the by-law requires 35%.

#### **Representation**

The Agent, Mr. Gerrit Vander Meulen was electronically present.

#### **Correspondence**

1. Town of Pelham Planning
2. Town of Pelham Public Works
3. Town of Pelham Building
4. Hummel Properties Inc.

## **Applicants Comments**

A Member asked if the site contained sufficient area for a moving truck, without affecting the traffic on Station Street. The Agent, Mr. Vander Meulen confirmed that the on-site parking lot would accommodate a moving truck.

In response to a Members inquiry regarding the requirement of an archeological assessment, Mr. Vander Meulen stated that artifacts that had been found in close proximity to the development.

## **Public Comments**

Ms. Holly Willford, Secretary Treasurer indicated that there were no pre-registered members of the public to speak and she checked the [clerks@pelham.ca](mailto:clerks@pelham.ca) email address at 4:21 pm and confirmed no e-mails has been received with regard to the subject application. Ms. Willford indicated the public comment portion of the application could be closed. The Committee agreed to close the public portion of the meeting and deliberate.

## **Members Comments**

The Members offered no comments or objections.

**Moved By** Sandra Marsh

**Seconded By** Brenda Stan

**THAT Application for relief of Section 5.54(a) “Apartment Dwelling” Definition – to permit dwelling unit entrances from the exterior without an interior corridor, whereas the by-law requires that dwelling units be accessible from a corridor system connecting with a common entrance from outside the dwelling, is hereby: GRANTED;**

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

- 1. The variance is minor in nature as exterior individual entry for the ground-oriented apartment building is more appropriate and suitable with negligible impact.**
- 2. The general purpose and intent of the Zoning By-Law is maintained.**
- 3. The intent of the Official Plan is maintained.**
- 4. The proposal is desirable for the appropriate development and/or use of the land as it will allow for more efficient use of the interior space without having to compromise for a common lobby.**
- 5. This application is granted without prejudice to any other application in the Town of Pelham.**



6. No objections were received from commenting agencies or abutting property owners.
7. The Committee of Adjustment considered the written and oral comments and agrees with the minor variance report analysis and recommendation that this application meets the Planning Act tests for minor variance.
8. The Applicant understands that a Site Plan Agreement is required for the property.

**AND THAT Application for relief of Section 6.16(d)(i) “Ingress and Egress” – to permit a minimum driveway width of 6.2m whereas the by-law requires 7.5m, is hereby: GRANTED;**

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

1. The variance is minor in nature as no adverse impacts are anticipated as the parking area will function well and allow for the safe and practical movement of vehicles.
2. The general purpose and intent of the Zoning By-Law is maintained.
3. The intent of the Official Plan is maintained.
4. The proposal is desirable for the appropriate development and/or use of the land because it will help facilitate the ground-oriented development of a new apartment building with moderate height and massing, designed to fit the character of the neighborhood.
5. This application is granted without prejudice to any other application in the Town of Pelham.
6. No objections were received from commenting agencies or abutting property owners.
7. The Committee of Adjustment considered the written and oral comments and agrees with the minor variance report analysis and recommendation that this application meets the Planning Act tests for minor variance.
8. The Applicant understands that a Site Plan Agreement is required for the property.

**AND THAT Application for relief of Section 6.16(i) “Parking Area Location on Lot” – to permit a minimum parking area distance of 3.7m to the street line and 0.9m to the south side lot line for the existing front parking area whereas the by-law requires 7.5m to the street line and 3m to the side lot line or rear lot line, is hereby: GRANTED;**

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

- 1. The variance is minor in nature as no adverse impacts are anticipated due to the fence along the south lot line which provides buffering between the subject parcel and neighbouring site.**
- 2. The general purpose and intent of the Zoning By-Law is maintained.**
- 3. The intent of the Official Plan is maintained.**
- 4. The proposal is desirable for the appropriate development and/or use of the land because it will help facilitate the ground-oriented development of a new apartment building with moderate height and massing, designed to fit the character of the neighborhood.**
- 5. This application is granted without prejudice to any other application in the Town of Pelham.**
- 6. No objections were received from commenting agencies or abutting property owners.**
- 7. The Committee of Adjustment considered the written and oral comments and agrees with the minor variance report analysis and recommendation that this application meets the Planning Act tests for minor variance.**
- 8. The Applicant understands that a Site Plan Agreement is required for the property.**

**AND THAT Application for relief of Section 17.2(g) “Minimum Rear Yard” – to permit a minimum rear yard of 5m whereas the by-law requires 12m or one-half the height of the building, whichever is greater, is hereby: GRANTED;**

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

- 1. The variance is minor in nature provided the proposed building height is two-storey and that a planting strip will be provided to create a physical buffer separating the proposed building and rear lot.**
- 2. The general purpose and intent of the Zoning By-Law is maintained.**
- 3. The intent of the Official Plan is maintained.**
- 4. The proposal is desirable for the appropriate development and/or use of the land because the two-storey height will help to minimize the building’s overall visual impacts on the subject and adjacent lands.**

5. This application is granted without prejudice to any other application in the Town of Pelham.
6. No objections were received from commenting agencies or abutting property owners.
7. The Committee of Adjustment considered the written and oral comments and agrees with the minor variance report analysis and recommendation that this application meets the Planning Act tests for minor variance.
8. The Applicant understands that a Site Plan Agreement is required for the property.

**AND THAT Application for relief of Section 17.2(h) “Minimum Interior Side Yard” – to permit a minimum interior side yard of 3.8m whereas the by-law requires 6m or one-half the height of the building, whichever is greater, is hereby: GRANTED;**

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

1. The variance is minor in nature as no adverse impacts are anticipated due to the fence along the south lot line which provides buffering between the subject parcel and neighbouring site.
2. The general purpose and intent of the Zoning By-Law is maintained.
3. The intent of the Official Plan is maintained.
4. The proposal is desirable for the appropriate development and/or use of the land because it will help facilitate the ground-oriented development of a new apartment building with moderate height and massing, designed to fit the character of the neighborhood.
5. This application is granted without prejudice to any other application in the Town of Pelham.
6. No objections were received from commenting agencies or abutting property owners.
7. The Committee of Adjustment considered the written and oral comments and agrees with the minor variance report analysis and recommendation that this application meets the Planning Act tests for minor variance.
8. The Applicant understands that a Site Plan Agreement is required for the property.

**AND THAT Application for relief of Section 17.2(j) “Minimum Landscaped Area” – to permit a minimum landscaped area of 23% whereas the by-law requires 35%, is hereby: GRANTED;**

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

- 1. The variance is minor in nature as the front yard landscaping remains unchanged while the site provides an abundance of amenity area.**
- 2. The general purpose and intent of the Zoning By-Law is maintained.**
- 3. The intent of the Official Plan is maintained.**
- 4. The proposal is desirable for the appropriate development and/or use of the land as well placed and high quality landscape treatment is required.**
- 5. This application is granted without prejudice to any other application in the Town of Pelham.**
- 6. No objections were received from commenting agencies or abutting property owners.**
- 7. The Committee of Adjustment considered the written and oral comments and agrees with the minor variance report analysis and recommendation that this application meets the Planning Act tests for minor variance.**
- 8. The Applicant understands that a Site Plan Agreement is required for the property.**

**The above decisions are subject to the following conditions:**

**To the satisfaction of the Director of Planning and Development, prior to the issuance of a building permit:**

- 1. Conduct a Stage 1-2 Archaeological Assessment and receive Clearance from the Ministry of Heritage, Sport, Tourism & Culture Industries, prior to site plan application.**
- 2. Enter into a Site Plan Agreement to the satisfaction of the the Town addressing the following:**
  - 1. Submission and approval of a Functional Servicing Report to confirm the capacity requirements for the new development.**
  - 2. Submission and approval of a Stormwater Management Report, which details stormwater management strategies and provides all necessary calculations to demonstrate post development runoff rates are within allowance limits. Report**

**must show that all surface water run-off is contained on site and how storm water runoff will be controlled.**

- 3. Abandon and remove the unused existing water service connection line.**
- 4. Construct a new storm sewer to receive storm water run-off from the site, a maintenance hole at the property line will also be required.**
- 5. Submit a landscape plan detailing landscape treatments and features, plant materials and landscape specification, tree preservation plan and any other additional information necessary for clarity.**

**Carried**

## **5.2 A33/2021P - 18 Beechwood Crescent**

### **Purpose of Application**

Application for relief of Section 13.2(c) "Maximum Lot Coverage" – to permit a 40% lot coverage whereas the by-law allows 30% and whereas the property received a minor variance approval to allow 34%.

### **Representation**

The Applicant, Mr. Michael Azotini was electronically present.

### **Correspondence**

1. Town of Pelham Planning
2. Town of Pelham Public Works
3. Town of Pelham Building

### **Applicants Comments**

The Applicant offered no comments.

### **Public Comments**

Ms. Holly Willford, Secretary Treasurer indicated that there were no pre-registered members of the public to speak and she checked the [clerks@pelham.ca](mailto:clerks@pelham.ca) email address at 4:30 pm and confirmed no e-mails has been received with regard to the subject application. Ms. Willford indicated the public comment portion of the application could be closed. The Committee agreed to close the public portion of the meeting and deliberate.

## **Members Comments**

The Members offered no comments or objections.

**Moved By** Brenda Stan

**Seconded By** Sandra Marsh

**THAT Application for relief of Section 13.2(c) “Maximum Lot Coverage” – to permit a 40% lot coverage whereas the by-law allows 30% and whereas the property received a minor variance approval to allow 34%, is hereby: GRANTED.**

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

- 1. The variance is minor in nature as the impact on the subject property and adjacent properties is minimal given the adequate distance separates the nearest residential neighbour from the existing building and proposed addition.**
- 2. The general purpose and intent of the Zoning By-Law is maintained.**
- 3. The intent of the Official Plan is maintained.**
- 4. The proposal is desirable for the appropriate development and/or use of the land as it will allow for the construction of a covered porch while maintaining the character of the area.**
- 5. This application is granted without prejudice to any other application in the Town of Pelham.**
- 6. No objections were received from commenting agencies or abutting property owners.**
- 7. The Committee of Adjustment considered the written and oral comments and agrees with the minor variance report analysis and recommendation that this application meets the Planning Act tests for minor variance.**

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

- 1. That all necessary building permits are required prior to construction commencing, to the satisfaction of the Chief Building Official.**

**Carried**

### **5.3 A34/2021P - 345 Highway 20 West**

#### **Purpose of Application**

Application for permission pursuant to Section 45(2)(a)(ii) of the Planning Act to permit an expansion of legal-non conforming use, in order to permit vehicle repairs and sales as a similar use to the existing permitted welding shop and trailer sales and service business.

#### **Representation**

The Agent, Mr. Steven Rivers and Applicant, Jacob Michels were electronically present.

#### **Correspondence**

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

#### **Applicants Comments**

A Member asked if vehicles for sale are intended to be displayed on the property. The Agent, Mr. Steven Rivers confirmed that no vehicles will be displayed. He added that the occasional vehicle may be on location, behind the dwelling.

#### **Public Comments**

Ms. Holly Willford, Secretary Treasurer indicated that there were no pre-registered members of the public to speak and she checked the [clerks@pelham.ca](mailto:clerks@pelham.ca) email address at 4:37 pm and confirmed no e-mails has been received with regard to the subject application. Ms. Willford indicated the public comment portion of the application could be closed. The Committee agreed to close the public portion of the meeting and deliberate.

#### **Members Comments**

The Members offered no comments or objections.

**Moved By** Sandra Marsh

**Seconded By** Brenda Stan

**THAT Application for permission pursuant to Section 45(2)(a)(ii) of the Planning Act to permit an expansion of legal-non conforming**

use, in order to permit vehicle repairs and sales as a similar use to the existing permitted welding shop and trailer sales and service business, is hereby: **GRANTED**.

The above decision is based on the following reasons:

1. The application satisfies the Planning Act and Town Policy E2 – Non-Conforming Uses.
2. That the similar change of use to a commercial business office is in keeping with the goals of the Official Plan and the intent of the Zoning By-law.
3. That the similar change in use is not expected to generate any unreasonable negative impacts for adjacent uses or the community at large than what is currently permissible.
4. This application is granted without prejudice to any other application in the Town of Pelham.
5. No objections were received from commenting agencies or abutting property owners.
6. The Committee of Adjustment considered the written and oral comments and agrees with the minor variance report analysis and recommendation that this application meets the Planning Act tests for minor variance.

The above decision is subject to the following conditions:

None.

**Carried**

## **6. Applications for Consent**

### **6.1 B25/2021P - West Side of Rice Road (between RR20 and Shaw Avenue aka Meridian Way), Pelham**

#### **Purpose of Application**

The Committee agreed to hear consent files B25/2021P, B26/2021P, B27/2021P and B28/2021P concurrently.

#### B25/2021P

Application for consent to convey 2,266.2 square metres of land (Parts 5 and 10 on sketch), to be added to the abutting property to the south (Parts



6 and 7 on sketch), for future development. Parts 3, 4, 13 and 14 on the sketch is to be retained for continued future commercial use.

Application for consent to convey an easement in perpetuity over 277.9 square metres of land, being Parts 3 and 10 on sketch, to the benefit of Parts 1, 2, 11 and 12 on sketch for a right of way. Parts 3, 4, 5, 10, 13 and 14 on sketch are to be retained for continued future commercial use.

Application for consent to convey an easement in perpetuity over 41.2 square meters of land, being Part 14 on sketch, to the benefit of Parts 1, 2, 5, 6, 7, 8, 9, 10, 11 and 12 on sketch for a right of way. Parts 3, 4, 5, 10, 13 and 14 on sketch are to be retained for continued future commercial use.

Application for consent to convey an easement in perpetuity over 24.3 square meters of land, being Part 10 on sketch, to the benefit of Parts 3, 4, 13 and 14 on sketch for a private watermain. Parts 3, 4, 5, 10, 13 and 14 on sketch are to be retained for continued future commercial use.

B26/2021P:

Application for Consent to convey an easement in perpetuity over 698.3 square metres of land, being Part 7 on sketch, to the benefit of Parts 1, 2, 3, 4, 8, 9, 10, 11, 12, 13 and 14 on sketch for a right of way. Parts 6 and 7 on sketch are to be retained for continued future commercial use.

Application for consent to convey an easement in perpetuity over 698.3 square metres of land, being Part 7 on sketch, to the benefit of Parts 3, 4, 13 and 14 on sketch for a private watermain. Parts 6 and 7 on sketch are to be retained for continued future commercial use.

B27/2021P:

Application for consent to convey an easement in perpetuity over 199.1 square metres of land, being Part 8 on sketch, to the benefit of Parts 1, 2, 3, 4, 5, 6, 7, 10, 11, 12, 13 and 14 on sketch for a right of way. Parts 8 and 9 on sketch are to be retained for continued future commercial use.

Application for consent to convey an easement in perpetuity over 199.1 square metres of land, being Part 8 on sketch, to the benefit of Parts 3, 4, 13 and 14 on sketch for a private watermain. Parts 8 and 9 on sketch are to be retained for continued future commercial use.

B28/2021P:

Application for consent to convey an easement in perpetuity over 95.4 square metres of land, being Part 2 on sketch, to the benefit of Parts 3, 4, 5, 6, 7, 8, 9, 10, 13 and 14 on sketch for a right of way. Parts 1, 2, 11 and 12 on sketch are to be retained for continued future commercial use.

Application for consent to convey an easement in perpetuity over 95.4 square metres of land, being Part 2 on sketch, to the benefit of Parts 3, 4, 13 and 14 on sketch for a private watermain. Parts 1, 2, 11 and 12 on sketch are to be retained for continued future commercial use.

Application for consent to convey an easement in perpetuity over 118.2 square metres of land, being Part 11 on sketch, to the benefit of Parts 3, 4, 5, 6, 7, 8, 9, 10, 13 and 14 on sketch for a pedestrian access. Parts 1, 2, 11 and 12 on sketch are to be retained for continued future commercial use.

**Representation**

The Agent, Mr. Steven Qi and Applicant, Ms. Kim Harrison-McMillan were electronically present.

**Correspondence**

1. Town of Pelham Planning
2. Town of Pelham Public Works
3. Town of Pelham Building
4. Niagara Region
5. Hydro One

**Applicants Comments**

A Member inquired about the ownership of the subject lands. The Agent, Mr. Steven Qi, responded that the lands are currently owned by four companies operating under one umbrella. The Member further inquired about why the consent process was being pursued for this development. Mr. Qi responded that the proposed 5-storey retirement home is to be located on Part 4. He stated the intent to sever the vacant Part 5 and Part 10 to join with lands to the south for future development. Mr. Qi further indicated that additional planning applications and Site Plan Control have been pursued and approved.

