

REGULAR COUNCIL AGENDA

C-15/2022 - Regular Council

Tuesday, September 6, 2022

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 and subsequent publication to the Town's website at www.pelham.ca.

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

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14.	Motions and Notices of Motion	
14.1.	Councillor Kore - River Estate Park Fencing	

Moved: Councillor Kore

Seconded: Councillor Haun

WHEREAS Council for the Town of Pelham is committed to the community and safety;

AND WHEREAS the River Estate Park is located adjacent to a stormwater management pond;

AND WHEREAS the River Estate Park is equipped with play structures that are utilized and enjoyed by members of the community;

AND WHEREAS some members of the community have requested that the Town of Pelham review the physical design and the potential benefit of enhanced separation measures between the stormwater management pond and the balance of the municipal park;

NOW THEREFORE BE IT RESOLVED THAT Council for the Town of Pelham direct staff to provide a report to Council which details options to ensure the safety of residents and children at the River Estate Park, including fencing options;

AND THAT staff shall report back by October 3, 2022.

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, including municipal employees; (d) - labour relations or employee negotiations (1 item - CAO Performance Review)

18. Rise From In Camera

19. Confirming By-Law

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20. Adjournment

REGULAR COUNCIL MINUTES

Meeting #: C-14/2022 - Regular Council
Date: Monday, August 22, 2022
Time: 5:30 PM
Location: Town of Pelham Municipal Office - Council
Chambers
20 Pelham Town Square, Fonthill

Members Present: Mayor Marvin Junkin
Councillor Lisa Haun
Councillor Bob Hildebrandt
Councillor Wayne Olson
Councillor Marianne Stewart
Councillor John Wink

Regrets: Councillor Ron Kore

Staff Present: David Cribbs
Bob Lymburner
Jason Marr
Teresa Quinlin-Murphy
Jennifer Stirton
Vickie vanRavenswaay
Barbara Wiens
Lindsay Richardson
Ryan Cook
Lucas Smith
Mike Guglielmi
John Rasco
Holly Willford
Jacquie Miller

1. Call to Order and Declaration of Quorum

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

1.1 Land Recognition Statement

Councillor Wink read the land acknowledgement into the record.

2. Approval of Agenda

Moved By Councillor Wayne Olson

Seconded By Councillor John Wink

BE IT RESOLVED THAT the agenda for the August 22, 2022 Regular meeting of Council be adopted, as circulated.

Amendment:

Moved By Councillor Wayne Olson

Seconded By Councillor John Wink

THAT the agenda be amended to:

- **Move item 10.2.8 Vision for Town Civic Square Staff Report to immediately follow item 4.2.1 Pelham Civic Square Master Plan Delegation;**
- **Add item 8.5.8;**

For (6): Mayor Marvin Junkin, Councillor Lisa Haun, Councillor Bob Hildebrandt, Councillor Wayne Olson, Councillor Marianne Stewart, and Councillor John Wink

Carried (6 to 0)

Amendment:

Moved By Councillor Bob Hildebrandt

Seconded By Councillor Marianne Stewart

THAT the Agenda be amended to include the addendum.

For (6): Mayor Marvin Junkin, Councillor Lisa Haun, Councillor Bob Hildebrandt, Councillor Wayne Olson, Councillor Marianne Stewart, and Councillor John Wink

Carried (6 to 0)

Motion as Amended:

Moved By Councillor Wayne Olson

Seconded By Councillor John Wink

BE IT RESOLVED THAT the agenda for the August 22, 2022 Regular meeting of Council be adopted, as amended.

For (6): Mayor Marvin Junkin, Councillor Lisa Haun, Councillor Bob Hildebrandt, Councillor Wayne Olson, Councillor Marianne Stewart, and Councillor John Wink

Carried (6 to 0)

3. Disclosure of Pecuniary Interests and General Nature Thereof

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

4. Hearing of Presentation, Delegations, Regional Report

4.1 Presentations

4.1.1 Update re: New PSR System

Mr. Mike Guglielmi, Manager Information and Technology provided Council a demonstration / presentation with

respect to the new PSR system to be implemented. Mr. Guglielmi answered various questions of Council.

Moved By Councillor Bob Hildebrandt

Seconded By Councillor Marianne Stewart

BE IT RESOLVED THAT Council receive from M. Guglielmi, Manager of Information Technology, an update on the new PSR system, for information.

For (6): Mayor Marvin Junkin, Councillor Lisa Haun, Councillor Bob Hildebrandt, Councillor Wayne Olson, Councillor Marianne Stewart, and Councillor John Wink

Carried (6 to 0)

4.2 Delegations

4.2.1 Pelham Civic Square Master Plan

Mr. David Duhan, from SHIFT Landscape Architecture provided Council a presentation with respect to the proposed civic master plan. A copy of the presentation is on file with the Clerk.

Mr. Duhan answered various questions from Council.

Moved By Councillor Lisa Haun

Seconded By Councillor Marianne Stewart

BE IT RESOLVED THAT Council receive the delegation from David Duhan of SHIFT Landscape Architecture, with respect to the Pelham Civic Square Master Plan, for information.

For (6): Mayor Marvin Junkin, Councillor Lisa Haun, Councillor Bob Hildebrandt, Councillor Wayne Olson, Councillor Marianne Stewart, and Councillor John Wink

Carried (6 to 0)

4.2.2 Vision for Town Civic Square , 2022-0203-Planning

Moved By Councillor Bob Hildebrandt

Seconded By Councillor Wayne Olson

BE IT RESOLVED THAT Council receive Report #2022-0203 Vision for Civic Square;

AND THAT Council support the vision of the Civic Square prepared by SHIFT Landscape Architecture Co. Inc.

Amendment:

Moved By Councillor Bob Hildebrandt

Seconded By Councillor Lisa Haun

THAT the motion be amended to:

- **To strike the last paragraph of the motion and insert "AND THAT Council defer consideration of approval until staff can provide a fulsome update report on outstanding grants"**
- **"AND THAT Council direct staff to return with the report and the preferred concept by February 2023."**

For (5): Mayor Marvin Junkin, Councillor Lisa Haun, Councillor Bob Hildebrandt, Councillor Wayne Olson, and Councillor John Wink

Against (1): Councillor Marianne Stewart

Carried (5 to 1)

Motion as Amended:

Moved By Councillor Bob Hildebrandt

Seconded By Councillor Lisa Haun

BE IT RESOLVED THAT Council receive Report #2022-0203 Vision for Civic Square;

AND THAT Council defer consideration of approval until staff can provide a fulsome update report on outstanding grants;

AND THAT Council direct staff to return with the report and the preferred concept by February 2023.

For (5): Mayor Marvin Junkin, Councillor Lisa Haun, Councillor Bob Hildebrandt, Councillor Wayne Olson, and Councillor John Wink

Against (1): Councillor Marianne Stewart

Carried (5 to 1)

4.2.3 Cannabis Control Committee

Mr. Tim Nohara, Chair of the Cannabis Control Committee, provided Council an update on the committees work during the term and made recommendations for the next Council. Council thanked Mr. Nohara and the Committee for their work.

Moved By Councillor Lisa Haun

Seconded By Councillor Bob Hildebrandt

BE IT RESOLVED THAT Council receive the delegation from Tim Nohara, Chair of the Cannabis Control Committee, with respect to the Cannabis Control

**Committee's Closing Memo and Recommendations,
for information.**

For (6): Mayor Marvin Junkin, Councillor Lisa Haun,
Councillor Bob Hildebrandt, Councillor Wayne Olson,
Councillor Marianne Stewart, and Councillor John Wink

Carried (6 to 0)

**4.2.4 Friends of Maple Acre Tree Carving and Garden
Project**

Ms. Sandee Matthews, from Friends of Maple Acre provided Council with respect to the tree carving and garden project outside the library. A copy of the presentation is on file with the Clerk. Ms. Matthews answered various questions from Council.

Moved By Councillor Marianne Stewart

Seconded By Councillor Wayne Olson

BE IT RESOVED THAT Council receive the delegation from Sandee Matthews of the Friends of Maple Acre's Tree Carving and Garden Project, for information.

Amendment:

Moved By Councillor Wayne Olson

Seconded By Councillor John Wink

THAT the motion be amended to include:

- **AND THAT Council direct staff to consider the financial request from Friends of Maple Acre and to report back to Council by November 1st while the Friends of Maple Acres continue fundraising.**

For (6): Mayor Marvin Junkin, Councillor Lisa Haun,
Councillor Bob Hildebrandt, Councillor Wayne Olson,
Councillor Marianne Stewart, and Councillor John Wink

Carried (6 to 0)

Motion as Amended:

Moved By Councillor Wayne Olson

Seconded By Councillor John Wink

BE IT RESOVED THAT Council receive the delegation from Sandee Matthews of the Friends of Maple Acre's Tree Carving and Garden Project, for information;

AND THAT Council direct staff to consider the financial request from Friends of Maple Acre and to report back to Council by November 1st while the Friends of Maple Acres continue fundraising.