## **Public Comments**

Ms. Holly Willford, Secretary Treasurer indicated that there were no pre-registered members of the public to speak and she checked the [clerks@pelham.ca](mailto:clerks@pelham.ca) email address at 4:57 pm and confirmed no e-mails has been received with regard to the subject application. Ms. Willford indicated the public comment portion of the application could be closed. The Committee agreed to close the public portion of the meeting and deliberate.

## **Members Comments**

The Members offered no comments or objections.

**Moved By** Sandra Marsh

**Seconded By** Brenda Stan

**THAT Application B25/2021P for consent to convey 2,266.2 square metres of land (Parts 5 and 10 on sketch), to be added to the abutting property to the south (Parts 6 and 7 on sketch), for future development. Parts 3, 4, 13 and 14 on the sketch is to be retained for continued future commercial use; and**

**For consent to convey an easement in perpetuity over 277.9 square metres of land, being Parts 3 and 10 on sketch, to the benefit of Parts 1, 2, 11 and 12 on sketch for a right of way. Parts 3, 4, 5, 10, 13 and 14 on sketch are to be retained for continued future commercial use; and**

**For consent to convey an easement in perpetuity over 41.2 square meters of land, being Part 14 on sketch, to the benefit of Parts 1, 2, 5, 6, 7, 8, 9, 10, 11 and 12 on sketch for a right of way. Parts 3, 4, 5, 10, 13 and 14 on sketch are to be retained for continued future commercial use; and**

**For consent to convey an easement in perpetuity over 24.3 square meters of land, being Part 10 on sketch, to the benefit of Parts 3, 4, 13 and 14 on sketch for a private watermain. Parts 3, 4, 5, 10, 13 and 14 on sketch are to be retained for continued future commercial use, is hereby GRANTED.**

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

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

1. That application for consent, file B25/2021P receive final certification of the Secretary-Treasurer concurrently with applications B26/2021P, B27/2021P and B28/2021P.
2. A solicitors undertaking, to the satisfaction of the Secretary-Treasurer, identifying the order of title document registration with respect to the proposed transfer and easement documents.
3. Pursuant to Section 50(12) of the Planning Act, R.S.O. 1990, as amended, it is hereby stipulated that Section 50(3) or 50(5) shall apply to any subsequent conveyance of, or other transaction involving, the identical subject parcel of land. Therefore, once the subject parcel of land has been conveyed to the owner of the parcel abutting to the south (Parts 6 and 7 on sketch), the subject parcel and the said abutting parcel shall merge in title and become one contiguous parcel of land. A solicitor's written undertaking shall be provided to the Secretary-Treasurer indicating that the necessary steps to implement the conveyance will be taken, together with the registrable legal descriptions of the subject parcel and the consolidated parcel. That the Secretary-Treasurer be provided with a registrable legal description of the subject parcel, together with a copy of the deposited reference plan, if applicable, for use in the issuance of the Certificate of Consent.
4. That the final certification fee of \$399, payable to the Treasurer, Town of Pelham, be submitted to the Secretary-Treasurer. All costs associated with fulfilling conditions of consent shall be borne by the applicant.

**AND THAT Application B26/2021P for consent to convey an easement in perpetuity over 698.3 square metres of land, being Part 7 on sketch, to the benefit of Parts 1, 2, 3, 4, 8, 9, 10, 11, 12, 13 and 14 on sketch for a right of way. Parts 6 and 7 on sketch are to be retained for continued future commercial use; and**

**For consent to convey an easement in perpetuity over 698.3 square metres of land, being Part 7 on sketch, to the benefit of Parts 3, 4, 13 and 14 on sketch for a private watermain. Parts 6 and 7 on sketch are to be retained for continued future commercial use, be and is hereby: GRANTED.**

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

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

1. That application for consent, file B26/2021P receive final certification of the Secretary-Treasurer concurrently with applications B25/2021P, B27/2021P and B28/2021P.
2. That the Secretary-Treasurer be provided with a registrable legal description of the subject parcel, together with a copy of the deposited reference plan, if applicable, for use in the issuance of the Certificate of Consent.
3. That the final certification fee of \$399, payable to the Treasurer, Town of Pelham, be submitted to the Secretary-Treasurer. All costs associated with fulfilling conditions of consent shall be borne by the applicant.

**AND THAT Application B27/2021P for consent to convey an easement in perpetuity over 199.1 square metres of land, being Part 8 on sketch, to the benefit of Parts 1, 2, 3, 4, 5, 6, 7, 10, 11, 12, 13 and 14 on sketch for a right of way. Parts 8 and 9 on sketch are to be retained for continued future commercial use; and**

**For consent to convey an easement in perpetuity over 199.1 square metres of land, being Part 8 on sketch, to the benefit of Parts 3, 4, 13 and 14 on sketch for a private watermain. Parts 8 and 9 on sketch are to be retained for continued future commercial use, be and is hereby: GRANTED.**

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

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

1. That application for consent, file B27/2021P receive final certification of the Secretary-Treasurer concurrently with applications B25/2021P, B26/2021P and B28/2021P.
2. That the Secretary-Treasurer be provided with a registrable legal description of the subject parcel, together with a copy of the deposited reference plan, if applicable, for use in the issuance of the Certificate of Consent.
3. That the final certification fee of \$399, payable to the Treasurer, Town of Pelham, be submitted to the Secretary-Treasurer. All costs associated with fulfilling conditions of consent shall be borne by the applicant.

**AND THAT Application B28/2021P for consent to convey an easement in perpetuity over 95.4 square metres of land, being Part 2**

on sketch, to the benefit of Parts 3, 4, 5, 6, 7, 8, 9, 10, 13 and 14 on sketch for a right of way. Parts 1, 2, 11 and 12 on sketch are to be retained for continued future commercial use; and

For consent to convey an easement in perpetuity over 95.4 square metres of land, being Part 2 on sketch, to the benefit of Parts 3, 4, 13 and 14 on sketch for a private watermain. Parts 1, 2, 11 and 12 on sketch are to be retained for continued future commercial use; and

For consent to convey an easement in perpetuity over 118.2 square metres of land, being Part 11 on sketch, to the benefit of Parts 3, 4, 5, 6, 7, 8, 9, 10, 13 and 14 on sketch for a pedestrian access. Parts 1, 2, 11 and 12 on sketch are to be retained for continued future commercial use. be and is hereby: GRANTED.

The above decision is subject to the following conditions:

To the Satisfaction of the Secretary-Treasurer

1. That application for consent, file B28/2021P receive final certification of the Secretary-Treasurer concurrently with applications B25/2021P, B26/2021P and B27/2021P.
2. That the Secretary-Treasurer be provided with a registrable legal description of the subject parcel, together with a copy of the deposited reference plan, if applicable, for use in the issuance of the Certificate of Consent.
3. That the final certification fee of \$399, payable to the Treasurer, Town of Pelham, be submitted to the Secretary-Treasurer. All costs associated with fulfilling conditions of consent shall be borne by the applicant.

The above decisions are based on the following reasons:

1. The applications conforms to the policies of the Town of Pelham Official Plan, Regional Policy Plan and Provincial Policy Statement, and complies with the Town's Zoning By-law.
2. This Decision is rendered having regard to the provisions of Sections 51(24) and 51(25) of the Planning Act, R.S.O., as amended.
3. No objections to this proposal were received from commenting agencies or neighbouring property owners.
4. The Committee of Adjustment considered all written and oral submissions and finds that, subject to the conditions of

**provisional consent, this application meets Planning Act criteria, is consistent with the Provincial Policy Statement and complies with the Growth Plan, the Niagara Region Official Plan and the Town Official Plan.**

**Carried**

**6.2 B26/2021P - No Municipal Address (Southeastern Corner of Rice Road and Shaw Avenue aka Meridian Way) Pelham**

Application B26/2021P was heard concurrently with applications B25/2021P, B27/2021P and B28/2021P. See application B25/2021P for minutes and decision.

**6.3 B27/2021P - No Municipal Address (North Side of Shaw Avenue aka Meridian Way, between Wellspring Way and Rice Road), Pelham**

Application B27/2021P was heard concurrently with applications B25/2021P, B26/2021P and B28/2021P. See application B25/2021P for minutes and decision.

**6.4 B28/2021P - No Municipal Address (East Side of Wellspring Way, between RR20 and Shaw Avenue aka Meridian Way), Pelham**

Application B28/2021P was heard concurrently with applications B25/2021P, B26/2021P and B27/2021P. See application B25/2021P for minutes and decision.

**7. Minutes for Approval**

**THAT the minutes of the August 3, 2021 Committee of Adjustment Hearing be approved.**

**8. Adjournment**

**BE IT RESOLVED THAT this Meeting of the Committee of Adjustment Hearing be adjourned until the next regular meeting scheduled for October 5, 2021 at 4:00 pm.**

A handwritten signature in blue ink, appearing to read 'John Klassen', positioned above a horizontal line.

John Klassen, Chair

A handwritten signature in blue ink, appearing to read 'Holly Willford', positioned above a horizontal line.

Secretary-Treasurer, Holly Willford





**OUR MISSION:** The mission of Pelham Public Library is to engage, encourage and enrich our community.

## MINUTES OF MAY 26, 2021

**Time:** 6:00 p.m.

**Location:** via Zoom

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

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

**Regrets:** Gail Pepper

*We begin this gathering by acknowledging the land on which we gather is the traditional territory of the Haudenosaunee and Anishinaabeg peoples, many of whom continue to live and work here today. This territory is covered by the Upper Canada Treaties and is within the land protected by the Dish with One Spoon Wampum agreement. Today this gathering place is home to many First Nations, Metis, and Inuit Peoples. Acknowledging this reminds us that our great standard of living is directly related to the resources and friendship of Indigenous people.*

1. Call to Order/Regrets/Review Health and Safety Guidelines
  - The meeting was called to order at 6:01 p.m. by N. Nolan.
2. Approval of the Agenda for the Library Board Meeting of May 26, 2021 and receipt of reports and correspondence (This is the opportunity to have additional items added to the agenda)
  - N. Nolan requests that Gail Pepper's attendance be added to section 12 as 12.2.

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- Moved by Greg Lewis, seconded by C. McPherson  
**That the agenda for the meeting of May 26, 2021 be approved as amended and the reports and correspondence listed on the agenda be received for discussion/action. CARRIED.**

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

- N. Nolan requests that the Charitable Account summary be lifted from section 4.4. and moved to 10.2.

4. Consent Agenda Items to be Considered in Block

4.1 2021 Board Attendance List

4.2 Minutes of the Library Board Meeting of March 24, 2021

4.3 Minutes of the Special Library Board Meeting of April 28, 2021

4.4 April 2021 Charitable Account Summary

- Moved by Greg Lewis, seconded by C. McPherson

**That item 4.4 be lifted from the Consent Agenda for discussion and moved to item 10.2 and all other items listed on the Consent Agenda for the May 26, 2021 Library Board Agenda be received. CARRIED.**

5. Items for Separate Consideration, If Any

- Item 4.4 was moved to 10.2., no other items were lifted from the Consent Agenda.

6. Conflict of Interest Declarations

- None.

7. Facilities Grant & Financial Update. Guest Presenter: Teresa Quinlin, Town Treasurer

7.1 Audited Statement of Library Operations

7.2 Audited 2020 Library Reconciliation

- T. Quinlin advised the Board that the Town, along with Town representatives and the Acting CEO, is looking at a building grant for adding the library to the MCC. This is a Green incentive, carbon neutral grant for eight million dollars, with a submission date of July 6, 2021. If this grant is approved, the Library then be included in the project.
- G. Lewis asked if the library has to be "greener" how much extra will it cost to build? T. Quinlin advised that it's good to keep the same amount as asked for previously, but the amount may have to be fine tuned.





- T. Quinlin stated the Town is reaching out to the Town of Port Stanley, who built a carbon neutral fire station, for information on carbon neutral planning.
  - T. Quinlin advised that if the grant isn't successful other grants will be applied for.
  - The Town and Acting CEO will also look into the Trillium grant for \$150 000 for RDIF and lockers. This grant becomes available in August.
  - The Modernization grant was applied for cover the cost to hire a consultant for the PPL/LPL merger. This consultant will provide advice on the best way to combine the two libraries and the services the municipalities each provide for them. This grant must be spent in 2021.
  - G. Lewis asked what would happen if the Modernization grant isn't successful? T. Quinlin stated that since both libraries want to move forward with the union, a scaled down consultant application will be put forward, but the acquisition of a consultant will move forward. The consultant position can be done for less money.
  - T. Quinlin advised that there is a good chance we will be successful with the Modernization grant based on the area of use. Ontario often uses information gathered in different situations and events as templates. A high quality consultant will be able to provide a good union template for other libraries to use.
  - T. Quinlin advised that the Town moved the surplus library operating funds from 2020 to the Library Reserves.
- Moved by M. Smith, seconded by G. Lewis

**That the report from the Town Treasurer on the 2020 Audit Statement has been received. CARRIED.**

## **8 Business Arising from the Minutes**

### **8.1 Extended and Updated Strategic Plan 2017 – 2021**

- A. Guilmette presented the results of the Special Library Meeting held on April 28, 2021 regarding the Extended and Updated Strategic Plan 2017-2021.
- G. Lewis stated that the plan is well done, easy to read and makes sense.
- N. Nolan advised that it is pleasing to look at.
- G. MacDougall asked what STEAM programming refers to and N. Nolan advised Science, Technology, Engineering, Arts and Mathematics.
- M. Smith asked if the word "possible" could be added to plan regarding the "possible" union formation. A. Guilmette states she would add "possible" so that it's a clear communication plan.





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

**That the Extended and Updated Strategic Plan 2017 – 2021 be approved as amended. CARRIED.**

## **9. Library Reports**

### **9.1 Manager's Report for May 2021**

- A. Guilmette presented the Manager's Report to the Board.

### **9.2 Step Roadmap to Reopen Ontario - Library Service Plan**

- Moved by D. Brown, seconded by G. Lewis.

**That the Manager's Report and Statistics for May 2021 and the 3-Step Roadmap to Reopen Ontario Library Service Plan be received. CARRIED.**

## **10. Finances**

### **10.1 April 30, 2021 Consolidated Financial Report**

- A. Guilmette presented the Consolidated Financial Report to the Board.
- A. Guilmette advised that a Summer Student has been hired with or without the Canada Student Jobs Grant. The success of the Canada Student Jobs application has not been announced. Already being down one staff member in the Children's department, the library could not go without an additional summer children's programmer.
- Hoopla is over budget because it is a pay for use platform and usage has gone up significantly since COVID.
- Janitorial services will increase as the library opens more resulting in more expenditures.
- D. Brown asked if costs such the increased usage of Hoopla can be allocated to the COVID Measures Grant. A. Guilmette stated no, that this is a regular costing item and it is difficult to provide direct proof that a regular service being used more as a direct correlation to COVID.
- N. Nolan stated that it will be interesting to see how services normalize; will Hoopla borrows be higher now because people have been introduced to these services?
- G. Lewis asked if a report should be put together at the financial end of Q1 to report on what the library is expected to have - a projection of where the Board believes the finances will come in this year.
- A. Guilmette clarified that G. Lewis wanted a year-end estimate of the finances for the remainder of this year.





- G. Lewis states yes, to have a clearer sense for the Board as to where we are and where we're going, to have a handle on where we see the remainder of the financial year unfolding.
- T. Wright stated that projections are useful, but that it needs to reflect  $\frac{1}{3}$  of the year, not a quarter.

### 10.2 April 2021 Charitable

- A. Guilmette proposed that the Board look at other digital/streaming services to increase what the library is offering digitally. A. Guilmette asked for \$10,000 of the charitable funds to do this.
- N. Nolan agreed that streaming services are very important and popular.
- McPherson replied that any service we can offer to enhance and enrich patrons is important.
- T. Wright stated he had a concern about the proposal as heard. He stated that operating funds continue from year to year, whereas charitable funds are a one-time fund. If the library is using charitable funds for operating costs, such as digital services they won't be able to continue from year to year.
- A. Guilmette clarified that this is not something she was looking to continue for next year unless it becomes so popular people wouldn't want to give it up. A. Guilmette suggested a pilot project to try out a new digital streaming service to see if it's worth spending operating funds on to prove worth before committing to it.
- T. Wright suggested the same concern still stands, if money is taken from the charitable account, where does the money come from next year? The wording needs to be precise stating that the library is looking to investigate this digital service and final decisions will be made after a full cost benefit analysis is completed.
- G. Lewis stated that this is a valuable concern. If the library engaged in a pilot project it would be no different than Hoopla. Next year we can look at increasing funds for items that patrons are using and want to use and amend the budget in other areas. The library won't know about the success of other services if they aren't tried.
- A. Guilmette suggested she speak to the Art Festival to see if the funds they gave the library can be used for this.
- D. Brown stated that the Art Festival wants their donation to be used for capital improvements.





- A. Guilmette advised she will look at this for next year. Hoopla is flexible. The library can cut off certain parts of the service, like the movie and T.V. offerings, and add other services. If the funds are taken out of the charitable account instead of the operating account, the library can advertise who has supported these services. Donors usually prefer to see their donations spent and have recognition.
- N. Nolan agreed that if the charitable funds can be used, it's a win for both the donors and the library.
- T. Wright likes trying to tie charitable funds to specific services. It makes new projects or pilots worthwhile to advertise for larger donors. T. Wright reminded the Board that they can't keep adding on to operating funds. The library has to have appropriate revenues.

- Moved by D. Brown, seconded by G. Lewis

**That the Board supports an investigation and purchase of a streaming or digital service as a pilot project for 2021 with a budget of \$10,000, to be determined at a later date whether it will be paid out of the Charitable Trust or the 2021 Operating Budget. CARRIED.**

- Moved by T. Wright, seconded by G. Lewis.

**That the April 30, 2021 Consolidated Financial Report be received. CARRIED.**

## **11. Library Board Reports**

### **11.1 Councillor's Report (Marianne Stewart)**

- M. Stewart stated that there is a lot of construction occurring in Pelham.
- M. Stewart reported that there is an increase in residency, which will mean more patrons for the library and more taxes going towards development feed for the library.
- T. Wright asked if M. Stewart could provide more detailed information on this to include in the next operating budget.
- M. Stewart reported she will have projections for the next Board meeting.

### **11.2 Maple Acre Friends' Report (Madison Smith)**

- M. Smith reported no update at this time as the Friends have not met since the last Board meeting.

### **11.3 Town of Pelham Seniors Advisory Committee Report (Gwen MacDougall)**

- G. MacDougall advised June is seniors month. As a committee the Seniors have made significant accomplishments.





- G. MacDougall stated that on June 8, 2021 at 11:30 a.m. the seniors flag will be raised.
- G. MacDougall reported that a flower bed was developed at the MCC and this was made possible through a grant.
- G. MacDougall stated that at present the committee is working with other Seniors committee across Niagara to become one regional voice for seniors.
- G. MacDougall reported that the Fonthill TD bank will continue to close, but staff are offering telephone banking for residents.

#### 11.4 Pelham Art Festival Report (Donald Brown)

- D. Brown reported that the Pelham Art Festival art sale has been extended until May 31, 2021. Sales have been up and down with an onslaught happening at the beginning of May but have continued throughout May.
- D. Brown states that next year they hope to do both a virtual and in-person component.
- D. Brown reported that the Pelham Art Festival is still committee to providing funding to the Library in 2021, but the amount is unknown at this time.
- Moved by M. Smith, seconded by T. Wright.

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

#### 12. New Business

##### 12.1 LiNC Public Library Circulation Policy

- A. Guilmette reviewed changes proposed to the LiNC Public Library Circulation Policy.
- A. Guilmette stated that each individual library will make the decision regarding fees. The fees are attached to the home library of the library user, not the lending library.
- G. Lewis asked if the max borrows at 99 is correct. A. Guilmette advised that 99 is correct, and that Pelham's homeschooling families often reach this number.
- A. Guilmette suggested a policy committee meeting in August and that she will send a doodle poll out regarding dates.

##### 12.2 Attendance policy discussion

- N. Nolan advised that G. Pepper has missed three sequential Board meetings and that both the Ontario Public Library Act and the Pelham Board By-Laws stipulate that the Board must hold a resolution if a board member is absent for three consecutive meetings.





- A. Guilmette reviewed the attendance By Law, the attendance at Board meetings section.
- N. Nolan stated that we were only looking at this issue because the Public Libraries Act states the Board "must" form a resolution. N. Nolan then stated the two options: 1. To provide a resolution that supports G. Pepper continuing on the Board, or 2. No resolution and therefore G. Pepper would be considered disqualified by the Public Libraries Act.
- N. Nolan stated she would like to support G. Pepper. The current COVID-19 times are odd times and she is aware G. Pepper does want to continue on the Board and catch up on the missed meetings.
- G. MacDougall advised that the By-Law reflects intentional absence with no communication, and G. Pepper has made her own regrets for each meeting and has interest. G. MacDougall would like to support G. Pepper to continue.
- T. Wright stated that he triggered this for today and had the thought only because he remembered there was prescriptive language such as we "shall" do something. T. Wright stated he is in support of G. Pepper remaining on the Board, but advised the Board needs to communicate with her that her attendance was discussed.
- N. Nolan agreed and stated that it was discussed because it is prescribed by the Library Act.
- M. Smith agreed that COVID and other circumstances have played a role, and that any Board meetings she has been at she has been well informed and engaged
- Moved by G. MacDougall, seconded by Cathy McPherson.

**That the LiNC Public Library Circulation Policy be approved as presented. CARRIED.**

**That, in accordance to the Public Libraries Act, the Board considered the circumstances regarding G. Pepper's three consecutive absences and that the Board declares a resolution that G. Pepper *not* be disqualified as a Board Member. CARRIED.**

### 13. Items for Information

#### 13.1 Pathstone Mental Health through Walk-in Clinics

- A. Guilmette reported that one of the prioritized actions from the strategic planning meeting was to look into a partnership with Pathstone Mental Health. Patrons have asked about Pathstone services at Pelham due to seeing services





offered at other libraries across Niagara. With the current environment, families are looking for mental health support in their area.

- A. Guilmette spoke with a staff member at Pathstone Mental Health and was advised it is \$20 000 a year, usually paid for by the municipality, with public libraries offering a free location for counselling services.
- A. Guilmette advised that right now, with COVID-19 safety precautions, the library cannot provide the space or the funding.
- A. Guilmette took it to the Town's Senior Leadership team, with a recommendation of offering the services in September 2021, with a prorated fee for the last quarter of the year.
- A. Guilmette advised the Senior Leadership team will look into a possible partnership for the future with next year's budget.
- A. Guilmette stated that Pelham, Wainfleet and West Lincoln are the only municipalities that have not partnered with Pathstone Mental Health and are not offering counselling services within their municipalities.
- T. Wright suggested the library consider using their surplus from the 2021 budget to fund the project for 2021.
- A. Guilmette stated that Town staff may be looking for private donors for this initiative.
- A. Guilmette advised that Pathstone Mental Health staff told her that some of their services have gone up 200% this year and there are much needed hours for walk-ins in Pelham.

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

**That the Pathstone Mental Health through Walk-in Clinics report be received. CARRIED.**

**14. Next Library Board meeting**

- N. Nolan stated the next meeting of the Board will be held Wednesday, June 23, 2021 at 6:00 p.m. via Zoom.

**15. Adjournment**

- Moved by M. Smith.

**That the Library Board meeting of May 26, 2021 be adjourned at 7:58. CARRIED.**



The foregoing minutes were approved by Pelham Public Library Board on

June 23 /21  
(date)

Amy Guilmette  
Amy Guilmette, Secretary

Nicole Nolan  
Nicole Nolan, Chair





**OUR MISSION:** The mission of Pelham Public Library is to engage, encourage and enrich our community.

## **MINUTES OF JUNE 23, 2021**

**Time:** 6:00 p.m.

**Location:** via Zoom

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

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

**Regrets:** Madison Smith

*We begin this gathering by acknowledging the land on which we gather is the traditional territory of the Haudenosaunee and Anishinaabeg peoples, many of whom continue to live and work here today. This territory is covered by the Upper Canada Treaties and is within the land protected by the Dish with One Spoon Wampum agreement. Today this gathering place is home to many First Nations, Metis, and Inuit Peoples. Acknowledging this reminds us that our great standard of living is directly related to the resources and friendship of Indigenous people.*

1. Call to order/Regrets
  - The meeting was called to order at 6:00 p.m. by N. Nolan.
2. Approval of the Agenda
  - Moved by G. Lewis, seconded by T. Wright  
**That the agenda for the meeting of June 23, 2021 be approved and the reports and correspondence listed on the agenda be received for discussion/action. CARRIED.**
3. Request to Lift Consent Agenda Item(s) for Separate Consideration
  - None.

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4. Consent Agenda Items to be Considered in Block
  1. 2021 Board Attendance List
  2. Minutes of the Library Board Meeting of May 26, 2021
  3. May 2021 Charitable Account Summary
    - Moved by T. Wright, seconded by G. McDougall

**That the Consent Agenda items as listed on the June 23, 2021 Library Board Agenda be received. CARRIED.**
5. Items for Separate Consideration, If Any
  - None.
6. Conflict of Interest Declarations
  - None.
7. Library Reports
  - 7.1 Manager's Report for June 2021
    - A. Guilmette reported that the Library would soon be offering a new movie streaming service called Kanopy.
    - The Board had several questions about Kanopy which offers critically acclaimed movies on a pay-as-you-play service.
    - Kanopy will start off as a pilot and will continue to be offered based on usage. A. Guilmette reported that this service had been considered because resources accessed at home by card holders were in high demand this past year and that the purchase of DVDs has been reduced this year because less titles were release due to COVID-19.
    - A. Guilmette advised that she is not looking for more funding at this time, only that she wanted the Board to be aware she was shifting items in the digital streaming area.
    - A. Guilmette stated she is looking for funding for mobile hotspots since LiNC did not receive the lendable technology grant they applied for. A. Guilmette plans to apply for a Canada Healthy Community grant to purchase the hotspots. It costs approximately \$4000/year to maintain hotspots with unlimited data. This will have an effect on the operating budget. It will be a pilot project for a few years. If it's not successful, then the library will discontinue mobile hotspot lending.





- A. Guilmette reported that the Storywalk Explorer program, in partnership with Lincoln Public Library was ready to go and would start the first week of July. A QR code will be posted at each Storywalk to take statistics and hashtags for social media are being promoted.
- A. Guilmette advised that the 50 for 500 fundraiser surpassed its goal with over a month and a half to go before the event. A. Guilmette thanked the Board members who donated for their support.
- A. Guilmette advised that the Town partnered with the Town of Lincoln to apply for a grant for a consultant to assist with the merger. A RFP has been done and accepted, and the contract was awarded to Watson and Associates. Whether the grant application is successful, the consultants will still be needed, however the depth of their research and report will be set by whether the Towns are successful in obtaining the grant.
- G. Lewis asked if the timeline for the merger beginning at the start of the new fiscal year was still accurate. A. Guilmette responded that at this time it still was.
- Moved by T. Wright, seconded by G. Pepper  
**That the Manager's Report for June 2021 be received. CARRIED.**

## 8. Finances

### 8.1 May 31, 2021 Consolidated Financial Report

### 8.2 2021 Operating Budget Year-End Projection

- A. Guilmette reviewed the Consolidated Financial Report and the Year-End Projection with the Board and reported that there will be a surplus for 2021.
- G. Lewis asked if the library will get funds back from for our COVID expenses.
- A. Guilmette stated possibly. The Town received a grant and the library has been expensing things to that grant, like the digital production equipment, however final approval of what gets expensed by the grant will be decided by the Town at the end of the year.
- G. Lewis asked if the library can expense advertisements to tell people we're open.
- A. Guilmette advised that is a tricky situation because the library has an ad budget, but right now that is not being used for the usual ads because we haven't been offering programs and are using it to advertise services instead.
- G. Lewis asked if the library is putting in another ad for the 50 for 50.
- A. Guilmette stated the library will be putting a flyer in all outgoing books to advertise the fundraiser to those who use the library.



- Moved by D. Brown, seconded by C. MacPherson  
**That the May 31, 2021 Consolidated Financial Report and the 2021 Operating Budget Year-End Projection be received. CARRIED.**

## 9. Library Board Reports

### 9.1 Councillor's Report (Marianne Stewart)

- M. Stewart reported back to the Board regarding a question posed at the May Board meeting. She stated the population projection for the next five years will increase by 1,585 people and in 10 years by 3,170 people.
- M. Stewart advised that development cost will shift from one bylaw to another in 2023.

### 9.2 Maple Acre Friends' Report (Madison Smith)

- Not present.

### 9.3 Town of Pelham Seniors Advisory Committee Report (Gwen MacDougall)

- G. MacDougall advised that the committee is joining a collaborative group within all of Niagara. A consultant will report at the end of June and the group will initially meet in September regarding common concerns, internet access, transportation and senior housing.
- G. MacDougall stated the committee is taking part in a research group with Brock regarding volunteerism.
- G. MacDougall stated the garden has been completed at MCC and the canopy has been installed.

### 9.4 Pelham Art Festival Report (Donald Brown)

- D. Brown reported the Pelham Art Festival will make a \$8000 donation to the library in July.
- D. Brown stated there is discussion about an online Christmas sale and stated some artists want to maintain an online presence.
- Moved by G. McDougall, seconded by T. Wright  
**That the Councillor's report, the Town of Pelham Seniors Advisory Committee report and the Pelham Art Festival report be received. CARRIED.**





10. New Business

10.1 Memo – Suggested Update to the Chromebooks section of the Circulation Policy

- A. Guilmette reported that the schools made sure that all students had access to digital technology during the school year, but that all the technology the school lent out was now being collected, so this might be a good opportunity to begin lending Chromebooks for home use. The Chromebooks haven't had any use over the past year.
- A. Guilmette stated there is a current policy for use in the library, but what's new is lending them outside of the library.
- The Board asked questions about the policy and procedures for lending out Chromebooks, especially for those under the age of 18 years and offered suggestions for small revisions to the policy.
- Moved by G. McDougall, seconded by G. Pepper.

**That the Chromebook section of the Circulation Policy can be updated as amended. CARRIED.**

11. Next Library Board meeting date: **August 25, 2021 at 6 p.m. via Zoom**

- N. Nolan stated that the next Board meeting will be held August 25, 2021 at 6:00 p.m. via Zoom.

12. Adjournment

- Moved by G. Lewis

**That the Library Board meeting of June 23, 2021 be adjourned at 7:24 p.m.**

The foregoing minutes were approved by Pelham Public Library Board on

Aug 25/21  
(date)

  
Amy Guilmette, Secretary

  
Nicole Nolan, Chair

**Cannabis Control Committee  
Town of Pelham**

**Minutes of Meeting  
Wednesday, June 16 – 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 5:02 p.m.

**2. Approve Agenda**

Moved by J. Jeffs, seconded by C. Baxter that the agenda of June 16, 2021 be approved.

CARRIED

**3. Approve Minutes of May 5, 2021 and May 26, 2021**

Moved by B. Heska, seconded by J. Steele that the minutes of May 5, 2021 be approved, as amended.

CARRIED

Moved by C. Baxter, seconded by J. Langendoen that the minutes of May 26, 2021 be approved, as amended.



CARRIED

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

The Committee awaits legal advice before amending the Odorous Industries Nuisance By-law and on issuing any communications to Council and the community.

##### **(a) Schedule Review**

The deadline for submission of the contingency odour mitigation plans from the two cannabis producers to the Town is July 31.

The submission of proposals for the Ambient Odour Monitoring Program (AOMP) was extended to June 9. Town staff and P. Girard to meet next week to review the submissions. Proponents are EOC Environmental Odour Consulting Corporation and Pinchin Ltd.

D. Cribbs indicated that he can see a financial pinch with respect to the AOMP and that he may bring a report to Council on July 26, 2021 to determine how AOMP charges will be allocated.

#### **5. Update on Legal Actions**

T. Nohara attended a briefing by solicitors to council members on June 7, 2021 on the court applications to quash the OINBL.

D. Cribbs reported that agreement has been reached with the parties to move and combine the two court applications that were commenced in two different jurisdictions to Welland. No return date has been set at this time.

There has not been any action on the interim control by-law litigation.