For (6): Mayor Marvin Junkin, Councillor Lisa Haun,
Councillor Bob Hildebrandt, Councillor Wayne Olson,
Councillor Marianne Stewart, and Councillor John Wink

Carried (6 to 0)

4.3 Report of Regional Councillor

5. Adoption of Minutes

Moved By Councillor John Wink

Seconded By Councillor Bob Hildebrandt

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

1. RC-13/2022 - Regular Council - July 25, 2022

2. SC-07/2022 - Special Council - August 15, 2022

For (6): Mayor Marvin Junkin, Councillor Lisa Haun, Councillor Bob Hildebrandt, Councillor Wayne Olson, Councillor Marianne Stewart, and Councillor John Wink

Carried (6 to 0)

6. Business Arising from Council Minutes

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

8. Consent Agenda Items to be Considered in Block

Moved By Councillor Marianne Stewart

Seconded By Councillor Wayne Olson

BE IT RESOLVED THAT the Consent Agenda items as listed on the August 22, 2022 Council Agenda be received and the recommendations contained therein be approved:

Consent Agenda Items to be Considered in Block

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

8.3.1. 2022 Spongy Moth Program Summary Report, 2022-0184-Public Works

BE IT RESOLVED THAT Council receive Report #2022-0184 – 2022 Spongy Moth Program Summary Report, for information.

8.3.2. Grant Application for Celebration Square Fencing, Event Trailer, Digital Signage and Bike Lockers, 2022-0195-Corporate Services

BE IT RESOLVED THAT Council receive Report #2022-0195 - Grant Application to Niagara Tourism Relief Fund for Celebration Square Fencing, Event Trailer, Digital Signage and Bike Lockers in the amount of \$100,000, for information.

8.3.3. Asset Management Plan Update, 2022-0177-Corporate Services

BE IT RESOLVED THAT Council receive Report # 2022-0177 Asset Management Plan, for information;

AND THAT Council approve the Asset Management Plan for the Town of Pelham.

8.3.4. Status Update Report on Fenwick Secondary Plan, 2022-0204-Planning

BE IT RESOLVED THAT Council receive Report #2022-0204 Status Update Report on East Fenwick Secondary Plan, for information.

8.3.5 Memo re Council Lane Duck Status

BE IT RESOLVED THAT Council receive Memo re Council Lane Duck Status, for information.

8.4. Action Correspondence of a Routine Nature

8.5. Information Correspondence Items

8.5.1. Niagara Peninsula Conservation Authority Board of Directors Meeting Highlights, July 15, 2022

BE IT RESOLVED THAT Council receive Board of Directors Meeting Highlights dated July 15, 2022 from the Niagara Peninsula Conservation Authority, for information.

8.5.2. Notice of Public Information Centre #1 Quaker Road Sanitary Trunk Sewer, Quaker Road between Rice Road and Pelham Street

BE IT RESOLVED THAT Council receive the Niagara Region Notice of Public Information Centre #1 Quaker Road Sanitary Trunk Sewer, Quaker Road between Rice Road and Pelham Street, for information.

8.5.3. Petition from the Residents of Kinsman Court regarding the Development Site at 15 Highway 20

BE IT RESOLVED THAT Council receive the Petition from the Residents of Kinsman Court regarding the Development Site at 15 Highway 20, for information.

8.5.4. Heather Hamilton Correspondence re: Parking Options for Village of Ridgeville at Bulk Water Filling Station

BE IT RESOLVED THAT Council receive correspondence from Heather Hamilton dated July 28, 2022 regarding Parking Options for Village of Ridgeville at Bulk Water Filling Station, for information.

8.5.5. Diane Stephens Correspondence re: Poultry By-law

BE IT RESOLVED THAT Council receive correspondence from Diane Stephens dated August 10, 2022 regarding Poultry By-laws, for information.

8.5.6. Tim Nohara Correspondence re: Second Dwelling Unit Concerns with Proposed Comprehensive Zoning By-law

BE IT RESOLVED THAT Council receive correspondence from Tim Nohara dated August 9, 2022 regarding Second Dwelling Unit Concerns within the proposed Comprehensive Zoning By-law, for information.

8.5.7. Mike Jones Correspondence re: Pelham Advocates for Trees and Habitat (PATH) Concerns with Proposed Comprehensive Zoning By-law

BE IT RESOLVED THAT Council receive correspondence from Mike Jones dated August 15, 2022 re: Pelham Advocates for Trees and Habitat (PATH) Concerns with Proposed Comprehensive Zoning By-law, for information.

8.5.8. Ryan Serravalle correspondence re: Support of 15 Highway 20 Development

BE IT RESOLVED THAT Council receive correspondence from Ryan Serravalle regarding support of the 15 Highway 20 development, for information.

8.5.9Bernie and Susan Law Correspondence re: 5 Highway 20 Development

BE IT RESOLVED THAT Council receive correspondence from Bernie and Susan Law regarding the 15 Highway 20 development, for information.

8.7. Committee Minutes for Information

8.7.1. Committee of Adjustment

BE IT RESOLVED THAT Council receive meeting minutes dated June 1, 2022 from the Committee of Adjustment, for information.

8.7.2. Cannabis Control Committee

BE IT RESOLVED THAT Council receive meeting minutes dated June 15, 2022 from the Cannabis Control Committee, for information.

For (6): Mayor Marvin Junkin, Councillor Lisa Haun, Councillor Bob Hildebrandt, Councillor Wayne Olson, Councillor Marianne Stewart, and Councillor John Wink

Carried (6 to 0)

9. Items for Separate Consideration, if Any

10. Presentation & Consideration of Reports

10.1 Reports from Members of Council:

10.2 Staff Reports Requiring Action

10.2.1 Naming Opportunities for the late Jane Haist, 2022-0163-Clerks

Moved By Councillor Wayne Olson

Seconded By Councillor Lisa Haun

BE IT RESOLVED THAT Council receive Report #2022-0163 Naming Opportunities for the late Jane Haist, for information;

AND THAT Council authorize and direct staff to proceed with option _____ in honour of Jane Haist.

Amendment:

Moved By Councillor John Wink

Seconded By Councillor Bob Hildebrandt

THAT the motion be amended to include option 4 (Trail in East Fonthill).

For (6): Mayor Marvin Junkin, Councillor Lisa Haun, Councillor Bob Hildebrandt, Councillor Wayne Olson, Councillor Marianne Stewart, and Councillor John Wink

Carried (6 to 0)

Motion as Amended:

Moved By Councillor John Wink

Seconded By Councillor Bob Hildebrandt

BE IT RESOLVED THAT Council receive Report #2022-0163 Naming Opportunities for the late Jane Haist, for information;

AND THAT Council authorize and direct staff to proceed with option 4 (Trail in East Fonthill) in honour of Jane Haist.

For (7): Mayor Marvin Junkin, Councillor Lisa Haun, Councillor Bob Hildebrandt, Councillor Wayne Olson, Councillor Marianne Stewart, and Councillor John Wink

Carried (6 to 0)

10.2.2 Grant Application for Electric Vehicle Charging Stations, 2022-0194-Corporate Services

Moved By Councillor Bob Hildebrandt

Seconded By Councillor Wayne Olson

BE IT RESOLVED THAT Council receive Report # 2022-0194 – Grant Application for Electric Vehicle Charging Stations, for information;

AND THAT staff are directed to include the 50% match of this grant in the amount of \$94,285 within the 2023 Capital Budget to be funded by the Fleet Reserve, for Council’s consideration.

For (6): Mayor Marvin Junkin, Councillor Lisa Haun, Councillor Bob Hildebrandt, Councillor Wayne Olson, Councillor Marianne Stewart, and Councillor John Wink

Carried (6 to 0)

10.2.3 Development Charges Background Study Approval, 2022-0192-Corporate Services

Moved By Councillor Marianne Stewart

Seconded By Councillor Lisa Haun

BE IT RESOLVED THAT Council receive Report # 2022-0192-Corporate Services – Development Charges Background Study, for information;

AND THAT Council hereby waive the requirements of the Town’s Purchasing Policy S402-00 and approve the sole sourcing of Watson & Associates Economists Ltd.;

AND THAT Council authorize Watson & Associates Economists Ltd. to complete the necessary background study for the implementation of a new development charge by-law, at a cost of \$40,000 plus HST;

AND THAT the Development Charges Background Study be funded 100% from the Development Charge Reserve with no impact to the Tax Levy Operating Budget.

For (6): Mayor Marvin Junkin, Councillor Lisa Haun, Councillor Bob Hildebrandt, Councillor Wayne Olson, Councillor Marianne Stewart, and Councillor John Wink

Carried (6 to 0)

10.2.4 Recommendation Report for Applications for Official Plan and Zoning By-law Amendment - 15 Highway 20 East, 2022-0181-Planning

Councillor Wink put forth a motion to extend curfew for one (1) hour. Councillor Wink did not receive a seconder.

Mayor Junkin seconded Councillor Wink's motion to defer consideration of this agenda item to receive more information and vacated the seat. Councillor Hildebrandt Chaired this portion of the meeting as Deputy Mayor.

Moved By Councillor John Wink

Seconded By Councillor Wayne Olson

THAT the Rules of Procedure as contained in the Town of Pelham Procedural By-law, be suspended;

AND THAT the specified meeting curfew time of 9:00 p.m. be and is hereby waived;

AND THAT the remainder of the business listed on the agenda for this meeting continue to be considered until all matter have been concluded, or until a set time of 9:35 p.m., whichever occurs first.

For (4): Mayor Marvin Junkin, Councillor Bob Hildebrandt, Councillor Wayne Olson, and Councillor John Wink

Against (2): Councillor Lisa Haun, and Councillor Marianne Stewart

Carried (4 to 2)

Moved By Councillor Bob Hildebrandt

Seconded By Councillor Wayne Olson

BE IT RESOLVED THAT Council receive Report #2022-0181 – Recommendation for Official Plan and Zoning By-law Amendments – 15 Highway 20 East for information as it pertains to File Nos. OP-AM-01-2022 and AM-03-2021;

AND THAT Council direct Planning staff to prepare the official plan and zoning by-law amendments for consideration.