#### **6. Case Management Conference, OLT (formerly LPAT) Appeals of Official Plan & Zoning By-law Amendments on June 29, 2021**

B. Wiens explained that the Case Management Conference (CMC) is open to the public and anyone can attend. The Notice for the CMC was sent to everyone on the Town's list of people who wanted to be notified of decisions regarding the OPA and ZBA.

The purpose of the CMC is to identify who the parties are, who participants will be, length/date for a Hearing and administrative processes. If the hearing is

greater than 5 days, there will be procedural order in terms of exchange of documents and witness statements. There will be the requirement to agree on issues to be heard at the Hearing.

D. Cribbs noted that any Committee member who wishes to be a participant, must not do so as a representative of the Committee but in a personal capacity. The Town is represented by their solicitor.

A participant can provide submissions to the Tribunal but cannot cross-examine witnesses, however they can expect to be cross-examined by other parties. A participant must be available during the course of the Hearing and must respond to any requirements regarding submissions of material. A member of the Committee can expect to be cross-examined.

**7. Discussion of various circulated cannabis documents:**

**a. Ministry of Environment, Conservation and Parks Draft Land Use Compatibility Guidelines**

Deadline for submission of public comments on draft Guidelines is July 4.

**b. AMO Cannabis Working Group**

The Town has had discussions with Association of Municipalities Ontario (AMO) staff. B. Wiens will be sitting on the AMO Cannabis Working Group committee. No other municipal representation from Niagara is on this Working Group.

**c. The Cannabis Quandary, Masters Report Chloe Reaburn**

The Cannabis Quandary, Masters Report provided a fair bit of positive referencing to the Niagara Region Round Table. B. Wiens to share the paper with Regional Councilor D. Huson.

**d. Cannabis Production and Land Use Planning: A Literature Review**

It was noted that the Cannabis Production and Land Use Planning Literature Review will be a useful reference.

**8. Next Meeting:** July 7, 2021 at 5:00 pm via Zoom

**9. Adjournment**

Moved by J. Steele, seconded by L. Damm that the meeting be adjourned.

The meeting adjourned at approximately 5:48 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

**Cannabis Control Committee  
Town of Pelham**

**Minutes of Meeting  
Wednesday, July 7 – 5:00 p.m.  
Zoom Video Conference**

**Present:** Tim Nohara (Chair)  
Carla Baxter  
Bill Heska  
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)

**Regrets:** Louis Damm  
John Langendoen  
Jim Jeffs  
Jim Steele

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**1. Quorum**

Quorum was not reached and the meeting was adjourned at 5:15 pm.

**2. Next Meeting:** September 8, 2021 at 5:00 pm via Zoom

Edit 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

**MEETING DATE: Thursday June 17, 2021 – 5:00 PM**  
**Zoom Meeting**

**Present:** Halee Braun (Recreation and Wellness Programmer)  
Kathy Haist (RCW Administrative Assistant)  
Councillor Marianne Stewart  
Byron Sinclair (Pelham Minor Hockey Association)  
Brian Bleich (Pelham Basketball Association)  
Bryan Secord (Facility Supervisor)  
Tim Toffolo (Jr. B Pelham Panthers)  
Jessica Sackett (Niagara Centre Skating Club)  
Kevin Yochim (Southern Tier Admirals)  
Vickie vanRavenswaay (Director of Recreation, Culture & Wellness)

**Absent with Regrets:** Doug Freeland (Service Club Representative)  
Spencer Tanguay (Pelham Raiders Lacrosse)

**1. WELCOME**

The Chair Tim Toffolo, called the meeting to start at 5:05 pm.

**2. ADDITIONS TO THE AGENDA – none**

**3. ADOPTION OF THE AGENDA**

Motion to accept –Kevin Yochim  
Seconded – Brian Bleich  
Approved

**4. ADOPTION OF PREVIOUS MEETING'S MINUTES of January 21, 2021**

Motion to accept – Jessica Sackett  
Seconded – Kevin Yochim  
Approved

**5. MCC UPDATES**

- Vickie announced to group that James Allen is no longer with the Town of Pelham. Bryan Secord has been promoted to Supervisor of Recreational Programs and Facilities.
- Vaccine Clinics at the MCC have been running smoothly. 1<sup>st</sup> clinic had 15,000 vaccines administered, last week had just under 20,000. Next clinic is June 28 thru July 10<sup>th</sup>. More clinics coming waiting for confirmation on dates.

**MCC updates continued**

- Vickie ; amateur sport guidelines Stage 2 supposed to be July 2, Bryan to advise as soon as he finds out. Ice maybe available for one on one personal training. Bryan advise the group that the MCC has been carrying both rinks.
- Brian B asked if he should be submitting the Government Body for Ontario Basketball Association to the Town, so Town is aware of the guidelines for Basketball. Yes, Vickie advised Brian to submit and she will take it to the EOC.

**6. ORGANIZATIONS UPDATES**

- Brian Bleich said he would like to complete his last season end of July/ early August. His group needs 5 weeks before Labour Day to complete season. Brian would like to begin try outs by mid September and start this years' house league season by Thanksgiving.
- Bryan Secord updated that Pool, baseball and soccer are running by appointment only. And within provincial guidelines. As he gets updates he will advise everyone.
- Kevin Yochim – Southern Tier Association group 1<sup>st</sup> league meeting Tuesday. Hoping that after September 1<sup>st</sup> with tryouts. Looking for Ice Time as soon as possible. Goal is to have a regular season with government and Public Health saying yes.
- Jessica Sackett – would like a normal season, hoping for early September, just waiting for government guidelines. Next Skating Club meeting is Monday June 21 to discuss their season.
- Bryon Sinclair – OMHA to advise what the new season set up will be. AAA hopefully after Labour Day.
- Tim – OHL & NHL coaches and scouts pushing for Jr A. it would be the 2<sup>nd</sup> largest hockey registration in Canada with no Jr A group. Hoping for a September 25<sup>th</sup> start up date, with camps in August.  
Hoping for Mid March playoffs. 4 rounds instead of 5
- Halee – sending out applications next week for rentals and would like them returned by the second week in August. Brian B has asked for a meeting with Halee re: his schedule ( it will be effected by the Clinic Schedule)
- Vickie – to check with Doug, if the Kinsmen Home Show will still be happening? Usually 1<sup>st</sup> weekend in April



## 7. SHOWCASE

Board of Directors of GOJHL would like Pelham to host a Showcase in January. It would be a Friday, Saturday and Sunday – when available.

## 8. SILVER STICK

Byron – Todd Major to run November and December and Larry Frost to run January. Waiting for OMHA updates, no hockey over Christmas Break? Todd and Byron to meet with Halee re: Silver Stick

## 9. ROUND TABLE

Everyone is very concerned about the parking availability. Problems ahead when events are happening and the new residential development parking at MCC. Vickie advised that the residents have been instructed not to park at the MCC. Councillor Stewart advised that the parking study is on hold, because with the pandemic they can't get accurate numbers. Land to the east of MCC has been pulled off the real-estate market with hopes of increasing parking.

Kevin asked about the camera system in the rinks. Bryan updated group that the "Game on Streaming" has been installed, just waiting for the Software. Tim said that the hockey has an ongoing contract with Hockey Tech and Professional Broadcasting that can only be used.

Vaccine Clinics are ongoing at MCC until possibly October. Agreement at this point is in the Gym only.

Everyone is anxious to get started with their groups, just waiting on government updates.

## 10. NEW BUSINESS - none at this time

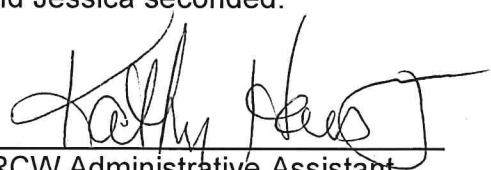
## 11. NEXT MEETING – July or early August – Tim to keep everyone informed

## 12. ADJOURNMENT

The meeting of the MCC User Group Roundtable Committee, June 17, 2021 adjourned at 5:50 pm. Byron motioned to adjourn and Jessica seconded.

  
Tim Toffolo (Oct 5, 2021 10:51 EDT)

Chair of MCC User Group Roundtable Committee  
Tim Toffolo

  
RCW Administrative Assistant  
Kathy Haist



**MEETING DATE: Thursday July 22, 2021 – 5:00 PM**  
**Zoom Meeting**

**Present:** Halee Braun (Recreation and Wellness Programmer)  
Kathy Haist (RCW Administrative Assistant)  
Councillor Marianne Stewart  
Byron Sinclair (Pelham Minor Hockey Association)  
Brian Bleich (Pelham Basketball Association)  
Bryan Secord (Facility Supervisor)  
Tim Toffolo (Jr. B Pelham Panthers)  
Jessica Sackett (Niagara Centre Skating Club)  
Kevin Yochim (Southern Tier Admirals)  
Vickie vanRavenswaay (Director of Recreation, Culture & Wellness)  
Doug Freeland (Service Club Representative)  
Todd Major – Guest

**Absent with Regrets:** Spencer Tanguay (Pelham Raiders Lacrosse)

**1. WELCOME**

The Chair Tim Toffolo, called the meeting to start at 5:10 pm.

**2. ADDITIONS TO THE AGENDA – none**

**3. ADOPTION OF THE AGENDA**

Motion to accept –Kevin Yochim  
Seconded – Brian Bleich  
Carried

**4. ADOPTION OF PREVIOUS MEETING'S MINUTES of June 17, 2021**

Motion to accept – Doug Freeland  
Seconded – Byron Sinclair  
Carried

**5. MCC UPDATES**

- Vickie – walking track to open once the Vaccine Clinics are out.  
Clinic to move to Accursi Room for August 9 – 12 clinic  
Gym to be cleared out on July 30<sup>th</sup>, Basketball can start  
Next week Ice Programs starting.

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**MCC updates continued**

August opening for Tim's Concession. And hoping the Pro Shop

**6. DOUG BURR MEMORIAL TOURNAMENT Aug 20 -22, 2021– Tim**

Conflict of interest with the ice time. Since this is an ongoing tournament and fundraiser in honour of Doug Burr.

Tim asked committee to support his 10 team tournament. Time was previously booked with Julie but not noted.

Halee is working with Tim to get the ice time needed to allow tournament to go ahead.

Vickie noted that some user ice time will have to be cancelled to accommodate the tournament, and asked group to vote.

Some confusion with timing and Covid restrictions – Vickie advised to book what Ice time you anticipate needing and can always give back time.

Committee has decided Halee call private users and ask if they will give up their ice time booked or change it up.

Tim advised that the Jr B Panthers will pay for ½ of their ice cost to move their current times.

Tim will supply Halee with exactly what he needs and she will work with the other users.

**7. BLACK OUT SUNDAY - Panthers Jr B needs ice for their 24 home game schedule. If Sundays are not available Tim will take Friday dates.**

**8. ACCIPTER ARENA CONFLICT – conflict with Home show and Jr B's**

Bryan updated that the ice in Accipter will be out March 28<sup>th</sup>. Bryan will be working on the schedule.

**9. FINALIZE TOURNAMENT DATES – Glynn A Green and Silverstick**

**Silverstick** – smaller number of teams – from 90 to 48 teams. January 6-9 confirmed.

Thursday night Opening Ceremony

Full Facility 7:00 am til 10:00 pm

Todd also proposing tournament November 26-28

Local league tournament (may or may not be ) Dec 27-28, depends on Covid and if

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teams can travel.

Committee has agreed on these tournament dates.

**Glynn A Green** – wants to move to first week of February. Group asked if Halee could change the timing back to original 3<sup>rd</sup> week of February.

**10. ICE APPLICATIONS** – Halee advised to get your times in!

**11. ROUND TABLE** - Parking is still a huge issue. Counsellor Stewart is bringing the concern to Meeting on Monday. Tim has stressed the importance of this issue. Committee agreed.

Vickie update committee about the cameras going into Accursi meeting room so in person meetings will be able to be held there.

RCW Office – with the facility being open now the office is locked. And If you require a meeting with anyone in the office, please book .

**12. OTHER BUSINESS** –none

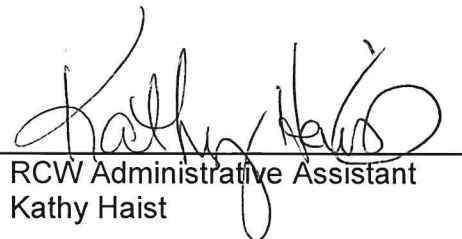
**13. NEXT MEETING** – TBD

**14. ADJOURNMENT**

The meeting of the MCC User Group Roundtable Committee, July 22, 2021 adjourned at 6:47 pm. Marianne motioned to adjourn and Byron seconded.

  
Tim Toffolo (Oct 1, 2021 16:35 EDT)

Chair of MCC User Group Roundtable Committee  
Tim Toffolo

  
RCW Administrative Assistant  
Kathy Haist

**Pelham Arts Advisory Committee Minutes**  
**Wednesday, June 16, 2021 @ 2:30 p.m. by Zoom conference.**

**Present:** Els Swart, Chaired this meeting  
Councillor Bob Hildebrandt  
Colleen Kenyon  
Mary Powley  
Barb Rybiak  
Jodi Shishkov  
Stephanie Yole

**Absent with Regrets:** Vickie vanRavenswaay  
Catharine Carr  
Brian DiMartile  
Darren Kaey

1. **Declaration of Quorum and call to Order** by Els Swart;
2. **Adoption of Agenda**  
Moved by: Barbara Rybiak  
Seconded by: Colleen Kenyon
3. **Disclosure of Pecuniary Interest and General Nature thereof**  
No Conflicts were declared
4. **Approval of Minutes of Previous Meeting**  
Moved by: Mary Powley  
Seconded by: Barbara Rybiak

THAT the minutes for the May 19, 2021 Pelham Arts Advisory Committee meeting be approved.  
CARRIED

5. **Correspondence**

Staff provided an update on the correspondence from E.L Crossley in regards to the Mural project at MSSP, EL Crossley will be doing the mural June 26 – June 30. Staff will forward a design when it is received. It is recommended in the Public Art Master Plan that 10% of the total cost of the project be put aside for annual maintenance of public art pieces.

6. **Business Arising from Minutes:**



- Culture Days;
  - a. Culture Days Artist Support Program: Committee members discussed this application form, and the program. The Committee will put it on hold until 2022, because there are so many unknowns with the ongoing pandemic. The Committee will review how Culture Days Activities run for 2021 with the support from the Niagara Investment in Culture Fund for Culture Crawl.
- Strategic Plan review & Update;
  - a. Committee is asked to review the strategic plan and write down accomplishments since 2019 to bring to the next meeting for a full review when all committee members are present.
- Welland Museum Meeting Follow Up;
  - a. Staff met with Penny Morningstar - General Manager from the Welland Museum and will be pursuing a showcase of Pelham artifacts during Culture Days (Sept. 24 – Oct. 24). Staff will schedule an in person meeting here at the MCC the second week of July to review logistics and installation of pieces.

## 7. **New Business:**

- Pop Up Art Galleries:
  - a. The committee is in agreement that no further action is required
- Artists in Peace Park
  - a. Staff will make available two vendor spaces for artists during the summer chill series. Staff and Committee to set an appropriate vendor fee for artist participation
- Percentage for Public Art
  - a. Staff will set a meeting with the Director of Planning to review steps to implement a Percent for Public art policy
- Indigenous Day
  - a. Colleen discussed opportunities to highlight indigenous Day through the Art Advisory committee. Staff will be having discussions on Canada Day celebrations, and follow up with the committee. Staff now have a contact for an indigenous artist, it is suggested to incorporate a reading/ demonstration during Culture Days (sept. 24 – Oct 24) Staff will reach out to coordinate. Staff to share contact from the Welland Museum with Colleen to collaborate on future indigenous projects.

- Pelham Art Advisory Committee Strategic Plan review
  - a. Committee has been asked to review the strategic plan and jot down accomplishments to bring back to the next meeting. We will review accomplishments at the July meeting, and set goals for the committee to the end of 2022.

8. **Next Meeting:** Wednesday, July 21, 2021 at 2:30pm by Zoom.

9. **Adjournment**

Moved by: Colleen Kenyon

Seconded by: Barbara Rybiak

THAT the meeting of the Pelham Art Advisory Committee meeting, June 21, 2021 adjourned at 4:27pm.

CARRIED.