Moved By Councillor John Wink

Seconded By Mayor Marvin Junkin

BE IT RESOLVED THAT Council consideration of this agenda item be deferred until more information can be obtained regarding access, garbage collection, construction parking and access for moving trucks.

For (6): Mayor Marvin Junkin, Councillor Lisa Haun, Councillor Bob Hildebrandt, Councillor Wayne Olson, Councillor Marianne Stewart, and Councillor John Wink

Carried (6 to 0)

10.2.5 Recommendation Report for Applications for Draft Plan of Subdivision and Zoning By-law Amendment - Tanner Extension, 2022-0201-Planning

The Mayor returned to his seat.

Council unanimously agreed to move to 10.2.10 - Meridian Community Centre Temporary Parking Lot Cost Estimate.

This agenda item was deferred to the next meeting of Council.

Moved By Councillor John Wink

Seconded By Councillor Bob Hildebrandt

BE IT RESOLVED THAT Council receive Report #2022-0201 – Recommendation Report for Draft Plan of Subdivision and Zoning By-law Amendment – Tanner Extension for information as it pertains to File Nos. 26T19-03-2021 and AM-12-2021;

AND THAT Council direct Planning staff to prepare the by-law for approval of the Zoning By-law amendment for Council's consideration;

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

10.2.6 Recommendation Report for Draft Plan of Subdivision and Zoning By-law Amendment - Park Place West, 2022-0197-Planning

This agenda item was deferred to the next meeting of Council.

Moved By Councillor Lisa Haun

Seconded By Councillor Marianne Stewart

BE IT RESOLVED THAT Council receive Report #2022-197 – Recommendation for Applications for Draft Plan of Subdivision & Zoning By-Law Amendment – Park Place West, for information;

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

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

10.2.7 Comprehensive Zoning By-law and Official Plan Amendment No. 15 - Final Recommendations , 2022-0200-Planning

This agenda item was deferred to the next meeting of Council.

Moved By Councillor John Wink

Seconded By Councillor Wayne Olson

THAT the Rules of Procedure as contained in the Town of Pelham Procedural By-law, be suspended;

AND THAT the specified meeting curfew time of 9:35 p.m. be and is hereby waived;

AND THAT the remainder of the business on the floor, being item 10.2.7 Comprehensive Zoning By-Law and Official Plan Amendment No. 15 - Final Recommendations has been concluded.

For (3): Mayor Marvin Junkin, Councillor Wayne Olson, and Councillor John Wink

Against (3): Councillor Lisa Haun, Councillor Bob Hildebrandt, and Councillor Marianne Stewart

Defeated (3 to 3)

Moved By Councillor John Wink

Seconded By Councillor Bob Hildebrandt

BE IT RESOLVED THAT Council receive Report #2022-0200 Comprehensive Zoning By-law and Official Plan Amendment No. 15 – Final Recommendations;

AND THAT Council approve, in principle, Town of Pelham Comprehensive Zoning By-law 4481(2022);

AND THAT Council approve, in principle, By-law 4482(2022) Official Plan Amendment No. 15:

AND THAT Council waive Section 34(10.0.0.1) of the Planning Act, which prohibits applications for Zoning By-law Amendments and Minor Variance applications for a two-year period after the Comprehensive Zoning By-law is passed, for all lands Zoned Residential Development (RD) in Comprehensive Zoning By-law 4481(2022).

10.2.8 Emergency Management Program 2022 Revised , 2022-0172-Fire Dept

This agenda item was deferred to the next meeting of Council.

Moved By Councillor Marianne Stewart

Seconded By Councillor John Wink

BE IT RESOLVED THAT Council receive Report #2022-0172 Emergency Management Program 2022 Revised, for information;

AND THAT the proposed Town of Pelham Emergency Plan as outlined in Appendix A, be approved;

AND THAT the Clerk be directed to present the necessary By-law at the next Regular Meeting of Council on September 6, 2022.

10.2.9 Meridian Community Centre Temporary Parking Lot Cost Estimate, 2022-0186-Public Works

Moved By Councillor Lisa Haun

Seconded By Councillor Wayne Olson

BE IT RESOLVED THAT Council receive Report #2022-0186 Meridian Community Centre Temporary Parking Lot Cost Estimate, for information;

AND THAT Council approve the additional expenditure for the construction of a temporary parking lot on the north section of the lands adjacent to the Meridian Community Centre known as Part 4, in the amount of \$47,720, funded from the Road Reserves account;

AND THAT Council recognizes that the use of the north section of the lands adjacent to the Meridian Community Centre known as Part 4 as a temporary parking lot is a use of the lands for purposes of a public service provided by the Town, as described in section 6.20 of Town of Pelham Zoning By-law No. 1136(1987), as amended, and is therefore an appropriate and authorized use of the lands;

AND THAT Council further recognizes that the use of the north section of the lands adjacent to the Meridian Community Centre known as Part 4 as a temporary parking lot is a use of the lands by the Town as a public authority, as described in section 3.26 of the new Town of Pelham Comprehensive Zoning By-law, and is therefore an appropriate and authorized use of the lands.

For (6): Mayor Marvin Junkin, Councillor Lisa Haun, Councillor Bob Hildebrandt, Councillor Wayne Olson, Councillor Marianne Stewart, and Councillor John Wink

Carried (6 to 0)

10.2.10 Update on In-Ground Waste Collection Service Provider, 2022-0191-Public Works

Moved By Councillor Wayne Olson

Seconded By Councillor John Wink

BE IT RESOLVED THAT Council receive Report #2022-0191 Update on In-Ground Waste Collection Service Provider, for information.

AND THAT Council endorse the recommendation from Town staff to contract with Niagara Region for in-ground waste collection services and include the expenditure in the 2023 Operating Budget for Council's consideration.

10.2.11 Proposed By-law to Regulate Parking at Properties Owned by the Town of Pelham where Parking is Provided, 2022-0202-Chief Administrator Officer

Moved By Councillor Bob Hildebrandt
Seconded By Councillor Lisa Haun

BE IT RESOLVED THAT Council receive Report # 2022-0202 – Proposed By-law to Regulate Parking at Properties Owned by the Town of Pelham where Parking is Provided, for information;

AND THAT Council consider adopting By-law No. 4483(2022), being a By-law to regulate the parking of motor vehicles on Town of Pelham property.

11. Unfinished Business

12. New Business

13. Presentation and Consideration of By-Laws

Council unanimously determined to defer consideration of by-laws listed as items 2, 3 and 4 to the next meeting of Council.

Moved By Councillor Wayne Olson
Seconded By Councillor John Wink

BE IT RESOLVED THAT the Council of the Town of Pelham, having given due consideration to the following By-law do now read a first, second and third time and do pass same, and

THAT the Mayor and Clerk be and are hereby authorized to sign and seal the by-law:

1. By-law 4478(2022) - Being a by-law to remove the Holding (H) Provision executed by By-law No. 4437 (2022) for the lands on the east side of Pelham Street, north of Broad Street, legally described as Plan 25 Lot 6 NP 716, in the Town of Pelham; municipally known as 1553 Pelham Street. C. and K. Speers. File No. AM-05-2022

2. By-law 4481(2022) - Being a By-law to regulate the use of land and the character, location and use of buildings and structures in the Town of Pelham.

3. By-law 4482(2022) - Being a By-law to adopt Official Plan Amendment No. 15 – Housekeeping for the Town of Pelham Planning Area.

4. By-law 4483(2022) - Being a By-law to regulate the parking of motor vehicles on Town of Pelham property.

5. By-law 4484(2022) - Being a By-law to adopt Official Plan Amendment No. 16 for the Town of Pelham Planning Area. 120 Meridian Way. File No. OP-AM-01-21

6. By-law 4485(2022) - Being a by-law to amend Zoning By-law 1136 (1987), as amended, for lands located at 120 Meridian Way, located at the southwest corner of Rice Road and Meridian Way, legally described as Part of Block 4, Registered Plan 59M-432, and Parts 2 and 6, Plan 59R-16105, Town of Pelham, Regional Municipality of Niagara, from the East Fonthill Mixed Use 3 (EF-MU3) Zone to a site specific East Fonthill Mixed Use 3 (EF-MU3-323) Zone. Town of Pelham. File No. AM-04-21

Moved By Councillor Wayne Olson

Seconded By Councillor John Wink

BE IT RESOLVED THAT the Council of the Town of Pelham, having given due consideration to the following By-law do now read a first, second and third time and do pass same, and

THAT the Mayor and Clerk be and are hereby authorized to sign and seal the by-law:

1. By-law 4478(2022) - Being a by-law to remove the Holding (H) Provision executed by By-law No. 4437 (2022) for the lands on the east side of Pelham Street, north of Broad Street, legally described as Plan 25 Lot 6 NP 716, in the Town of Pelham; municipally known as 1553 Pelham Street. C. and K. Speers. File No. AM-05-2022

5. By-law 4484(2022) - Being a By-law to adopt Official Plan Amendment No. 16 for the Town of Pelham Planning Area. 120 Meridian Way. File No. OP-AM-01-21

6. By-law 4485(2022) - Being a by-law to amend Zoning By-law 1136 (1987), as amended, for lands located at 120 Meridian Way, located at the southwest corner of Rice Road and Meridian Way, legally described as Part of Block 4, Registered Plan 59M-432, and Parts 2 and 6, Plan 59R-16105, Town of Pelham, Regional Municipality of Niagara, from the East Fonthill Mixed Use 3 (EF-MU3) Zone to a site specific East Fonthill Mixed Use 3 (EF-MU3-323) Zone. Town of Pelham. File No. AM-04-21

For (7): Mayor Marvin Junkin, Councillor Lisa Haun, Councillor Bob Hildebrandt, Councillor Wayne Olson, Councillor Marianne Stewart, and Councillor John Wink

Carried (6 to 0)

14. Motions and Notices of Motion

14.1 Councillor Wink - Proper Delivery of Unsolicited Materials, Newspapers and Flyers

This agenda item was deferred to the next meeting of Council.