Els Swart (Oct 5, 2021 19:17 EDT)

Els Swart, Co-Chair

**Pelham Arts Advisory Committee Minutes**  
**Wednesday, July 21, 2021 @ 2:30 p.m. by Zoom conference.**

**Present:** Els Swart, Chaired this meeting  
Councillor Bob Hildebrandt  
Colleen Kenyon  
Mary Powley  
Barb Rybiak  
Stephanie Yole  
Vickie vanRavenswaay

**Absent with Regrets:** Catharine Carr  
Darren Kaey

1. **Declaration of Quorum and call to Order** by Els Swart;
2. **Adoption of Agenda**  
Moved by: Mary Powley  
Seconded by: Barb Rybiak
3. **Disclosure of Pecuniary Interest and General Nature thereof**  
No Conflicts were declared
4. **Approval of Minutes of Previous Meeting with changes as follows;**  
Mary stated the minutes referred to Culture Days being “put on hold”. That is not the case, it was the Artist Funding that was to be put on hold. Noted that the Grant is still moving forward.

Moved by: Colleen Kenyon  
Seconded by: Barb Rybiak

THAT the minutes for the June 16, 2021 Pelham Arts Advisory Committee meeting be approved.  
CARRIED

5. **Correspondence- none**



**6. Business Arising from Minutes:**

- Mural Project at MSSP; - Vickie update on the unveiling of the mural on Tuesday. 30-40 people attended. Marlene attended via Facetime. Some committee members expressed they were not invited to the event. It was a missed email – apologies by Vicki and Stephanie for the oversight. Committee members upset that the mural design was decided without including the committee members.
- Canada Day Art Installations – the art installations were well received by attendees. Mary asked for a break down of the money disbursement to each artist. Leah to provide. Also how many of the artists were from Pelham. It was explained that a call went out to Artists to express their interest. All applications received were accepted. (4 in total)  
Committee was advised that all the expenses for the Canada Day Art Installation were covered by the Canada Day Grant. No monies came out of the Art Committee budget.
- Culture Days/Culture Crawl – Committee would like a list of what is expected from them for this event.  
Colleen had been in contact with Welland Museum and they are onboard with providing a display of artifacts of Pelham. This will be set up at the Meridian Community Centre in the atrium. Jodi had applied and received funding from the Niagara Investment in Culture grant – Culture Crawl event, Stephanie will send the grant details to committee members.  
A calendar of events for the duration of Cultures Days will be completed. Ideas such as story telling, and a session on knitting were mentioned. Committee to brainstorm what they would like Culture Days to look like.
- Strategic Plan Review and update – moved to next meeting. Darren is absent today and committee would like him at the meeting to discuss this. Stephanie to send out Strategic Plan to committee members to review and ready to discuss at next meeting.
- Percentage for Public Art program – Vicki will have additional information in October

- Artists in Peace Park – First Chill on the Hill was Thursday, July 15<sup>th</sup>. Symphony provided entertainment (free to Pelham) Artists will need insurance, if none there is a fee for coverage.  
Chill is from 4:30 – 6:30 and starting on August 5<sup>th</sup> the concerts in the Bandshell will be starting.  
Bandshell will have controlled entries and area will be fenced in (to comply with Covid rules and recommendations) Pre-registration is needed to attend.  
It was agreed that having artists at this event is not the right fit.

#### 7. **New Business:**

Canada Day 2022 – What does the committee want to do in regards to Canada Day?

Committee would like more media coverage than just The Voice and on line media. More ways to communicate events.

Camera in Accursi Room – all committees need to be recorded, at this time Zoom will be how meetings are held. Vicki and team have been looking into a camera system to be installed in the Accursi Room at MCC, so that meetings can be held in person at that time.

October is grant time. Canada Day Committee to submit Grant that will include the Arts Projects.

Stephanie to; set up a Doodle poll for meeting – re. Culture Days, and send out grant information as well as Strategic Plan

#### 8. **Next Meeting:** Wednesday, August 18, 2021 at 2:30pm by Zoom.

#### 9. **Adjournment**

Moved by: Else Swart

Seconded by: Mary Powley

THAT the meeting of the Pelham Art Advisory Committee meeting, July 21, 2021 adjourned at \_\_4:15\_\_pm.

CARRIED.



Els Swart (Oct 5, 2021 19:21 EDT)

Els Swart, Co-Chair

**Subject:** Joint Accessibility Advisory Committee "JAAC"  
– 2022-2024 Proposal

**Recommendation:**

**BE IT RESOLVED THAT Council receive Report #2021-0163-Clerks - Joint Accessibility Advisory Committee "JAAC" – 2022-2024 Proposal;**

**AND THAT Council approve the 2022-2024 Proposal to coordinate AODA Compliance for 2022-2024 with The Herrington Group Ltd., at a cost of \$10,000 per year;**

**AND THAT the Town Clerk be directed to prepare the necessary by-law authorizing the Mayor and Clerk to execute the said Agreement for the next Regular Meeting of Council.**

**Background:**

The *Accessibility for Ontarians with Disabilities Act* (AODA) was legislated in 2005. The legislation aims to develop, implement and enforce accessibility standards across Ontario with a view towards completing full accessibility in the Province by 2025.

This legislation mandates that municipalities with populations of 10,000 or more are to establish and maintain an accessibility advisory committee. The Act also allows two or more municipalities to create a joint committee, instead of having their own separate committees. In response to this requirement, the Town of Pelham along with the Town Lincoln, Township of West Lincoln, City of Thorold, Town of Niagara-on-the-Lake and Town of Grimsby partnered together and established the Joint Accessibility Advisory Committee (JAAC). Funds are pooled by each municipal partner to contract a consultant with the mandate to establish and coordinate compliance with the AODA for each municipality.

The Town of Pelham continues to be an active member in the Joint Accessibility Advisory Committee (JAAC). Services of The Herrington Group have been

continually engaged to ensure compliance with AODA, at a cost of \$10,000 per municipality. This cost has remained unchanged since the inception of the JAAC. As of 2022, the City of Port Colborne will be joining the JAAC group and it is noted, the annual price of \$10,000 per municipality per year has not increased.

The JAAC is comprised of two representative members from each of the partner municipalities.

### **Analysis:**

The AODA requires that the Council of a municipality prepare an accessibility report each year and adopt an Annual Accessibility Plan and provide accessibility training. In addition to these tasks, the JAAC group also audits and re-audits municipal facilities to address physical barriers ahead of the 2025 legislative deadline, aid staff in AODA interpretation and compliance support and comment on other documents as requested by the municipality. As the Town is a participant in the JAAC, access to the dedicated and knowledgeable committee members affords the opportunity to rely on the JAAC to spearhead requirements to facilitate the Town to remain in compliance with the constantly-changing legislation. The volunteers, working closely with the Consultant, are dedicated to ensuring compliance and this work greatly reduces the burden on municipal staff in this regard. Without this resource and the variety of insights that each committee member and the Consultant bring, the Town would be left to its own individual resources to ensure compliance with the AODA and would require a dedicated staff person, at least on a part-time basis, to fulfill the requirements. The cost of this would exceed the partnership contribution and is not being recommended.

A copy of the proposal to coordinate the AODA compliance for 2022-2024 by The Herrington Group Ltd. is included as Appendix A.

The cost per municipality has remained unchanged for many years, at \$10,000 annually. In addition to the consultant, The Herrington Group Ltd., the JAAC has been functioning collaboratively with membership from each represented municipality, as above outlined. The Clerks from all six partnering municipalities also meet on a regular basis to communicate compliance requirements. Most recently, the Clerks met to review the proposal for 2022-2024 and are unanimously supportive of renewal as proposed.

### **Financial Considerations:**

The Town can continue in its partnership with its neighbouring municipalities and contribute \$10,000 a year for the services provided or can consider hiring additional staff, at least on a part time basis, to ensure AODA compliance.

**Alternatives Reviewed:**

Although Council can direct staff to hire an additional part time staff compliment to ensure AODA compliance this is not recommended as the cost of this would exceed the annual partnership contribution.

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

Ensuring compliance of the AODA demonstrates the Town of Pelham's commitment to developing an accessible community for all residents and visitors and therefore builds a strong community.

**Consultation:**

JAAC Area Clerks

**Other Pertinent Reports/Attachments:**

2022-2024 Proposal to Coordinate AODA Compliance

**Prepared and Recommended by:**

Holly Willford, B.A.  
Town Clerk

**Prepared and Submitted by:**

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



## **Proposal to Coordinate AODA Compliance for 2022 - 2024**

**Submitted to:**  
The Town of Lincoln  
The Township of West Lincoln  
The Town of Pelham  
The City of Thorold  
The Town of Niagara-on-the-Lake  
The Town of Grimsby and  
The City of Port Colborne

**Submitted to:**  
Ms. Mary Murray  
JAAC Administrative Contact and Manager of  
Human Resources  
City of Port Colborne

**Submitted by:**  
Donna L. Herrington  
President and Senior Planner  
The Herrington Group Ltd  
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**August 9, 2021**

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## Introduction

The Joint Accessibility Advisory Committee of Lincoln, West Lincoln, Pelham, Thorold, Niagara-on-the-Lake, Grimsby and Port Colborne (JAAC) seeks a consultant to provide consultation and assistance in developing compliance strategies and tools to ensure continued compliance with the Accessibility for Ontarians with Disabilities Act (AODA) and resulting regulations.

In 2019, The Herrington Group (THG) was contracted for a two-year term (2019- 2021) by the JAAC to assist with compliance activities relating to the Accessibility with Ontarians with Disabilities Act, 2005. THG assisted the JAAC partners in complying with the AODA by:

- Drafting a 5-Year Accessibility Plan and Annual Progress Reports
- Developed and implemented Refresher AODA Training Module
- Supporting the JAAC in developing and implementing the We Are Accessible Campaign
- Supporting JAAC municipalities during provincial compliance audits
- Providing daily support to municipal staff and the Joint Accessibility Advisory Committee members.

The Herrington Group Ltd (THG) has extensive experience in accessibility consulting and compliance strategy development under the AODA having provided similar services to a variety of clients. This proposal will outline our understanding of the required deliverables as well as the suitability of our firm to provide consulting services to the JAAC.

## 2.0 Corporate Background and Experience

The Herrington Group is comprised of individuals who have extensive experience in disability issues, training, Universal Design, Barrier-Free Access, Human Resources, Human Rights legislation, planning and policy development, research, and architecture/construction. Most of our team also consists of individuals who also live with a variety of disabilities. This “lived experience” informs our work and strengthens our products and services.

### **Donna L. Herrington, B.A., Accessibility Consultant and Project Manager**

Donna Herrington, the senior planner and owner of The Herrington Group has extensive personal and professional experience in disability issues. Donna possesses over

twenty-five years' experience in accessibility planning, policy and program development, training development and organizational change processes. Donna is well-versed in compliance obligations under the AODA and consequently has extensive experience in the area of accessibility planning.

Since starting THG in 2003, Donna has conducted accessibility audits of over 1200+ facilities and has created training programs to comply with the AODA's Customer Service Standard O. Reg. 429/07 that have trained over 25,000 people across the province.

Clients include: Mohawk College, Ottawa Community Housing Corporation, Niagara College, Algonquin College, Humber College, Conseil Scolaire Catholique du Nouvel Ontario The City of Mississauga, GlaxoSmithKline, the Ontario Pension Board, the Cadillac Fairview Corporation, The Niagara Parks Commission, the Town of Oakville, the Regional Municipality of Peel, the City of Port Colborne, the Township of Wainfleet, the Halton District School Board and the Upper Grand District School Board, the Sudbury Catholic District School Board, the Catholic District School Board of Eastern Ontario, the City of St. Catharines, the City of Ottawa, Brock University, the City of Waterloo, the City of Kitchener and the Niagara Health System.

Donna has been an instructor for Niagara College's Multidisciplinary Geriatric and Mental Health Program teaching courses in Ontario's Mental Health System. She has served as an Expert Proposal Evaluator for Human Resources Development Canada's Social Development Partnerships Program – Disability Component. She has volunteered her time with the Niagara Prosperity Initiative and previously served as a member of the Niagara Grant Review Team of the Ontario Trillium Foundation.

## **2.1 Related Experience**

- **Mohawk College, Niagara College, Algonquin College; Humber College**—conducted accessibility audits of all facilities within these corporations
- **Niagara Parks Commission** - acted as an Accessibility Consultant coordinating all AODA compliance activities. Includes authoring all compliance policies, documents, and planning tools to comply with the Accessibility for Ontarians with Disabilities Act. Conducted accessibility audit of all NPC attractions.
- **GlaxoSmithKline** – acted as an Accessibility Consultant coordinating all AODA compliance activities. Includes authoring all compliance policies, documents, and planning tools to comply with the Accessibility for Ontarians with Disabilities Act. Conducted accessibility audit of the corporate facilities.

- **Ontario Pension Board** - acts as an Accessibility Consultant in the Corporation's compliance effort under O. Reg. 191/11 including the authoring the organization's Accessibility Policy and providing templates for the development of a Multi-Year Accessibility Plan.
- **Cadillac Fairview Corporation** – acted as an Accessibility Consultant in the Corporation's compliance effort under O. Reg. 191/11 including the authoring the organization's Accessibility Policy and providing templates for the development of a Multi-Year Accessibility Plan. O. Reg. 429/07. Authored the Cadillac Fairview's Accessible Customer Service Policy and conducted a peer review of the organization's accessible customer service training. Policy and training enacted across entire Ontario operations which includes 28 facilities.
- **The Regional Municipality of Peel** – acted as an Accessibility Consultant in the Region's compliance effort under O. Reg. 429/07. Conducted organization-wide training and policy gaps analysis. Assisted in the authoring of the Region's Accessible Customer Service Policy. Designed training modules.
- **The City of Ottawa** – developed and piloted an accessibility training module for front line staff that can be customized for different types of City services and incorporated into existing learning/training opportunities. Developed and authored a facilitator's handbook to guide trainers in delivering the accessibility training module
- **The City of Mississauga, the Catholic District School Board of Eastern Ontario and Sudbury Catholic District School Board** – conducted accessibility audits of all facilities within these corporations (including offices, community centres, public pools, arenas, parking facilities, parks, lecture halls, theatres, recreational areas and outdoor spaces etc.).

### 3.0 Deliverables Provided by The Herrington Group from 2015-2017

From 2019 - 2021, The Herrington Group provided the following deliverables to the JAAC:

1. Provided support to JAAC members. The JAAC has the following priorities and objectives:
  - Establish an effective working relationship with JAAC staff and Councils to ensure appropriate compliance with AODA Accessibility Standards.

- Assist JAAC staff and Councils by providing compliance planning tools and resources with the aim to make compliance easier for staff and more effective for people with disabilities receiving programs and services.
  - Educate JAAC staff and Councils about barriers facing people with disabilities in our community.
2. Managed the Accessibility Advisory Committee; facilitated 13 meetings and maintained minutes and managed related action items.
  3. Drafted Refresher AODA Training and with the JAAC, submitted updated training module to ensure ongoing compliance with the AODA.
  4. Assisted JAAC municipalities respond to AODA compliance questions from Province. Prepared, collated and submitted all compliance related documents. Provided legislative interpretation advice to municipal contacts, provided response advice and direction.
  5. Conducted Site Plan reviews for Town of Pelham, Town of Lincoln, Town of Grimsby and Town of Niagara-on-the-Lake.
  6. Developed and submitted Support Letters for JAAC member accessibility related funding applications.
  7. Consulted on Human Rights issues relating to disability as requested.
  8. Responded to telephone and email access related enquires from JAAC partners and their staff. Attended several meetings with Town staff.

#### **4.0 2022-2024 Project Deliverables and Responsibilities**

To ensure effective compliance with AODA the consultant proposes the following services for the contract term:

##### **1. Management of the Joint Accessibility Advisory Committee:**

- Solicitation and screening of new committee members (as required)
- Orientation for new and existing committee members
- Preparation and distribution meeting packages (agendas, minutes, materials for review)

- Secure meeting locations ensuring a minimum of 6 regularly scheduled meetings in the planning year or coordination of Zoom meetings as required
- Arrange committee member transportation and other accommodations as required/applicable
- Attend JAAC meetings in the role of Secretary.
- Develop and submit annual work plans to the Admin Group.