Moved By Councillor John Wink

Seconded By Councillor Bob Hildebrandt

WHEREAS the Council for the Town of Pelham values building a strong community while protecting the environment;

AND WHEREAS Council for the Town of Pelham has received resident complaints with respect to the improper delivery of unsolicited materials, newspapers and flyers which consequently blow all over town, creating pollution, nuisance and unsightly mess;

AND WHEREAS Council for the Town of Pelham deems it desirable to enact a by-law requiring the proper delivery of any unsolicited materials, including newspapers and junk mail, by requiring the placement of the said materials within a mailbox, mail slot at the door or in a receptacle designated for this purpose;

NOW THEREFORE BE IT RESOLVED THAT Council for the Town of Pelham directed staff to provide a report and draft by-law for Council's consideration regulating the delivery of unsolicited materials;

AND THAT staff shall report back to Council by September 19, 2022.

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

This agenda item was deferred to the next meeting of Council.

Moved By Councillor Marianne Stewart

Seconded By Councillor Lisa Haun

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

(b) - personal matters about an identifiable individual, including municipal employees; (d) - labour relations or employee negotiations (1 item - CAO Performance Review)

18. Rise From In Camera

19. Confirming By-Law

Moved By Councillor Marianne Stewart

Seconded By Councillor Wayne Olson

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

Being a By-law No. 4486(2022) to Adopt, Ratify and Confirm the proceedings of Council of the Town of Pelham at its Regular Meeting held on the 22nd day of August, 2022.

For (6): Mayor Marvin Junkin, Councillor Lisa Haun, Councillor Bob Hildebrandt, Councillor Wayne Olson, Councillor Marianne Stewart, and Councillor John Wink

Carried (6 to 0)

20. Adjournment

The meeting was adjourned at 9:37 pm.

Moved By Councillor Lisa Haun

Seconded By Councillor Marianne Stewart

BE IT RESOLVED THAT this Regular Meeting of Council be adjourned until the next regular meeting scheduled for September 6, 2022 at 5:30 pm.

For (5): Mayor Marvin Junkin, Councillor Lisa Haun, Councillor Bob Hildebrandt, Councillor Marianne Stewart, and Councillor John Wink

Against (1): Councillor Wayne Olson

Carried (5 to 1)

Mayor: Marvin Junkin

Town Clerk: Holly Willford

SPECIAL COUNCIL MINUTES

Meeting #: SC-08/2022
Date: Tuesday, August 30, 2022, 5:30 pm
Location: Town of Pelham Municipal Office - Council Chambers
20 Pelham Town Square, Fonthill

Members Present Marvin Junkin
Bob Hildebrandt
Wayne Olson
John Wink

Regrets Lisa Haun
Ron Kore
Marianne Stewart

Staff Present David Cribbs
Bob Lymburner
Barbara Wiens
Holly Willford
Ryan Cook
Lindsay Richardson
Brianna Langohr

1. Call to Order and Declaration of Quorum

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

1.1 Land Recognition Statement

The Mayor read the land acknowledgement into the record.

2. Approval of the Agenda

Councillor Hildebrandt made a motion to amend the order of the agenda. Councillor Hildebrandt did not receive a seconder.

Moved By Wayne Olson

Seconded By John Wink

BE IT RESOLVED THAT the agenda for the August 30, 2022 Special Meeting of Council be adopted as circulated.

	For	Against
Marvin Junkin	X	
Bob Hildebrandt	X	
Wayne Olson	X	
John Wink	X	

Results

4

0

Carried (4 to 0)

3. Disclosure of Pecuniary Interest and General Nature Thereof

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

4. Unfinished Business - Regular Council Meeting of August 22, 2022

4.1 Staff Reports Requiring Action

4.1.1 Recommendation Report for Applications for Draft Plan of Subdivision and Zoning By-law Amendment - Tanner Extension, 2022-0201-Planning

Moved By John Wink

Seconded By Bob Hildebrandt

BE IT RESOLVED THAT Council receive Report #2022-0201 – Recommendation Report for Draft Plan of Subdivision and Zoning By-law Amendment – Tanner Extension for information as it pertains to File Nos. 26T19-03-2021 and AM-12-2021;

AND THAT Council direct Planning staff to prepare the by-law for approval of the Zoning By-law amendment for Council’s consideration;

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

	For	Against
Marvin Junkin	X	
Bob Hildebrandt	X	
Wayne Olson	X	
John Wink	X	
Results	4	0

Carried (4 to 0)

4.1.2 Recommendation Report for Draft Plan of Subdivision and Zoning By-law Amendment - Park Place West, 2022-0197-Planning

Moved By Bob Hildebrandt

Seconded By Wayne Olson

BE IT RESOLVED THAT Council receive Report #2022-197 – Recommendation for Applications for Draft Plan of

Subdivision & Zoning By-Law Amendment – Park Place West, for information;

AND THAT Council directs Planning staff to prepare the by-law for approval of the Zoning By-law amendment for Council’s consideration;

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

	For	Against
Marvin Junkin	X	
Bob Hildebrandt	X	
Wayne Olson	X	
John Wink	X	
Results	4	0
Carried (4 to 0)		

**4.1.3 Comprehensive Zoning By-law and Official Plan
Amendment No. 15 - Final Recommendations , 2022-0200-Planning**

Moved By John Wink

Seconded By Bob Hildebrandt

BE IT RESOLVED THAT Council receive Report #2022-0200 Comprehensive Zoning By-law and Official Plan Amendment No. 15 – Final Recommendations;

AND THAT Council approve, in principle, Town of Pelham Comprehensive Zoning By-law 4481(2022);

AND THAT Council approve, in principle, By-law 4482(2022) Official Plan Amendment No. 15:

AND THAT Council waive Section 34(10.0.0.1) of the Planning Act, which prohibits applications for Zoning By-law Amendments and Minor Variance applications for a two-year period after the Comprehensive Zoning By-law is passed, for all lands Zoned Residential Development (RD) in Comprehensive Zoning By-law 4481(2022).

Amendment:

Moved By Wayne Olson

Seconded By John Wink

THAT the motion be amended to:

- **strike "for all lands zoned Residential Development (RD)" from the last paragraph and insert "for all lands zoned".**

	For	Against
Marvin Junkin	X	
Bob Hildebrandt	X	
Wayne Olson	X	
John Wink	X	
Results	4	0
Carried (4 to 0)		

Motion as Amended:

Moved By Wayne Olson

Seconded By John Wink

BE IT RESOLVED THAT Council receive Report #2022-0200 Comprehensive Zoning By-law and Official Plan Amendment No. 15 – Final Recommendations;

AND THAT Council approve, in principle, Town of Pelham Comprehensive Zoning By-law 4481(2022);

AND THAT Council approve, in principle, By-law 4482(2022) Official Plan Amendment No. 15:

AND THAT Council waive Section 34(10.0.0.1) of the Planning Act, which prohibits applications for Zoning By-law Amendments and Minor Variance applications for a two-year period after the Comprehensive Zoning By-law is passed, for all lands zoned in Comprehensive Zoning By-law 4481(2022).

	For	Against
Marvin Junkin	X	
Bob Hildebrandt	X	
Wayne Olson	X	
John Wink	X	
Results	4	0
Carried (4 to 0)		

4.1.4 Emergency Management Program 2022 Revised , 2022-0172-Fire Dept

Moved By Wayne Olson

Seconded By John Wink

BE IT RESOLVED THAT Council receive Report #2022-0172 Emergency Management Program 2022 Revised, for information;

AND THAT the proposed Town of Pelham Emergency Plan as outlined in Appendix A, be approved;

AND THAT the Clerk be directed to present the necessary By-law at the next Regular Meeting of Council on September 6, 2022.

	For	Against
Marvin Junkin	X	
Bob Hildebrandt	X	
Wayne Olson	X	
John Wink	X	
Results	4	0
Carried (4 to 0)		

4.1.5 Update on In-Ground Waste Collection Service Provider, 2022-0191-Public Works

Councillor Hildebrandt requested the motion be divided for separate consideration.

Upon advise from the Chief Administrative Officer, Council unanimously decided to receive the report and to not consider the second paragraph of the staff recommendation.

Moved By Wayne Olson

Seconded By John Wink

BE IT RESOLVED THAT Council receive Report #2022-0191 Update on In-Ground Waste Collection Service Provider, for information.

AND THAT Council endorse the recommendation from Town staff to contract with Niagara Region for in-ground waste collection services and include the expenditure in the 2023 Operating Budget for Council’s consideration.

Moved By Wayne Olson

Seconded By John Wink

BE IT RESOLVED THAT Council receive Report #2022-0191 Update on In-Ground Waste Collection Service Provider, for information.

	For	Against
Marvin Junkin	X	
Bob Hildebrandt	X	
Wayne Olson	X	
John Wink	X	

0

4.1.6 Proposed By-law to Regulate Parking at Properties Owned by the Town of Pelham where Parking is Provided, 2022-0202-Chief Administrator Officer

Seconded By Wayne Olson

AND THAT Council consider adopting By-law No. 4483(2022), being a By-law to regulate the parking of motor vehicles on Town of Pelham property.

	For	Against
Marvin Junkin	X	
Bob Hildebrandt	X	
Wayne Olson	X	
John Wink	X	
Results	4	0

Carried (4 to 0)

4.2 Presentation and Consideration of By-Laws

Seconded By Bob Hildebrandt

THAT the Mayor and Clerk be and are hereby authorized to sign and seal the by-law:

1. By-law 4481(2022) - Being a By-law to regulate the use of land and the character, location and use of buildings and structures in the Town of Pelham.

2. By-law 4482(2022) - Being a By-law to adopt Official Plan Amendment No. 15 – Housekeeping for the Town of Pelham Planning Area.

3. By-law 4483(2022) - Being a By-law to regulate the parking of motor vehicles on Town of Pelham property.

	For	Against
Marvin Junkin	X	
Bob Hildebrandt	X	
Wayne Olson	X	
John Wink	X	
Results	4	0
Carried (4 to 0)		

4.3 Motions and Notices of Motion

4.3.1 Councillor Wink - Proper Delivery of Unsolicited Materials, Newspapers and Flyers

Council unanimously decided to amend the report back date from September 19, 2022 to October 3, 2022.

Councillor Hildebrandt stated he will remove his name as seconder on the motion.

Councillor Olson stated he would second the motion.

Moved By John Wink

Seconded By Wayne Olson

WHEREAS the Council for the Town of Pelham values building a strong community while protecting the environment;

AND WHEREAS Council for the Town of Pelham has received resident complaints with respect to the improper delivery of unsolicited materials, newspapers and flyers which consequently blow all over town, creating pollution, nuisance and unsightly mess;

AND WHEREAS Council for the Town of Pelham deems it desirable to enact a by-law requiring the proper delivery of any unsolicited materials, including newspapers and junk mail, by requiring the placement of the said materials within a mailbox, mail slot at the door or in a receptacle designated for this purpose;

NOW THEREFORE BE IT RESOLVED THAT Council for the Town of Pelham directed staff to provide a report and draft by-law for Council’s consideration regulating the delivery of unsolicited materials;

AND THAT staff shall report back to Council by October 3, 2022.

	For	Against
Marvin Junkin	X	
Bob Hildebrandt		X
Wayne Olson	X	
John Wink	X	
Results	3	1
Carried (3 to 1)		

5. Resolution to Move in Camera

Moved By John Wink

Seconded By Wayne Olson

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

(b) - personal matters about an identifiable individual, including municipal employees; (d) - labour relations or employee negotiations (1 item - CAO Performance Review)

	For	Against
Marvin Junkin	X	
Bob Hildebrandt	X	
Wayne Olson	X	
John Wink	X	
Results	4	0
Carried (4 to 0)		

6. Rise From In Camera

Moved By Wayne Olson

Seconded By Bob Hildebrandt

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

	For	Against
Marvin Junkin	X	
Bob Hildebrandt	X	
Wayne Olson	X	
John Wink	X	
Results	4	0

Carried (4 to 0)

7. Confirming By-law

Moved By Wayne Olson

Seconded By Bob Hildebrandt

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

Being a By-law No. 4487(2022) to Adopt, Ratify and Confirm the proceedings of Council of the Town of Pelham at its Special Meeting held on the 30th day of August, 2022.

	For	Against
Marvin Junkin	X	
Bob Hildebrandt	X	
Wayne Olson	X	
John Wink	X	
Results	4	0
Carried (4 to 0)		

8. Adjournment

The meeting was adjourned at 7:09pm.

Moved By Bob Hildebrandt

Seconded By John Wink

BE IT RESOLVED THAT this Special Meeting of Council be adjourned until the next regular meeting scheduled for September 6, 2022 at 5:30 pm.

	For	Against
Marvin Junkin	X	
Bob Hildebrandt	X	
Wayne Olson	X	
John Wink	X	
Results	4	0
Carried (4 to 0)		

Mayor Marvin Junkin

Town Clerk, Holly Willford

Recommendations of the Public Meeting under the *Planning Act* held August 15, 2022 – PCOW-07/2022

BE IT RESOLVED THAT COUNCIL HEREBY approves the following Recommendations Resulting from the Public Meeting under the *Planning Act* meeting of August 15, 2022:

1. THAT the agenda for the August 15, 2022 Public Meeting Under the Planning Act, Special Meeting of Committee of the Whole, be adopted as circulated.

Amendment

THAT the agenda be amended to add item 4.3.1.

Main Motion as Amended

THAT the agenda for the August 15, 2022 Public Meeting Under the Planning Act, Special Meeting of Committee of the Whole, be adopted as amended.

2. THAT Committee receive Report # 2022-185 for information as it pertains to File Nos. OP-AM-03-2022 & AM-03-2022;

AND THAT Committee direct Planning staff to prepare the Recommendation Report on this topic for Council's consideration.

3. THAT Committee receive the applicant's presentation for information.

4. THAT Committee receive the written correspondence as listed on the agenda;

AND THAT Committee receive the verbal presentations made by the public listed on the Agenda.

5. THAT Committee receive Report 2022-0187 for information as it pertains to File No. AM-04-2022;

AND THAT Committee direct Planning staff to prepare the Recommendation Report on this topic for Council's consideration.

6. THAT this Special Committee of the Whole, Public Meeting Under the Planning Act, be adjourned.

Committee of the Whole Meeting
Public Meeting under the Planning Act
Minutes

Meeting #: PCOW-07/2022
Date: Monday, August 15, 2022
Time: 5:30 PM
Location: Town of Pelham Municipal Office - Council Chambers
20 Pelham Town Square, Fonthill

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

Staff Present: _____ David Cribbs
_____ Holly Willford
_____ Jennifer Stirton
_____ Barbara Wiens
_____ Shannon Larocque
_____ Sarah Leach
_____ Jacquie Miller
_____ Lindsay Richardson
_____ Andrew Edwards

1. Call to Order and Declaration of Quorum

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

1.1 Land Recognition Statement

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

Ms. Sarah Leach, Deputy Clerk read opening remarks regarding the Zoom Webinar meeting and procedures for public participation.

2. Adoption of Agenda

Moved By _____

THAT the agenda for the August 15, 2022 Public Meeting Under the Planning Act, Special Meeting of Committee of the Whole, be adopted as circulated.

Amendment:

Moved By Councillor Wayne Olson

THAT the agenda be amended to add item 4.3.1.

/ /

Motion as Amended:

Moved By Councillor Wayne Olson

THAT the agenda for the August 15, 2022 Public Meeting Under the Planning Act, Special Meeting of Committee of the Whole, be adopted as amended.

/ /

3. Disclosure of Pecuniary Interest and General Nature Thereof

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

4. Planning Act Application: OP-AM-03-2022 and AM-03-2022 - 125 Port Robinson Road

The Deputy Clerk read into the record the Notice Requirements regarding this application.

4.1 Planning Report

Shannon Larocque, Senior Planner provided an overview of the application before Council. A copy is available through the Clerk.

4.1.1 Information Report - Applications for Official Plan and Zoning By-law Amendment - 125 Port Robinson Road, 2022-0185-Planning

4.2 Applicant's Presentation

The Agent, Mr. Matt Kernahan, Upper Canada Consultants provided a short presentation to further explain the application. A copy is available through the Clerk.

4.3 Public Input

4.3.1 Additional Public Input

4.4 Committee Input

4.5 Presentation of Resolutions

Moved By Councillor Bob Hildebrandt

THAT Committee receive Report # 2022-185 for information as it pertains to File Nos. OP-AM-03-2022 & AM-03-2022;

AND THAT Committee direct Planning staff to prepare the Recommendation Report on this topic for Council’s consideration.

Carried / Tabled / Defeated

Moved By Councillor Ron Kore

THAT Committee receive the applicants presentation for information.

Carried / Tabled / Defeated

Moved By Councillor Marianne Stewart

THAT Committee receive the written correspondence as listed on the agenda;

AND THAT Committee receive the verbal presentations made by the public listed on the Agenda;

AND THAT Committee receive the email correspondence to the clerk@pelham.ca email address.

Carried / Tabled / Defeated

5. Planning Act Application: AM-04-2022 - 147 Port Robinson Road

The Deputy Clerk read into the record the Notice Requirements regarding this application.

5.1 Planning Report

Andrew Edwards, Town Planner provided an overview of the application before Council. A copy is available through the Clerk.

5.1.1 AM-04-2022 147 Port Robinson Rd, 2022-0187-Planning

5.2 Applicant's Presentation

The Agent, Mr. Matt Kernahan, Upper Canada Consultants provided a short presentation to further explain the application. A copy is available through the Clerk.

5.3 Public Input

5.4 Committee Input

5.5 Presentation of Resolutions

Moved By Councillor John Wink

THAT Committee receive Report 2022-0187 for information as it pertains to File No. AM-04-2022;

AND THAT Committee direct Planning staff to prepare the Recommendation Report on this topic for Council’s consideration.

Carried / Tabled / Defeated

Moved By Councillor Wayne Olson

THAT Committee receive the applicants presentation for information

Carried / Tabled / Defeated

Moved By Councillor Lisa Haun

THAT Committee receive the written correspondence as listed on the agenda;

AND THAT Committee receive the verbal presentations made by the public listed on the Agenda;

AND THAT Committee receive the email correspondence to the clerk@pelham.ca email address.

Carried / Tabled / Defeated

6. Adjournment

Moved By Councillor Bob Hildebrandt

THAT this Special Committee of the Whole, Public Meeting Under the Planning Act, be adjourned.