## **2. AODA Interpretation and Compliance Support:**

- The Consultant will provide AODA and Accessibility Standard analysis and interpretation and will orient JAAC members and JAAC Admin staff to compliance requirements (addressing general information needs as well as answering specific enquiries).
- The Consultant will review any new Accessibility Standards created under the AODA and any related legislation which impacts compliance such as the Human Rights Code and the Accessible Canada Act. The consultant will provide consultation and advice in a variety of formats (written and verbal) as required. This includes advising on existing and new Accessibility Standard implications, policy and procedural needs, training needs and equipment and capital needs to comply with regulations.
- The Consultant will audit sample internal and external documents, processes and information systems to identify barriers to people with disabilities as well as identify Accessibility Standard compliance gaps with the assistance of the JAAC.
- The Consultant will assist in policy writing, procedure development and training plan and content development to comply with AODA requirements and emerging municipal needs.
- The Consultant will recommend strategies and implementation measures that are identified as best practices as a result of THG's previous experience with the identified compliance need as well as best practices from a legislative perspective.
- The Consultant will recommend best practices as they relate to providing the greatest extent of accessibility for individuals living with a wide variety of disabilities (i.e. maintaining a "cross-disability focus" addressing the needs of individuals with physical, sensory, environmental and mental health disabilities).

**3. Re-audit municipal facilities to address physical barriers ahead of 2025 legislated deadline**

- The consultant, with the JAAC, will re-audit any municipal facility and prepare reports to identify physical barriers as they relate to AODA, the new OBC and FADS in anticipation of the legislated deadline of 2025.

**4. Provide Accessibility Training to New Council, Committee Members and Staff:**

- Consultant and JAAC members will provide accessibility training to all new Council, Committee Members and municipal staff as requested

**5. Coordinate and Host meeting of Niagara-based Accessibility Advisory Committees**

- Host a meeting of all other Niagara-based accessibility advisory committees to share best practices, problem-solve joint issues and barriers and increase regional coordination of efforts
- Propose regional “working group”/subcommittee to increase regional coordination of efforts and increase communication between committees

**6. Development of the Multi-Year Accessibility Plan Progress Report:**

- The Consultant will create Multi-Year Accessibility Plan Progress Reports.
- The Consultant will circulate the reporting tool and coordinate the drafting of the Annual Progress Report with input from JAAC partner contacts and submit the Report to Council for approval and adoption.
- Upon completion of the Progress Report, the Consultant will coordinate and assist in developing a Communication Plan for the Report.

**7. Site Plan Reviews - provide compliance interpretation and support for Niagara FADS, the AODA Built Environment Standard and updated Ontario Building Code:**

- The Consultant will conduct site plans and/or review as requested by JAAC partner municipalities to determine compliance with Built Environment Design

Standards including Niagara FADS, AODA Design of Public Spaces and new Ontario Building Code as applicable.

**8. Liaison support for JAAC staff:**

- The Consultant will respond to email and telephone questions, attend meetings at JAAC and other appropriate locations as requested.

**9. Further develop the We Are Accessible Award**

- Work with the JAAC to furthering its recognition award program for municipal, public and private sector efforts to improve accessibility in our community. These awards will be given out once (1x) per year.

**10. Liaise with public and private sector organizations and interest groups.**

In conjunction with the JAAC members:

- providing information about the AODA and its regulations
- maintaining a social media presence
- speaking to organizations about accessibility
- educating organizations on how to welcome people with disabilities into their business or workplace

Service Inclusions and Additional Considerations:

- a) Assignment activities will be conducted at The Herrington Group Ltd's offices. Email and telephone consultation will be widely used to reduce the amount of required travel in providing services. However, services will also be provided on site within JAAC municipalities as required.
- b) The consultant will be responsible for planning, meeting facilitation, production of draft materials, dissemination of materials for review, and collecting and consolidating feedback. The consultant will be responsible for the development of the Multi-Year Accessibility Plan Progress Report and any other compliance related policies.
- c) All staff of The Herrington Group Ltd is subject to its Health and Safety Policy and Confidentiality Agreement.



- d) The Herrington Group Ltd holds general liability and errors and omissions insurance in the amount of \$5,000,000. THG also holds an account, in good standing, with WSIB. Certification to confirm both accounts will be provided upon contract commencement.

## 5.0 Budget

<b><u>Expense</u></b>	<b><u>Annual Amount</u></b>	<b><u>2-Year Total Contract Amount</u></b>
Printing and Materials	\$1,490	\$2,980
Transportation	\$3,700	\$7,400
JAAC Meeting Accommodations	\$550	\$1,100
Consultant's Fee (plus HST):	\$64,260	\$128,520
<ul style="list-style-type: none"> <li>• JAAC Management</li> <li>• AODA Compliance Planning</li> <li>• Facility Re-audits</li> <li>• Advice: New Accessibility Standards, new legislation</li> <li>• Multi-Year Accessibility Plan and Annual Progress Report Development</li> <li>• Community Outreach</li> <li>• Site Plan Review Services</li> <li>• Compliance Support</li> <li>• Staff Liaison Services</li> <li>• Administrative Support</li> </ul>		
<b>TOTAL</b>	<b>\$70,000</b>	<b>\$140,000</b>

## **5.1 Narrative Explanation of Proposed Budget**

The JAAC pays for actual expense costs. All original receipts are submitted with invoices.

### **Printing and Materials- \$1,490/annum**

This figure reflects printing for the We Are Accessible Campaign promotional materials (brochures and award certificates) and for other initiatives (such as the meeting with other AAC's in Niagara).

### **Transportation - \$3,700/annum**

These funds will ensure consumer participation from all partnering municipalities. By providing transportation for JAAC members with disabilities, barriers to participation are eliminated and equality in the JAAC planning process is ensured. JAAC members are utilizing transportation most often as they participate in direct service activities such as staff training and consultations.

Eligible transportation costs include mileage reimbursement, taxi and bus costs and the chartering of accessible taxi cabs for wheelchair users. Costs are estimated at \$617/month x 6 months (the JAAC meets every other month).

### **JAAC Meeting Accommodations - \$550/annum**

Costs here include light meeting refreshments for monthly JAAC meetings when meeting in person. Cost also covers the annual holiday meal for committee members. Costs are estimated as such: Refreshments - \$25/meeting x 6 meetings (\$150) and \$400 for the annual holiday meal.

### **Consultant's Fee - \$64,260/annum**

Consultant fee includes:

- **JAAC Committee Management and Administration** – annual work plan, monthly meetings, minute taking, follow up support.
- **AODA Compliance Support**– provide interpretation and compliance support relating to existing or new Accessibility Standards including accessibility audits of internal operations, processes, documents, internal and external communications. Meeting with Senior Staff to obtain needed information.

Propose compliance measures, provide status updates and create required documents.

- **Multi-Year Accessibility Plan Progress Report Development** – including designing progress reporting process, collecting and synthesizing data, adding new data should new AODA Standards be regulated, managing JAAC consultation process, drafting Final Progress Report and submission of same to Councils.
- **Facility Re-audits** – re-audit municipal facilities
- **Community Outreach Activities** – prepare for JAAC members AODA related materials to be used in their community outreach activities.
- **Meeting of Niagara-based AAC's and potential development of Regional Sub-group** - hosting a meeting of all AAC's in Niagara and spearheading cross-committee partnerships and communications.
- **Site Plan Review Services** – as requested
- **Staff Liaison Services** – respond to email and telephone enquiries. Attend JAAC partner consultation meetings
- **Administrative Support** – calculated at \$15/hour x 10 hours/month x 6 months.

Fee will be billed monthly, and Harmonized Sales Tax will be added.

**Subject:** 2022 Municipal and School Board Election – Voting, Vote Counting Equipment and Alternative Voting Methods

**Recommendation:**

**BE IT RESOLVED THAT Council receive Report #2021-0173 – 2022 Municipal and School Board Election – Voting, Vote Counting Equipment and Alternative Voting Methods;**

**AND THAT Council reaffirm the use of AccuVote Optical Scanning Vote Tabulators and Touch Screen Vote Tabulators;**

**AND THAT Council approve and support a hybrid-voting approach for the 2022 Municipal and School Board Election, specifically using a combination of in person voting and special on demand mail in ballots;**

**AND THAT the Clerk be directed to prepare the necessary By-law for voting, vote counting equipment and alternative voting methods for Council consideration prior to May 1, 2022;**

**AND THAT the Clerk be directed to review and update all procedures required for the conduct of the 2022 Municipal Election, in accordance with the requirements of the *Municipal Elections Act*;**

**AND THAT the Clerk be directed to prepare a policy regarding circumstances in which the municipality would require a recount;**

**AND THAT the Mayor and Clerk be provided the delegated authority to execute any agreements necessary to implement the 2022 Municipal and School Board Election.**

**Background:**

The 2022 Municipal Election Day is Monday, October 24, 2022.

Pursuant to the *Municipal Elections Act* ("MEA") the municipal Clerk is responsible for conducting the municipal election and establishing all procedures, forms and providing for any matters necessary for conducting the election. Having said that, there are certain matters related to the election that do require Council consideration and direction. Specifically, Section 42(1) of the MEA requires that:

The Council of a local municipality may pass by-laws:

- (a) authorizing the use of voting and vote-counting equipment such as voting machines, voting recorders or optical scanning vote tabulators; and
- (b) authorizing electors to use an alternative voting method, such as voting by mail or by telephone, that does not require electors to attend a voting place in order to vote.

Furthermore, the MEA requires the municipal Council to pass said by-law for use of voting and vote-counting equipment, authorizing electors to use an alternative voting method and circumstances in which the municipal Clerk shall hold a recount on or before Sunday, May 1, 2022.

**Analysis:**

When determining voting methods there are three (3) major considerations to consider:

- 1) The secrecy and confidentiality of the vote (security);
- 2) That the integrity of the process is maintained and the results reflect the votes cast (verifiability); and
- 3) That the election is accessible to both candidates and electors (accessibility).

Prior to the 2020 Ward 1 By-Election, the Town of Pelham has historically voted in person with paper ballots.

The current COVID-19 health pandemic has dramatically affected the way in which municipalities, schools, businesses and individuals function daily. Optimistically, it is hoped that COVID-19 will have little impact on the 2022 Municipal Election, however this is still an unknown. Due to the uncertainty of the pandemic, staff are planning for a municipal election similar to that of the Town's 2020 Ward 1 By-

Election, and therefore are recommending the use of traditional in person voting along with the alternative voting method of 'special on demand mail in ballots'.

### **Vote Counting Equipment**

Staff recommend the continued use of a paper ballot optical scan vote tabulation method. The Town of Pelham currently owns 14 AccuVote Tabulators that can be utilized for the 2022 Municipal Election.

It is recognized that the AccuVote tabulator equipment has been under the Town's ownership since 2001. The equipment is put through rigorous testing and maintenance prior to any election event. Following the 2022 Municipal Election, the Town will have to explore the benefits of leasing or purchasing new equipment for following elections.

Alternatively, the Town can replace its vote tabulation machines with new machines. The approximate cost of complete fleet replacement is \$110,525.00. The approximate cost to lease the said machines is \$19,755.00, per election. As indicated, staff recommend using the Town's current machines for the 2022 Municipal Election while undertaking a purchase vs lease cost analysis to determine the best financial path forward for the Town and future elections.

### **Advance Voting Opportunities**

The MEA indicates advance voting shall not be held more than 30 days before voting day, therefore the first possible day to hold an advance vote is Saturday, September 24, 2022.

Staff are planning to hold four (4) advance voting days. Staff recognize the importance of offering a safe opportunity to vote early, if desired by residents.

The MEA provides that the municipal Clerk is responsible to establish advanced voting opportunities and set the dates, there is no need to pass a by-law in this regard. Rather, public notification and advertisements will be used to broadcast these opportunities.

### **Hybrid Voting Approach – In Person and Special on Demand Mail In Ballots**

Staff recommend implementing a hybrid voting approach for the 2022 municipal election comprising of both in person voting and residents being able to pre-register to receive a 'special on demand mail in ballot'. This approach was adopted during the Town's 2020 Ward 1 By-election and was successful.

This approach respects the Town's history of traditional in-person voting while respecting a residents choice to vote, not in person. The special on demand ballot option was implemented by the Town during the 2020 Ward 1 By-Election to afford resident's affected by COVID-19 the opportunity to vote. However, there are many reasons a resident may wish to use the special on demand mail in ballot other than health precautions or concerns, such as: increased accessibility (access to personal support tools), business or pleasure travel, unable or unwilling to appoint a proxy or simply wishing to mark their ballot and return at their convenience. Residents may mail their ballots back to the Clerk at Town Hall or drop their ballots off at a ballot drop off locked box location. It is intended that a locked ballot drop box will be situated at Town Hall, Maple Acres Library and the Meridian Community Centre.

Staff believe this hybrid voting approach will be both successful and cost efficient for the Town.

### **Financial Considerations:**

For Council's information, the 2018 Municipal Election cost a total of \$59,381.78. Staff expect an increased cost due to COVID-19 and potential additional health precautions being taken, such as: hiring a poll cleaner position, cleaning supplies, sanitizer, personal protective equipment, single use pens, additional staff hires to ensure a backup election working team is available and potentially additional advance poll locations.

As staff have recommended using the Town's current vote tabulator machines there are no technology-based financial costs to be considered, other than the regular maintenance of the machines. This cost is dramatically lower than purchasing new or leasing machines.

Special on-demand Mail-in-Ballots are packaged and created *in house*, and therefore the only additional cost associated is the postage to mail the ballot to the elector and pre-postage return envelopes (\$4 each). During the 2020 Ward 1 By-Election, twenty (20) residents voted through this voting method. Staff estimate, it is unlikely the Town will receive more than fifty (50) residents in each ward requesting this method, therefore it is estimated one-hundred-fifty (150) packages will be created at an approximate cost of \$600.00 (excluding the value of staff time).

### **Alternatives Reviewed:**

The Clerk's Department has received rough estimates from third parties to determine a potential, high level, cost associated with running the 2022 Municipal



Election completely by Vote by Mail or Internet and Telephone Voting.

It is noted, there was 14,264 registered electors during the 2018 Municipal Election and therefore, this number was used in the below calculations.

<b>Vote By Mail</b>	
Vendor Set Up Fee	\$800.00
Vote By Mail Kits (\$1.85-\$2.10)	\$26,388.40 – 29,954.40
** Additional costs for replacement kits and for ballots which can be counted via vote tabulator**	unknown
Total Base Cost (extra fees will apply)	<b>\$30,754.40</b>

<b>Vote By Internet and Telephone Voting</b>	
Vendor Set Up Fee	\$3,550.44
Swiss Print (\$0.27) per voter	\$3,851.28
Internet and Telephone Voting Kits (\$1.50)	\$21,396.00
Vendor Suggests Budget \$2,000 for additional professional services	\$2,000.00
Total Base Cost (extra fees may apply)	<b>\$30,797.72</b>

These options, although possible, are not recommended as the Town has a long history of in-person voting and a dramatic change to vote by mail or internet and telephone only voting may be unwanted by the electorate.

If Council wishes to further explore these options, a motion directing the Clerk to conduct further research would be required.

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

A municipal election is a significant community event which encourages active civic engagement. It is important that the Clerk offer a fair, safe and accessible election to the Town of Pelham residents. Holding such an election builds community

strength by encouraging residents to stay informed about local affairs and participate in the democratic process.

**Consultation:**

None.

**Other Pertinent Reports/Attachments:**

None.

**Prepared and Recommended by:**

Holly Willford, B.A.  
Town Clerk

Sarah Leach, B.A.  
Deputy Clerk

**Prepared and Submitted by:**

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

**Subject:** Covid 19 vaccination clinic extension 2022**Recommendation:**

**BE IT RESOLVED THAT Council receive Report #2021-0178 for information purposes;**

**AND THAT Council approve Option #2 - the usage of the Accursi Room(s) as a future injection site.**

**Background:**

The Town is in receipt of this formal request from Niagara Public Health:

We are currently in the process of planning for student immunizations and possible 3<sup>rd</sup> dose immunizations for certain populations. We know our contracts with you come to an end at the end of December. At this time we need to ask if you are willing to continue to host immunization clinics in 2022. If your facility has decreased the size of the clinic, are you willing to increase it again? For example, if the PH clinic has moved to a smaller room, are you able and willing to offer the larger gym? Dr. Hirji has asked that we secure clinic locations for January to the end of March with the possibility of needing to extend that time frame to the end of June.

**Analysis:**

Pelham has provided the MCC as a vaccination site thru most of 2021, the first phase of the clinics were held in the south gym and operated as a 13 injection site. In the summer the site took over both the south and north gyms and operated as a 24 injection site. Starting in September the clinic was moved upstairs to operate in the Accursi room as a 8 injection site. During these 3 periods the Town lost revenue and resource costs (aprox 50k) from gym rentals, extra cleaning staff, extra assisting staff and fire fighters for first aid. At this point the Town has received no confirmation of any reimbursement for this lost revenue either from the Region or the Province.

At this time the Town has a number of options:

1. Deny the extension and terminate the agreement on December 31<sup>st</sup> 2021;
2. Continue the current site in the Accursi rooms;

3. Move the future clinic back to the south gym; or
4. Mover the future clinic to both gyms.

Terminating the agreement has the least financial impact however it does not help Public Health work towards the goal of vaccinating all eligible persons. Further, it is reasonable to expect that there are thousands of young persons in Pelham who would benefit from having easy access to a vaccination clinic. Options 2-4 of the will cause the Town to incur costs depending on the size of the clinic, which may or may not be repaid or subsidized by a higher order of government. Going back to the gyms would have the largest financial impact and will also have a negative impact on basketball and other user groups, both financially and operationally.

#### **Financial Considerations:**

The primary financial consideration regarding the operation of vaccination clinics at the MCC is the lost revenue that would otherwise be earned if the facility is available for booking, as well as the cost of extra cleaning and staff assistance. Denying the extension would result in zero financial impact. Continuing the current site in the Accursi rooms costs the Town approximately \$900 per day. The use of the south gym costs approximately \$1,200 per day, and the use of both gyms costs approximately \$2,000 per day. This includes the anticipated lost revenues as well as staff time, utilities, etc. In addition, it is worth considering that while it does not directly impact the Town, using either or both gyms would have a negative financial and operational impact on the Pelham Minor Basketball Association and other user groups in need of the gymnasiums.

#### **Alternatives Reviewed:**

The four options are identified earlier in the report.

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

The higher the rate of vaccination, the healthier, safer and stronger the community.

#### **Consultation:**

CAO, Director of RCW, RCW staff.

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

none

#### **Prepared and Recommended by:**

Bob Lymburner, Fire Chief

Director of Fire and By-law Services

**Prepared and Submitted by:**

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

**Subject:** Mandatory Covid Vaccination for Elected Officials – Amendments to the Code of Conduct for Members of Council

**Recommendation:**

**BE IT RESOLVED THAT Council receive Report #2021-0181 – Mandatory Covid Vaccination for Elected Officials – Amendments to the Code of Conduct for Members of Council;**

**AND THAT Council approve the Code of Conduct for Members of Council, Policy S201-15, as amended.**

**Background:**

At its regular meeting of October, 4, 2021, Council passed the following motion to direct staff to bring potential amendments to the Code of Conduct:

**Moved By** John Wink

**Seconded By** Ron Kore

**BE IT RESOLVED THAT Council receive Report #2021-0169 – Town Policy Requiring Staff Vaccination, for information purposes;**

**AND THAT Council direct staff to revise the Council Code of Conduct to include that members of Council be required to be fully vaccinated (including booster shots, if necessary)**

**Analysis:**

The proposed amendments to the Councillor Code of Conduct are contained within the definitions section and within section 4.2 of the Code. All proposed changes are highlighted in yellow.

The materials have been drafted to make it mandatory for elected officials (referred to as “Members” within the Code) to provide proof of their Vaccine Status to either

Human Resources or to the Town Clerk, at the preference of the elected official. Proof of Vaccine status is necessary to be able to physically participate in work and Council activities in Town facilities. Failure to provide proof, or attendance when not Fully Vaccinated would constitute a violation of the Code of Conduct.

### **Financial Considerations:**

There are no financial components associated with the potential amendments to the Councillor Code of Conduct.

### **Alternatives Reviewed:**

Staff were not directed to look at alternatives. Council can choose not to pass the proposed amendments, or Council could direct staff to make the appropriate amendments to the existing mandatory vaccination policies which currently apply to staff, volunteers and third parties working with the municipality, such as contractors.

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

The proposed amendments to the Councillor Code of Conduct are consistent with the standards and expectations being applied to Town Staff and Town Volunteers. This initiative demonstrates leadership for the community and supports the fact that vaccinations are safe and appropriate for virtually all residents of the Town.

### **Consultation:**

This report and the proposed amendments were drafted in conjunction with the Human Resources & Health and Safety Co-ordinator.

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

Town Code of Conduct with proposed amendments.

### **Prepared and Submitted by:**

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





<b>Policy Name:</b>	<b>Policy No: S201-15</b>
Committee approval date:	April 15, 2019
Council approval date:	May 6, 2019
Revision date(s):	October 18, 2021
Department/Division:	Council

## 1. Purpose

Establish a general standard to ensure all Members of Council share a common basis for acceptable conduct on a foundation of integrity, transparency, justice, truth, honestly and courtesy.

## 2. General Provisions

### 1.0 Application

1.1 This Code of Conduct applies to Members of the Council of the Town of Pelham, including the Mayor and, unless specifically provided, with necessary modifications to all Town committees, agencies, boards and commissions, which are defined as local boards in the Municipal Act, 2001.

1.2 The purpose of this Code of Conduct is to establish a general standard to ensure that all Members share a common basis for acceptable conduct, and to which all Members are expected to adhere to and comply with. This Code of Conduct augments other laws which Members are governed by and requires Members to follow the Procedural By-law and other sources of applicable law, including but not limited to:

- *Municipal Act, 2001*
- *Municipal Conflict of Interest Act*
- *Municipal Elections Act, 1996*
- *Municipal Freedom of Information and Protection of Privacy Act*
- *Human Rights Code*
- *Occupational Health and Safety Act*
- *Provincial Offences Act*
- *Criminal Code*



## 2.0 Statement of Principles

- 2.1 This Code of Conduct is intended to set a high standard of conduct for Members in order to provide good governance and a high level of public confidence in the administration of the Town by its Members as duly elected public representatives to ensure that they each operate from a foundation of integrity, transparency, justice, truth, honesty and courtesy.
- 2.2 The following key statements of principle are intended to guide Members and assist with the interpretation of the Code of Conduct:
- Members shall serve and be seen to serve the public in a conscientious and diligent manner;
  - Members shall observe and act with the highest standard of ethical conduct and integrity;
  - Members shall avoid the improper use of the influence of their office and act without self-interest;
  - Members shall act and are expected to perform their functions with honesty, integrity, accountability and transparency;
  - Members shall perform their duties and arrange their private affairs in a manner that promotes public confidence;
  - Members shall be cognizant that they are at all times representatives of the Town and of Council, recognize the importance of their duties and responsibilities, take into account the public character of their function, and maintain and promote the public trust in the Town; and
  - Members will uphold the laws of Canada, Ontario and the laws and policies adopted by Council.

## 3.0 Definitions

- 3.1 The following terms shall have the following meanings in this Code of Conduct:
- (a) “CAO” means the Chief Administrative Officer of the Town;
  - (b) “Child” means a child born within or outside marriage and includes an adopted child and a person whom a parent has demonstrated a settled intention to treat as a child of his or her family;
  - (c) “Confidential information” means information or records that are in the possession, in the custody or under the control of the Town that the Town is either precluded from disclosing under the *Municipal Act, 2001* or other applicable legislation, its Procedural By-law or any of its other by-laws, policies, rules or procedures, or that it is required to refuse to disclose under the *Municipal Freedom of Information and Protection of Privacy Act* or other legislation;



- (d) "Conflict of interest" means a situation in which a Member has competing interests or loyalties between the Member's personal or private interests and his or her public interests as an elected representative such that it might influence his or her decision in a particular matter;
- (e) "Council" means the council for the Town;
- (f) "Frivolous" includes something that is not worthy of serious consideration or that is of little or no importance, due to its lack of seriousness or sense;
- (g) "Fully Vaccinated" means having received the full series of a COVID-19 vaccine or combination of COVID-19 vaccines approved by the World Health Organization (WHO) (e.g., two doses of a two-dose vaccine series, or one dose of a single-dose vaccine series) or the National Advisory Committee on Immunizations; and having received the final dose of the COVID-19 vaccine series at least 14 days prior, and as may be amended from time to time (i.e. the approval of a booster);
- (h) "Human Rights Code Exemption" is the protected ground of Creed (i.e. Religion) under the Human Rights Code being practices, beliefs and observances that are part of a faith or religion that shall be determined in accordance with the COVID-19 Vaccine Creed Exemption Form. It does not include personal, moral, ethical, or political views;
- (i) "Medical Exemption" means the medical conditions as outlined in the Medical Exemption to Decline the COVID-19 Vaccine Form;
- (j) "Member" means a Member of the Council for the Town;
- (k) "Non-pecuniary interest" means a private or personal interest that a Member may have that is non-financial in nature and that would be considered by a reasonable person, apprised of all the circumstances, as being likely to influence the Member's decision in any matter in which the non-pecuniary interest arises, and may include, but is not limited to, an interest that arises from a relationship with a person or entity;
- (l) "Parent" means a person who has demonstrated a settled intention to treat a child as a member of his or her family whether or not that person is the natural parent of the child;
- (m) "Proof of Vaccination" means documentation issued by the Ontario Ministry of Health, other province or territory or international equivalent indicating individual immunization status against the COVID-19 virus;
- (n) "Spouse" means a person to whom the person is married or with whom the person is living in a conjugal relationship outside marriage;



- (o) “Staff” means the CAO and all commissioners, officers, directors, managers, supervisors and all individual members of staff, whether full-time, part-time, contract, seasonal or volunteer, as well as agents and consultants acting in furtherance of the Town’s business and interest;
- (p) “Town” means The Corporation of the Town of Pelham;
- (q) “Vexatious” includes something that is instituted without sufficient grounds and serving only to cause annoyance, frustration or worry.

#### **4.0 General Obligations**

##### **4.1 In all respects, Members shall:**

- (a) make every effort to act with good faith and care;
- (b) conduct themselves with integrity, courtesy and respectability at all meetings of the Council or any committee and in accordance with the Town’s Procedural By-law or other applicable procedural rules and policies;
- (c) seek to advance the public interest with honesty;
- (d) seek to serve their constituents in a conscientious and diligent manner;
- (e) respect the individual rights, values, beliefs and personality traits of any other person;
- (f) refrain from making statements the Member knows or ought reasonably to know to be false or with the intent to mislead Council or the public;
- (g) accurately communicate the decisions of Council and respect Council’s decision-making process even if they disagree with Council’s ultimate determinations and rulings; and
- (h) refrain from making disparaging comments about another Member or unfounded accusations about the motives of another Member.

##### **4.2 Compliance with Public Health Directives**

**4.2.1** The health and safety of both Members and staff is a priority. To this end, the Town of Pelham requires all Members who wish to attend in-person meetings at Town Hall, conduct business on Town property or facilities, or attend official events in their capacity as Councillors to be fully vaccinated against COVID-19. This language is included to address the current COVID-19 pandemic and any future health pandemics.

**4.2.2** Vaccination status must be disclosed to the Town Clerk by November 5, 2021. Those who remain unvaccinated need to show proof of their



first dose by no later than November 1, 2021. As of December 10, 2021 proof of receiving the first and second doses of a COVID-19 vaccine (or single dose vaccine) is required. Members must update their vaccination status to the Town Clerk as they obtain each dose of the COVID-19 vaccine.

4.2.3 Those who are unable to obtain a COVID-19 vaccine for a reason related to a protected ground must do one of the following:

- i. Provide written proof of a medical reason documented by a physician or nurse practitioner, using the Medical Exemption to Decline the COVID-19 Vaccine Form that sets out:
  - a. A documented medical reason for not being fully vaccinated against COVID-19, and
  - b. The effective time period for the medical reason (i.e. permanent or time-limited. If time-limited, the member must provide proof of vaccination within 30 days of the medical reason expiring); or
- ii. Provide written proof of a bona fide Human Rights Code exemption using the COVID-19 Vaccination Creed (i.e. Religion) Exemption Request Form which includes:
  - a. Documented evidence to confirm requirements for a Creed (i.e. Religion) exemption for the COVID-19 vaccine, and
  - b. Certification from a Creed/Religious leader

4.2.4 Members who remain unvaccinated due to a bona fide medical or Human Rights Code exemption shall be subject to the Town's accommodation processes and are required to take additional infection and prevention control measures, including submitting to regular COVID-19 antigen testing and providing proof of a negative test result.

4.2.5 Information collected pursuant to this Code of Conduct, including related to a Member's proof of vaccination shall be collected, protected and disposed of in accordance with privacy legislation. This information will only be used to the extent necessary for implementation of this Code of Conduct, including providing statistical reporting on compliance, and for administering related infection and prevention control measures and health and safety protocols in the workplace. Members may provide their proof of Vaccination status to the Town Clerk or to the Human Resources Department, at their preference.



## **5.0 The Role of Staff**

- 5.1 Council as a whole approves the budget, policies and governance of the Town through its by-laws and resolutions. Individual Members do not direct or oversee the functions of the staff of the Town.
- 5.2 The Town's staff serve Council and work for the Town as a body corporate under the direction of the CAO. Inquiries of staff from Members should be directed to the CAO or to the appropriate senior staff as directed by the CAO. Members shall not publicly criticize staff. Should a Member have any issue with respect to staff such issue shall be referred to the CAO who will direct the matter to the particular staff member's appropriate superior.
- 5.3 Members shall respect the role of staff in the administration of the business affairs of the Town. Members shall respect that staff:
  - (a) provide advice and make policy recommendations in accordance with their professional ethics, expertise and obligations and that Members must not falsely or maliciously injure the reputation of staff members whether professional or ethical or otherwise;
  - (b) work within the administration of the business affairs of the Town and Members must not make requests, statements or take actions which may be construed as an attempt to influence the independent administration of the work of staff and, therefore, Members shall not attempt to intimidate, threaten, or influence any staff member from carrying out that person's duties, including any duty to disclose improper activity; and
  - (c) carry out their duties based on political neutrality and without undue influence from any individual Member and, therefore, Members must not invite or pressure any member of staff to engage in partisan political activities or be subjected to discrimination or reprisal for refusing to engage in such activities.

## **6.0 Town Property**

- 6.1 Council is the custodian of the assets of the Town. The community places its trust in Council and those it appoints to make decisions for the public good in relation to these assets.
- 6.2 By virtue of their office or appointment, Members must not use or permit the use of the Town's land, facilities, equipment, supplies, services, staff or other



resources for activities other than the business of the Town. No Member shall seek financial gain for themselves, family or friends from the use or sale of Town owned intellectual property, computer programs, technological innovations, or other patent, trademarks or copyright held by the Town.

## **7.0 Gifts and Benefits**

- 7.1 Gifts to Members risk the appearance of improper influence. Gifts may improperly induce influence or create an incentive for Members to make decisions on the basis of relationships rather than in the best interests of the Town. A Member shall not accept a fee, advance, gift, gift certificate, cash, hospitality or any form of personal benefit connected directly or indirectly with the performance of his or her duties except as provided in Section 10.3. A gift, benefit or hospitality provided with the Member's knowledge to a Member's spouse, child, or parent, or to a Member's staff that is connected directly or indirectly to the performance of the Member's duties is deemed to be a gift to that Member. Any doubt concerning the propriety of the gift should be resolved by the Member not accepting or keeping it.
- 7.2 For greater clarity, despite Section 7.1, Members are entitled to accept any compensation, remuneration or benefits authorized by law and shall not accept any gift or benefit in their public capacity other than in the following circumstances:
- (a) such gifts or benefits that normally accompany the responsibilities of office and are received as an incident of protocol or social obligation;
  - (b) a political contribution otherwise reported by law, in the case of Members running for office;
  - (c) services provided without compensation by persons volunteering their time;
  - (d) nominal tokens, mementos or souvenirs received as an incident of protocol or social obligation that normally accompanies the responsibilities of elected office or at a function honouring the Member;
  - (e) food, lodging, transportation and entertainment provided by provincial, regional and local governments or any agencies or subdivisions of them or by the federal government or by a foreign government within a foreign country, or by a conference, seminar or event organizer where the Member is either speaking or attending in an official capacity;
  - (f) entrance fees or food and beverages consumed at banquets, receptions or similar events, if:





- (i) attendance serves a legitimate municipal business purpose related to the normal business of the Town,
- (ii) the person extending the invitation or a representative of the organization is in attendance, and
- (iii) the value is reasonable and the invitations are infrequent;
- (g) gifts of nominal value (for example, a baseball cap, t-shirt, flash drive, book, etc.); and
- (h) any gift or benefit, if the Integrity Commissioner is of the opinion, before the gift or personal benefit has been accepted, that it is unlikely that receipt of the gift or benefit gives rise to a reasonable presumption that the gift or benefit was given in order to influence the Member in the performance of his or her duties.