Carried / Tabled / Defeated

Mayor: Marvin Junkin

Town Clerk: Holly Willford

National Forest Week September 18-24, 2022

WHEREAS the Canadian Institute of Forestry/Institut forestier du Canada has been providing national leadership in forestry and forest stewardship, while promoting competency among forest practitioners and fostering public awareness and education of Canadian and international forest and forestry issues since 1908;

AND WHEREAS National Forest Week began in 1920 as Forest Fire Prevention Week;


AND WHEREAS the theme of the 2022 campaign "Canada's Forests: Solutions for a Changing Climate," focuses on the importance of sustainable forest practices, research, conservation, engineered wood products and innovative technologies to provide solutions from Canadian forests;

AND WHEREAS, through this campaign the Canadian Institute of Forestry/Institut forestier du Canada challenges Canadians to learn more about the forest sector and its significance to Canada's culture, history and future, while supporting a greater recognition of forests as valuable, renewable and green resources;

NOW THEREFORE BE IT RESOLVED THAT the Council of the Town of Pelham hereby proclaims the week of September 18-24, 2022 as National Forest Week in the Town of Pelham.

DATED AT the Town of Pelham this 06th day of September, 2022.

Mayor Marvin Junkin
Town of Pelham

Organization Name: Canadian Institute of Forestry/Institut forestier du Canada	
Contact Name: Natasha Machado	
Address: P.O. Box 99, 6905 Hwy. 17 West	
City: Mattawa	Postal Code: P0H 1V0
Phone: 705-744-1715	Email Address: nfw-snaf@cif-ifc.org
Proclamation Requested: National Forest Week	
Date(s) of Proclamation: September 18-24, 2022	
Purpose of Proclamation: This one-week campaign that takes place during the last week of September each year challenges Canadians across the country to learn more about the forest sector and its significance to Canada's culture, history, and future, while also supporting a greater recognition of forests as a valuable, renewable and green resource.	
Description of Organization <i>(Please provide a brief description. Additional information may be attached to this form)</i> We provide national leadership in forestry and forest stewardship, while promoting competency among forest practitioners and fostering public awareness and education of Canadian and international forest and forestry issues.	
Has the same or a similar proclamation been requested of the Town of Pelham Council in past years? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
You must provide the draft wording for your proclamation in order to receive an official signed proclamation from the Mayor.	
Personal information on this form is collected pursuant to the Municipal Freedom of Information and Protection of Privacy Act and will be used for the purpose of processing your request. Question about this collection should be directed to the Town Clerk, 20 Pelham Town Square, P.O. Box 400, Fonthill, ON, L0S 1E0, 905-892-2607 Ext. 315.	
Please complete and submit your completed form at least two weeks in advance of the occasion.	
Signature 	Date August 17, 2022

Amyloidosis Awareness Month

March 2023

WHEREAS Amyloidosis is a group of rare diseases that occur when an abnormal protein, amyloid, accumulates in the body's tissues and organs and, if left untreated, can result in organ failure and can be fatal;

AND WHEREAS Amyloidosis most often affects people in middle age, younger people have also been diagnosed with this disease;

AND WHEREAS Amyloidosis can be challenging to diagnose as its signs and symptoms can mimic those of more common medical conditions, including shortness of breath, weight loss, fatigue, swelling in the ankles and legs, numbness in the hands and feet, foamy urine, carpal tunnel syndrome, bruising around the eyes and an enlarged tongue;

AND WHEREAS a timely and correct diagnosis can lead to better outcomes for patients and their families;

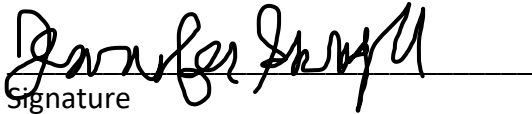
AND WHEREAS raising awareness about all amyloidosis diseases, including hereditary and non-hereditary forms, helps to educate the public and is key to building healthier Canadian communities;

AND WHEREAS the Canadian Amyloidosis Support Network, Inc. is an all-volunteer, not-for-profit organization formed by amyloidosis patients and their family members, to raise awareness, fund research and support those living with amyloidosis and their loved ones;

NOW THEREFORE BE IT RESOLVED THAT the Council of the Town of Pelham hereby proclaims the month of March 2023 as Amyloidosis Awareness Month in the Town of Pelham.

DATED AT the Town of Pelham this 06th day of September, 2022.

Mayor Marvin Junkin
Town of Pelham

Organization Name: Canadian Amyloidosis Support Network (CASN) in collaboration with the Amyloidosis Foundation	
Contact Name: Jennifer Enright	
Address: 10 Davidson Blvd, Unit 18	
City: Dundas, Ontario	Postal Code: L9H 7N9
Phone: 289-682-1404	Email Address: ejennifer569@gmail.com
Proclamation Requested: Amyloidosis Awareness Month March 2023	
Date(s) of Proclamation: March 2023	
Purpose of Proclamation: March is Amyloidosis Awareness Month, a month dedicated to raising awareness, funding research, and supporting both patients and families impacted by amyloidosis. Amyloidosis is a group of diseases caused by the buildup of abnormal proteins, known as amyloid, in one or more tissues or organs of the body. Left untreated, the disease can result in organ failure and can be fatal. Unfortunately, the signs and symptoms can be similar to those of more common medical conditions. So it is critical to educate the public about this disease.	
Description of Organization <i>(Please provide a brief description. Additional information may be attached to this form)</i> The Canadian Amyloidosis Support Network (CASN) is a federally registered non-profit organization that assists patients and families impacted by amyloidosis. The Amyloidosis Foundation is a non-profit corporation based in the United States that offers support to patients affected by amyloidosis in the United States and other countries. Each year, the Foundation recognizes March Amyloidosis Awareness Month.	
Has the same or a similar proclamation been requested <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No of the Town of Pelham Council in past years?	
You must provide the draft wording for your proclamation in order to receive an official signed proclamation from the Mayor.	
Personal information on this form is collected pursuant to the Municipal Freedom of Information and Protection of Privacy Act and will be used for the purpose of processing your request. Question about this collection should be directed to the Town Clerk, 20 Pelham Town Square, P.O. Box 400, Fonthill, ON, L0S 1E0, 905-892-2607 Ext. 315.	
Please complete and submit your completed form at least two weeks in advance of the occasion.	
 Signature	August 27, 2022 Date

Aug 12, 2022

Good Morning Councillor's

I am writing to you requesting your assistance on resolving an issue that I have been working with town staff on for the last few months. An overhead lighting installation adjacent to my property projects a significant amount of light onto my house and rear yard, as well as others in the neighbourhood. These lights are on every evening from dusk until 11 pm or so, 7 days a week. The level of illumination and light spilling onto my property is completely unnecessary and intrusive, not to mention the waste of energy that results from it.

I submitted a PSR regarding this issue to the town about 6 weeks ago. The By-law department did contact me and investigate the complaint, but ultimately informed me that there was no applicable by-law in place that could address the issue, so nothing could be done.

I continued to pursue the issue with the planning department and was informed by Lindsay Richardson that a draft "Dark Sky" By-law was prepared by staff in 2020 and was awaiting review by the Cannabis Control Committee. Apparently the draft By-law could provide resolution to this issue, but it's review and approval is still outstanding.

The town has in place a By-law addressing lighting nuisances from commercial developments, recognizing the negative impact that it has on neighbouring properties and their owners. The impact of this situation on myself and my property is no different, and the adoption of the "Dark Sky" By-law would assist in resolving this type of unnecessary nuisance that not only myself but others are subjected to as well.

I would like to request that the draft "Dark Sky" By-law be revisited by council for review and approval, or that council direct staff to review and adopt this By-law.

I have attached 2 pictures that clearly depict the problem I am trying to resolve. These pictures were taken last evening at 9:30 pm, long after sunset. You can clearly see the excessive amount of light projected onto my property and how significantly it illuminates the back of my house and rear yard.

Thank-you for your time and attention to this matter.

Dan Sebert



Fenwick





August 20, 2022



Mayor Junkin and members of Council
Town of Pelham,

Re: Proposed development at 15 Highway 20,

As you are aware, the subject proposed development is of great concern to the residents of Kinsman Court.

When we moved to Fonthill last September, we were delighted by the charm of the town, and the privacy and safety factors afforded by Kinsman Court. So we were very disappointed to learn of the proposed plan to turn the Court into just another roadway leading to property on Highway 20!

The report of the Planning Committee addresses the residents' concerns. We urge Council to further consider these concerns, and to require the developer to provide additional changes that would better address the problems we see occurring if the project is allowed to proceed.

Thank you.


Pat and Jean Fee

■ Kinsman Court

Date: Wednesday, July 27, 2022

Time: 5:00 pm

Location: Zoom Conference

Attendance: Tim Nohara, Chair
Carla Baxter
Louis Damm
Bill Heska
Jim Jeffs
John Langendoen
Jim Steele
Bob Hildebrandt, Councillor - Town of Pelham
Barbara Wiens, Director, Community Planning & Development, Town of Pelham
Jodi Legros, Administrative Assistant, Community Planning & Development, Town of Pelham (Secretary)

Regrets: David Cribbs, CAO, Town of Pelham
Shannon Larocque - Senior Planner, Community Planning & Development, Town of Pelham

1. Call to Order and Declaration of Quorum

Noting that quorum was present, Chair, T. Nohara called the meeting to order at approximately 5:02 pm.

2. Approval of Agenda

Moved by J. Langendoen
Seconded by B. Heska

THAT the agenda for the July 27, 2022 regular meeting of the Cannabis Control Committee be adopted.