7.3 A Member who has received and accepted and gift or benefit pursuant to Section 7.2 shall file a disclosure of the gift or benefit indicating the person, body or entity from which it was received together with the estimated value of the gift or benefit. The list shall be provided to the Town's Clerk on a quarterly basis commencing on March 31 of every year and shall be a matter of public record and posted to the Town's website.

7.4 No Member shall seek or obtain by reason of his or her office any personal privilege or advantage with respect to municipal services not otherwise available to the general public and not connected directly or indirectly to the performance of the Member's duties.

## **8.0 Confidential Information**

8.1 Members receive confidential information from a number of sources as part of their work as elected officials. This includes information received in confidence by the Town that falls under the privacy provisions of the *Municipal Freedom of Information and Protection of Privacy Act* and other applicable privacy laws and information received during closed meetings of Council. Examples of types of information that a Member must keep confidential, unless expressly authorized by Council or as required by law, include, but are not limited to:

- (a) matters related to ongoing litigation or negotiation, or that is the subject of solicitor-client privilege between the Town and its Legal Counsel;
- (b) information provided in confidence, for example the identity of a complainant where a complaint is made in confidence;
- (c) price schedules in contract tender or Request for Proposal submissions if so specified;



- (d) personnel matters about an identifiable individual;
  - (e) “personal information” as defined in the *Municipal Freedom of Information and Protection of Privacy Act*; and
  - (f) any census or assessment data that is deemed confidential.
- 8.2 A Member shall not disclose the content of any confidential information, or the substance of deliberations, of a closed meeting. A Member has a duty to hold any information received at closed meetings in strict confidence for as long and as broadly as the confidence applies. All confidential documents received at a closed meeting are to be turned into the Clerk at the end of the closed meeting. A Member shall not, either directly or indirectly, release, make public or in any way divulge any such information or any confidential aspect of the closed deliberations to anyone, unless authorized by Council or as required by law.
- 8.3 A Member shall not disclose, use or release confidential information in contravention of applicable privacy laws. Members are only entitled to information in the possession of the Town that is relevant to matters before the Council, or a committee. Otherwise, Members enjoy the same access rights to information as any other member of the community or resident of the Town and must follow the same processes as any private citizen to obtain such information.
- 8.4 Members shall not misuse confidential information in any way or manner such that it may cause detriment to the Town, Council or any other person, or for financial or other gain for themselves or others.
- 8.5 Members shall respect the right to confidentiality and privacy of all clients, volunteers and staff, and should be aware of their responsibilities under applicable legislation, Town policies, procedures and rules, ethical standards and, where appropriate, professional standards.
- 8.6 A Member shall not disclose any confidential information received by virtue of his or her office, even if the Member ceases to be a Member.

## **9.0 Discrimination and Harassment**

- 9.1 Members shall treat all members of the public, one another and staff with respect and without abuse, bullying or intimidation and ensure that the work environment for employees who work for the Town is free from discrimination and harassment.



- 9.2 Members shall not use indecent, abusive or insulting words, phrases or expressions toward any member of the public, another Member or staff. Members shall not make comments or conduct themselves in any manner that is discriminatory to any individual based on the individual's race, colour, ancestry, citizenship, ethnic origin, place of origin, creed or religion, gender, sexual orientation, marital status, family status, disability, age or record of offences for which a pardon has not been granted.
- 9.3 Members shall comply with the Town's "Respectful Workplace Policy" and "Council/Staff Relations Policy".

### **10.0 Improper Use of Influence**

- 10.1 Members shall not use the influence of their office or appointment for any purpose other than the exercise of his or her official duties in the public interest.
- 10.2 Members shall not use the status of their position to influence the decision of another person to the private advantage or non-pecuniary interest of themselves, their parents, children or grandchildren, spouse, or friends or associates, or for the purpose of creating a disadvantage to another person or for providing an advantage to themselves.
- 10.3 Members who are asked to support charitable activities within the community may do so by accepting honorary roles, lending their names to organizations or events and encouraging public support of events. In doing so, Members shall ensure that they do not have a conflict between their private interest and their duties to the public. Members shall not directly solicit funds nor receive funds for charitable purposes in their role as a Member. Members shall remain at arms-length from financial aspects of external events which they support in their public capacity and shall not participate in decisions concerning the disbursement of funds or determining the beneficiaries of the funds.

### **11.0 Conflicts of Interest**

- 11.1 Members shall avoid conflicts of interest, both pecuniary and non-pecuniary. Members shall take proactive steps to mitigate conflicts of interest in order to maintain public confidence in the Town and its elected officials. Members are encouraged to seek guidance from the Integrity Commissioner (if enabled by legislation to do so) and/or legal advice when they become aware that they may have a conflict between their responsibilities to the public as a Member and any other interest, pecuniary or non-pecuniary.



## **12.0 Council Policies and Procedures**

- 12.1 Members shall observe and adhere to the policies, procedures and rules established by Council.

## **13.0 Election Activity**

- 13.1 Members of Council are required to conduct themselves in accordance with the *Municipal Elections Act, 1996* and any Town policies. The use of the Town's resources, both property and staff time, for any election-related activity is strictly prohibited. Election-related activity applies to the Member's campaign and any other election campaigns for municipal, provincial or federal office.

## **14.0 Respect for the Code of Conduct**

- 14.1 Members shall respect the process for complaints made under the Code of Conduct or through any process for complaints adopted by the Town. Members shall not act in reprisal or threaten reprisal against a person who makes a complaint or provides information to the Integrity Commissioner during an investigation. Members shall interact courteously and respectfully with the Integrity Commissioner and with any person acting under the direction of the Integrity Commissioner.
- 14.2 Members shall cooperate with requests for information during any investigations or inquiries under the Code. Members shall not destroy documents or erase electronic communications or refuse to respond to the Integrity Commissioner where a complaint has been lodged under the Code or any process for complaints adopted by the Town.

## **15.0 Penalties for Non-Compliance with the Code of Conduct**

- 15.1 Where Council receives a report from the Integrity Commissioner that there has been a violation of the Code of Conduct by a Member, Council may impose the following penalties on the Member:
- (a) a reprimand; or
  - (b) a suspension of the remuneration paid to the Member in respect of his or her services as a Member for a period up to 90 days.



15.2 Council may, on the basis of a recommendation from the Integrity Commissioner, also take any or all of the following actions in furtherance of a reprimand, and require that the Member:

- (a) provide a written or verbal apology;
- (b) return property or make reimbursement of its value or of money spent;
- (c) be removed from or not be appointed to the membership on a committee of Council;
- (d) be removed from or not be appointed as chair of a committee of Council.

## **16.0 Complaint Protocol**

16.1 The procedure for filing complaints alleging that a Member of Council has contravened the Code shall be governed by the policies of Council as amended from time to time. The current Complaint Protocol is Appendix 1 to the Code of Conduct.



# **Appendix 1**

## **Complaint and Investigation Protocol**

### **Code of Conduct**

**\*Subject to amendment in accordance with the policies of Council from time to time.**



### **Council Code of Conduct**

### **Complaint and Investigation Protocol**

Under Section 223.4(1) of the Municipal Act, 2001, Council, a Member of Council or a member of the public may request the Integrity Commissioner to conduct an inquiry about whether a member of Council has contravened the Town Council Code of Conduct.

#### **1. Request for Inquiry**

- I. A request for an inquiry shall be in writing.
- II. All requests shall be signed by an identifiable individual (which includes the signing officer of an organization).
- III. A request shall set out all reasonable and probable grounds for the allegation that the member has contravened the Town Council Code of Conduct and shall include a supporting affidavit that sets out the evidence in support of the complaint in the form set out in this protocol.
- IV. Staff in the Town Clerk's office, who are Commissioners of Oaths, are authorized to swear the supporting affidavit.
- V. In a regular municipal election year between the fourth Friday in July ("nomination day") and voting day, a Code of Conduct complaint may not be filed and any uncompleted inquiries into outstanding complaints under the Code of Conduct shall be terminated, provided that either the Complainant or the Councillor whose conduct is affected by the complaint may, within six weeks after the voting date, request the Integrity Commissioner to recommence any investigation relative to the terminated complaint.

#### **2. Initial Review by Integrity Commissioner**

- I. The request shall be filed with the Town Clerk who shall forward the matter to the Integrity Commissioner for initial review to determine if the matter is, on its face, a complaint with respect to non-compliance with the Council Code of Conduct and not covered by other legislation or other Council policies.
- II. If the request does not include a supporting affidavit, the Integrity Commissioner shall defer the review until an affidavit is received.
- III. If the complaint, including any supporting affidavit, is not on its face, a complaint with respect to non-compliance with the Council Code of Conduct or the complaint is covered by other legislation or a complaint procedure under another Council policy, the Integrity Commissioner may inform the Town Clerk to advise the Complainant in writing as follows:





- a. If the complaint on its face is an allegation of a criminal nature consistent with the *Criminal Code of Canada*, the matter should be referred to the appropriate authorities and the Town Clerk shall advise the Complainant that if the Complainant wishes to pursue any such allegation, the Complainant must pursue it with the appropriate police service;
  - b. If the complaint on its face relates to non-compliance with the *Municipal Freedom of Information and Protection of Privacy Act*, the Complainant should be advised that the matter will be referred to the Town Clerk for review.
  - c. If the complaint on its face is with respect to non-compliance with a more specific Council policy, with a separate complaint procedure, the Complainant should be advised by the Town Clerk that the matter should be processed under that procedure; and
  - d. In other cases, the Complainant shall be advised that the matter, or part of the matter, is not within the jurisdiction of the Integrity Commissioner to process, with any additional reasons and referrals as the Integrity Commissioner considers appropriate.
- IV. The Integrity Commissioner may report to Council that a specific complaint is not within the jurisdiction of the Integrity Commissioner.

### **3. Integrity Commissioner Investigations**

- I. If the Integrity Commissioner is of the opinion that the referral of a matter to him or her is frivolous, vexatious or not made in good faith, or that there are no grounds or insufficient grounds for an investigation, the Integrity Commissioner shall not conduct an investigation, or, where that becomes apparent in the course of an investigation, shall terminate the investigation.
- II. Other than in exceptional circumstances, the Integrity Commissioner shall not report to Council on any complaint described in subsection (I) except as part of an annual or other periodic report.



#### 4. Investigation & Settlement

- I. If a complaint has been classified as being within the Integrity Commissioner's jurisdiction and not rejected under Section 2, the Commissioner shall investigate and may attempt to settle the complaint.
- II. Section 223.4(2) of the *Municipal Act* provides for the Integrity Commissioner to elect to investigate a complaint by exercise of the powers of a commission under Parts I and II of the *Public Inquiries Act*.
- III. When the *Public Inquiries Act* applies to an investigation of a complaint, the Integrity Commissioner shall follow the procedures specified in that Act and this Complaint Protocol, but if there is a conflict between a provision of the Complaint Protocol and a provision of the *Public Inquiries Act*, the provision of the *Public Inquiries Act* prevails.
- V. The Integrity Commissioner will proceed as follows, except where otherwise required by the *Public Inquiries Act*:
  - a. Serve the complaint and supporting material filed by the Complainant upon the Member whose conduct is in question with a request that a written response to the allegation be filed within seven days or such shorter or longer period as the Integrity Commissioner may authorize in writing; and
  - b. Serve a copy of the response provided by the Member upon the Complainant with a request for a written reply within seven days or such shorter or longer period as the Integrity Commissioner may authorize in writing.
- VI. Section 33 of the *Public Inquiries Act* allows the Integrity Commissioner to speak to anyone relevant to the complaint, access and examine any of the information relevant to the complaint and to enter any Town work location relevant to the complaint for the purpose of investigation and settlement. The Integrity Commissioner is to be provided free access to all books, accounts, financial records, electronic data processing records, reports, files and all other papers, things or property belonging to or used by the municipality.
- VII. The Integrity Commissioner shall not issue a report finding a violation of the Code of Conduct on the part of any Member unless the Member has had reasonable notice of the basis for the proposed finding and any recommended sanction and an opportunity either in person or in writing to comment on the proposed finding and any recommended sanction.
- VIII. The Integrity Commissioner may make interim reports to Council



where necessary and as required to address any instances of interference, obstruction or retaliation encountered during the investigation.

## **5. Final Report**

- I. The Integrity Commissioner shall report to the Complainant, the Member and Council, generally no later than 90 days after the making of the complaint.
- II. Where the complaint is sustained in whole or in part, the Integrity Commissioner shall also report to Council outlining his or her findings and/or recommended penalty and the terms of any settlement which have not been agreed by the parties to be held in confidence.
- III. Any recommended corrective action or penalty must be permitted by the *Municipal Act, 2001*, and shall be designed to ensure that the inappropriate behaviour or activity does not continue and is not repeated.

## **6. Member Not Blameworthy**

- I. If the Integrity Commissioner determines that there has been no contravention of the Code of Conduct or that a contravention occurred although the Member took all reasonable measures to prevent it, or that a contravention occurred that was trivial or committed through inadvertence or an error of judgment made in good faith, the Integrity Commissioner may so state in the report and may recommend that no penalty be imposed.

## **7. Copies**

- I. The Integrity Commissioner shall give a copy of the report to the Complainant and the Member that was involved.

## **8. Report to Council**

- I. The Town Clerk shall process the report for the next meeting of Committee of the Whole (closed session), followed by Council. The report shall remain confidential until the matter has received complete and final disposition by the Integrity Commissioner and has been reported out to the Members of Council.



## **9. Council Review**

- I. Council shall consider and respond to the report within 90 days after the day the report is laid before it.
- II. Section 223.4 (5) of the *Municipal Act, 2001*, allows the municipality to impose either of the following penalties on a Member of Council if the Commissioner reports to the municipality that, in his or her opinion, the Member has contravened the code of conduct:
  - a. A reprimand.
  - b. Suspension of the remuneration paid to the Member in respect of his or her service as a Member of Council, for a period of up to 90 days.

## **10. Confidentiality**

- I. Section 223.5(1) of the *Municipal Act, 2001*, provides that the Integrity Commissioner shall preserve secrecy with respect to all matters that come to his or her knowledge in the course of his or her duties.
- II. If the Commissioner provides a periodic report to the municipality on his or her activities, the Commissioner may summarize advice he or she has given but shall not disclose confidential information that could identify a person concerned.
- III. If the Integrity Commissioner reports to the municipality his or her opinion about whether a Member of Council has contravened the applicable Council Code of Conduct, the Commissioner may disclose in the report such matters as in the Commissioner's opinion are necessary for the purpose of the report (including name of the Member whose conduct was investigated).

## **11. Amendments to Protocol**

- I. This protocol is subject to amendment in accordance with the policies of Council from time to time.



## Code of Conduct — Formal Complaint Form

### AFFIDAVIT

I, \_\_\_\_\_ (first and last name), of the

municipality of \_\_\_\_\_ in the Province of Ontario.

#### MAKE OATH AND SAY (or AFFIRM):

1. I have reasonable and probable grounds to believe that:

\_\_\_\_\_ (specify name of Member),

a member of the Council of the Town of Pelham has contravened section(s)

\_\_\_\_\_ of the Code of Conduct of the Town of Pelham. The particulars of which are attached hereto.

2. Facts constituting the alleged contravention (use separate page if required)

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This affidavit is made for the purpose of requesting that this matter be reviewed and/or investigated by the Town of Pelham's appointed Integrity Commissioner and for no other improper purpose.

SWORN (or AFFIRMED) before me at the )  
the Town of Pelham on )  
\_\_\_\_\_ (date) )  
 )

\_\_\_\_\_

(Signature)

THE CORPORATION OF THE  
T O W N   O F   P E L H A M  
BY-LAW #4395(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  
                      Tammy van den Brink – Add (Citizen Appointee)

ENACTED, SIGNED & SEALED THIS 18th  
DAY OF October, 2021.

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

\_\_\_\_\_  
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)
- v. Tammy van den Brink – appointed by By-law #4395(2021)

Council Representative: Councillor Hildebrandt

THE CORPORATION OF THE  
T O W N O F P E L H A M  
BY-LAW #4396(2021)

**Being a by-law to adopt, ratify and confirm the actions of  
the Council at its regular meeting held on the 18<sup>th</sup> day of  
October 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 18th day of October, 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 18th DAY OF OCTOBER 2021.

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MAYOR MARVIN JUNKIN

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TOWN CLERK HOLLY WILLFORD