Carried

3. Declaration of Pecuniary Interest and General Nature

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

4. Approval of Minutes

The Committee approved the minutes from the June 15, 2022 Cannabis Control Committee meeting.

Moved by **J. Steele**
Seconded by **C. Baxter**

THAT the minutes of the June 15, 2022 Cannabis Control Committee be approved as amended.

Carried

5. Legal Actions Update

Town staff provided an update on the outcome of the Ontario Land Tribunal Hearing that reconvened Monday July 25, 2022 with respect to appeals relating to the zoning by-law and official plan amendments. Staff reported that prior to the hearing, Phoena (formerly Canntrust) withdrew their appeals. Minutes of Settlement between Redecan and the Town were presented to the Tribunal for its consideration. Woodstock Biomed indicated they did not object to the amended OPA and presented their closing argument to the Tribunal and requested their property be recognized as an existing use requesting site specific setbacks, which the Town solicitor disagreed to in the Town closing argument. The Hearing concluded and a written decision by the Tribunal Member is pending.

The committee requested Staff provide the revised Official Plan and Zoning By-law Amendments that were presented to the Tribunal to the committee for its information.

6. Unfinished Business and Recommendations Discussion

The committee discussed the need for a cannabis Light By-law. The Town drafted a Dark Skies By-law which included regulations for greenhouses that had been reviewed and deferred by the committee, pending legal action in relation to a Leamington light abatement by-law.

The committee would like to recommend that Council adopt a greenhouse light abatement by-law similar to one that Leamington recently adopted as well, as that by-law appears to have support from the greenhouse industry.

The Chair reviewed a draft closing memo to council which built on the two-pager (entitled Pelham Cannabis Regulations) presented to Council on June 20, 2022 and summarized each item, proposed recommendations and provided guiding principles for Council to consider next term. The Committee members provided feedback with edits incorporated during the meeting; and members were requested to provide additional input to the Chair and the Chair would finalize the closing memo, circulate for final review, and submit to the Town Clerk for inclusion on the August 22, 2022 Council agenda.

Moved by **L. Damm**
Seconded by **J. Steele**

THAT the Cannabis Control Committee's recommendations to council in the closing memo be approved as amended, subject to committee review and comments, and that the Chair present these recommendations and the closing memo to Council at the August 22, 2022 Council meeting.

Carried

7. Other Business

B. Heska indicated he continues to have discussions with Health Canada and the MPP's office regarding obtaining access to MDS Data Sheets.

8. Next Meeting

Next Meeting: August 17, 2022 at 5pm via Zoom

9. Adjournment

Moved by **B. Heska**
Seconded by **C. Baxter**

THAT this Regular Meeting of the Cannabis Control Committee be adjourned at 7:06 pm.

Carried

Tim J. Nohara

Edited by: Tim Nohara, Chair

Jodi Legros

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

Subject: Overtime Policy Review and Updates

Recommendation:

BE IT RESOLVED THAT Council receive Report #2022-0193 Overtime Policy Review and Updates, for information;

AND THAT Council repeal the Emergency Call-in Pay Policy S600-17;

AND THAT Council approve the Overtime Policy S100-13, as amended.

Background:

The Town's current policies which relate to overtime (Policy S600-13 and Policy S600-17) have not been reviewed since 2016 and 2014, respectively. In the years since, a portion of the Town's staff has unionized, a new compensation system for non-union employees has been implemented and managers with salaries that fall in pay band 10 and above ceased to be able to accumulate banked overtime.

Further, there were additional new complements created in 2018 to support events, reducing the amount of full-time staff needed to assist with Canada Day, the Summer Chill Series, the Christmas Market, etc. In light of all of these structural changes, the existing policies related to compensation for overtime hours require updating and modification.

Analysis:

The Town's existing Emergency Call-in Pay Policy S600-17 pertains only to staff in the Public Works department and references employees in pay bands 1 through 5. Since unionizing, an entirely new salary grid has been implemented and these staff are now governed the terms of the collective agreement, where the rules around overtime compensation are clearly defined. Where they conflict, the terms of the Collective Agreement take precedence, therefore this policy is now redundant and should be repealed.

The existing Overtime Policy S600-13 is somewhat vague, leaving both staff and management unsure when it comes to how overtime should be compensated in

various situations. For instance, the supervisors in the Public Works department have taken on the responsibility for the on-call service since unionizing which the current policy does not address. The existing policy is also silent on staff opting to work through their lunch period, travel time, or the requirement to obtain approval prior to working additional hours. The current policy also encourages staff to volunteer their time at Town events without the expectation of compensation. The *Employment Standards Act* is quite clear, as is the associated case law, that any work performed by those employed by the Town should be compensated. There are very few instances where it would be appropriate to allow staff to perform work without being paid. The policy language around volunteering has been amended for this reason.

The Senior Leadership Team has identified an issue with overtime payouts in certain departments. This has been addressed in the updated version of the policy which now limits the amount of overtime an employee can be paid out in any given year and requires all staff to reach their time bank maximum before being able to receive a payout. Another area of concern is the accumulation of an unreasonable amount of banked overtime, leading to operational difficulties as this lieu time must be taken within the calendar year in which it is earned.

Summerfest has historically been one of the major contributors to the significant banked overtime accumulation as this event requires support from staff across the organization. This past Summerfest was the first time staff who worked in the bar, wrist banding, and ticket sales were paid in the form of an honorarium (funded by the Summerfest budget) instead of the usual practice of banking overtime hours. The opportunity to work these shifts was extended to both permanent staff and summer students and the change to the means of compensation was generally well received. The policy has been updated to include this change which will not only reduce the amount of banked overtime staff accumulate, but it will also help better determine the actual costs of running this event.

Additional policy revisions include a change in scope to include only non-union employees in pay bands 1 through 9, the requirement to obtain prior approval to work additional hours, as well as rules around the on-call service, travel time, and voluntarily working through lunch periods. The policy provides much clearer direction and will allow management to better plan for and control overtime costs.

Financial Considerations:

Overtime costs are already accounted for in the operating budget, to the best of Town Administration's ability to predict the amount needed a year in advance. These policy revisions will not require additional dollars to implement.

Alternatives Reviewed:

The Emergency Call-in Policy is redundant and should be repealed, regardless of whether or not Council votes to approve the amended Overtime Policy. The Overtime Policy could remain as is, although this is not the recommended way forward as the existing policy does not address the many changes that have occurred since its creation.

Strategic Plan Relationship: Financial Sustainability

These policy updates, such as a cap on overtime payouts and the requirement to reach the banked overtime maximum before being able to be paid out should actually reduce overall overtime costs in future budget years.

Consultation:

All members of the Senior Leadership Team were consulted throughout the revision process of the Overtime Policy.

Other Pertinent Reports/Attachments:

Appendix "A" – Overtime Policy S600-13

Appendix "B" – Emergency Call-in Policy S600-17

Prepared and Submitted by:

Brianna Langohr, BA, CHRL
Human Resources/Health and Safety Coordinator

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



Policy Name: Non-Union Overtime Policy	Policy No: S600-13
Committee approval date:	-
Council approval date:	September 6, 2016
Revision date(s):	-
Department/Division:	Human Resources

1. Purpose

The purpose of this policy is to outline the terms and conditions that apply to compensating non-union employees in bands 1 to 9 on the Non-Union Salary Grid who exceed their normal working hours.

2. Policy Statement

The Town of Pelham recognizes that due to demands beyond their regularly scheduled hours, some non-union employees are required to work overtime in order to maintain workflow or to meet business demands. Compensation for overtime will remain consistent with the *Employment Standards Act*.

Managers/Directors will schedule overtime with as much advanced notice as possible. Employees are not contractually entitled to work overtime. As such, all overtime hours must be authorized in advance.

3. Definitions

Banked Overtime: hours worked over and above the normal work week, multiplied by the applicable overtime rate, and credited to an employee's time bank to be used at a later date.

Emergency Hours: defined as unavoidable, these hours are accrued during emergency situations resulting in staff working longer than their normal work day or being called back into work.

Event: planned work to occur over a predetermined time, but not considered regular work. An event may be one-time only or occur at regular intervals (i.e. annual or semi-annual).



Event Hours: employees may agree to work additional hours over and above their normal work week in order to support Town or departmental specific events.

Flexible Time: employees, in partnership with their Manager/Director or designate, are empowered to adjust (or flex) their start and end times in order to avoid working more than their regular work week.

Lieu Time: time off from work with pay which an employee is granted for having worked over and above their normal working hours.

On-Call Service: is described as having a knowledgeable municipal Supervisor available on a twenty-four (24) hour seven (7) days a week basis to respond to requests for services of an emergency nature or services that cannot be resolved during normal working hours.

Overtime: extra hours worked, performed outside of an employee's regular work week. Authorized overtime is paid out in cash or the employee may bank the time.

Volunteer hours: No employee, regardless of their status, may volunteer for the Corporation of the Town of Pelham, as all work is to be compensated. Simultaneously, the Town recognizes and respects the value and importance of volunteerism, and further acknowledges that staff may wish to volunteer at events which are held for the benefit of the community. Staff may choose to volunteer at community events. The onus is on the employee to indicate to the employer that such "work" is to be considered voluntary in nature, otherwise it will be compensated in the normal course, as contemplated by this policy.

4. General Provisions

- 4.1. No overtime shall be worked without prior approval of the departmental Director/Manager or designate, who shall determine the method of compensation with the employee prior to the commencement of the overtime.
- 4.2. Overtime under Employment Standards legislation refers to hours worked in excess of forty four (44) hours per week. Overtime for regular non-union employees refers to hours worked in excess of thirty five (35) or forty (40) hours per week, dependent on the regular work week. Overtime for part-time,



student, casual, and seasonal employees refers to hours worked in excess of forty four (44) hours per week.

- 4.3. Overtime is to be compensated at 1.5 times the regular rate for additional hours worked Monday through Saturday, and 2 times the regular rate for emergency hours worked on Sundays or statutory holidays. Event or other planned hours worked on Sundays shall be compensated at 1.5 times the regular rate. Overtime for part-time, student, casual, and seasonal employees shall be paid in accordance with the *Employment Standards Act*.
- 4.4. All event hours are to be compensated with banked overtime, with the exception of Summerfest. Town staff who agree to work during the weekend of Summerfest shall be paid an honorarium equivalent to the hourly rate in Step 3 of the Customer Service pay band. Honorarium payouts shall not exceed the annual maximum allowance, in accordance with the Canada Revenue Agency.
- 4.5. Banked overtime may only be accumulated to an annual maximum of seventy (70) or eighty (80) hours, dependent on the normal work week.
- 4.6. Once an employee has accumulated the maximum number of banked overtime hours, they are not permitted to bank any additional hours until January 1 of the following year. Should additional hours be required of an employee who has reached the annual maximum, the flex time option must be explored with their departmental Manager/Director, or designate.
- 4.7. Lieu time is to be taken within three (3) months of the week in which the overtime was earned, at a time that is mutually acceptable to the Manager/Director and employee.
- 4.8. As banked time must be taken in the form of time off (lieu time), the Town reserves the right to schedule time off on the employee's behalf if it appears that the employee is unable to schedule the time off in its entirety before the end of the calendar year. No banked overtime balance shall be carried forward to a new calendar year.



- 4.9. Employees may request to have overtime paid out for emergency hours only within ninety (90) days of the pay period it is earned only after such time as the maximum hours of banked overtime have been reached.
- 4.10. Overtime paid out shall not exceed seventy (70) or eighty (80) hours per year, dependent on the normal work week. Should additional hours be required of an employee who has reached the annual maximum, the flex time option must be explored with their departmental Manager/Director, or designate.
- 4.11. If emergency hours are accrued without prior authorization, communication with the department Manager/Director or designate regarding the details of the emergency situation and the amount of hours accrued must occur as soon as reasonably possible.
- 4.12. The Supervisors in the Public Works department provide the on-call service and will rotate in accordance with the schedule provided by the Public Works Manager. Alterations to the schedule may be arranged internally and shall be reported to and approved by the Public Works Manager.
- 4.13. Compensation for the on-call service duty is \$50 per day on a seven day a week basis.
- 4.14. When an after hours call is received, the Supervisor shall not be paid for time worked while investigating the issue or while calling employees into work from their home. If it is determined that the Supervisor must return to work, hours worked will be considered emergency hours and will be paid for time served, including applicable overtime rates. Overtime shall commence from the time arrived on site. Travel time is not included.
- 4.15. Overtime shall be kept to a minimum and should not form a regular part of the work schedule.
- 4.16. Overtime, when necessary, shall be distributed as fairly as possible amongst those employees regularly performing the work. Overtime requests shall take into consideration any prior personal commitments that the employee may have made.



- 4.17. Travel time or extra hours worked voluntarily in order to enable a flexible work schedule do not constitute overtime.



Town of Pelham Human Resources Policies: Solutions Manual

Solution Title:	Emergency Call-In Pay	
Council Approved:	January 13, 2014	\$600-17

HOW MIGHT WE:

How Might the Town of Pelham ensure efficient business operations during emergency situations?

KEY FACTS:

Employment Standards:

There is no standard regarding *Shift Work or Emergency Call-In Pay in the Employment Standards Act, 2000*.

All Emergencies are to be called in to (905) 734-0890.

The Towns Public Service Request (PSR) system will advise the public and staff to use the emergency call-in number where a real emergency exists.

SOLUTION STATEMENT:

All Public Works outside employees at grid levels five (5) and under who are called into work outside of their normal working hours will be paid one and one-half (1.5) times their current hourly rate of pay for actual hours worked.

All Public Works outside employees at grid level five (5) and under who are called into work on Sundays and Holidays are paid in accordance with the Overtime policy, S 301-13 and Public Holidays, S 301-16.

A minimum of three (3) hours paid overtime will be paid for such a call-in. If called in within the same three (3) hour period, no additional overtime will be granted.

If dispatch determined a real emergency exists, they will call out according to the Manager of Public Works & Utilities call-in schedule.

Subject: Truth and Reconciliation Education for Public Servants Policy

Recommendation:

BE IT RESOLVED THAT Council receive Report #2022-0180 Truth and Reconciliation Education for Public Servants Policy, for information;

AND THAT Council approve the Truth and Reconciliation Education for Public Servants Policy.

Background:

As part of a class-action settlement, the Canadian Federal Government established the Truth and Reconciliation Commission of Canada in 2007. This Commission travelled the country interviewing thousands of witnesses and survivors, telling their stories and educating the public on the history of the residential school system. In 2015 the Commission presented a final report which included 94 Calls to Action. These Calls to Action or recommendations urge all sectors of government to do their part in furthering reconciliation with Indigenous Canadians and rectifying the lasting effects of colonialism and residential schools.

Council will recall that the federal government passed legislation last year to make September 30th a federal statutory holiday called the National Day for Truth and Reconciliation. This was in response to the Commission's 80th recommendation to ensure that public commemoration of the history and legacy of residential schools remains a vital component of the reconciliation process.

Analysis:

Although local governments are unable to address many of these Calls to Action, as they are addressed primarily to the federal, provincial, and territorial governments, municipal leaders do have a role to play in the reconciliation process. Recommendation #57 under Professional Development and Training for Public Servants, reads as follows:

"We call upon federal, provincial, territorial and municipal governments to provide education to public servants on the history of Aboriginal

peoples, including the history and legacy of residential schools, the United Nations Declaration on the Rights of Indigenous Peoples, Treaties and Aboriginal rights, Indigenous law, and Aboriginal-Crown relations. This will require skills-based training in intercultural competency, conflict resolution, human rights, and anti-racism.”

The Town has taken steps to deliver on this recommendation. In 2021 all staff were enrolled in a course through the First Nations University of Canada titled ‘4 Seasons of Reconciliation’. This training opportunity was also offered to Council and committee members. The course offers a series of online resources which promote a renewed relationship between Indigenous Peoples and Canadians, through transformative and engaging learning towards anti-racism education. This initiative provides diversity and inclusion awareness through self-paced online material featuring films, slideshows, videos, quizzes and a completion certificate. All permanent staff have completed the course and new staff are required to take this training as part of their orientation.

In an effort to meet full compliance with this particular Call to Action, Human Resources has prepared a policy which will require that all employees, members of Council, and all members of the Committee of Adjustment receive training on the history of Indigenous persons of Canada. Further, Town staff have educational videos and other resources prepared for the week leading up to the National Day for Truth and Reconciliation and plan to use this day for educational purposes each year moving forward.

Financial Considerations:

The cost of this course is \$80 per person. There are still a number of licenses available until September 24, 2022, so there has been no financial impact to the Town to enroll new employees this year. Future costs (which will be minimal and will vary depending on the number of enrollments required) will be built into the Human Resources training budget.

Alternatives Reviewed:

Council could elect to keep this training optional rather than mandatory for elected officials and members of the committee of adjustment. That being said, the course takes 3 hours to complete and the cost is minimal.

Strategic Plan Relationship: Strong Organization

The Town has the means to make a substantial impact on this Call to Action. As Niagara exists on treaty lands, specifically the lands of the Hattiwendaronk, Haudenosaunee, Anishinaabe and the Mississaugas of the Credit First Nation, the

Town of Pelham has an obligation to educate those who represent the municipality on this history. This Council has an opportunity to set the tone and be part of the constructive societal changes that are necessary to support the Indigenous community who live and work in Pelham.

Consultation:

This report references several resources including the Reconciliation Commission of Canada's final report and the First Nations University of Canada's 4 Seasons of Reconciliation training program details.

Other Pertinent Reports/Attachments:

Appendix "A" – Truth and Reconciliation Education for Public Servants Policy

Prepared and Submitted by:

Brianna Langohr, BA, CHRL
Human Resources/Health and Safety Coordinator

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



Policy Name: Truth and Reconciliation Education for Public Servants	Policy No: S600-XX
Committee approval date:	-
Council approval date:	-
Revision date(s):	-
Department/Division:	Human Resources

1. Purpose

This policy has been created in response to the Truth and Reconciliation Commission's 57th call to action which calls upon all levels of government, including municipal governments, to provide education to their public servants regarding the history of Indigenous People of Canada.

2. Policy Statement

The Town of Pelham will comply with the Truth and Reconciliation Commission of Canada's 57th call to action, which reads:

"Professional Development and Training for Public Servants

57. We call upon federal, provincial, territorial, and municipal governments to provide education to public servants on the history of Aboriginal peoples, including the history and legacy of residential schools, the United Nations Declaration on the Rights of Indigenous Peoples, Treaties and Aboriginal rights, Indigenous law, and Aboriginal-Crown relations. This will require skills-based training in intercultural competency, conflict resolution, human rights, and anti-racism."

3. General Provisions

In substantive response to that call to action, Town employees, members of Council, and all members of the Committee of Adjustment will be required to take training on the history of Indigenous persons in Canada, as set out above.

Subject: 2022-2026 Advisory Committee Structure
Recommendation

Recommendation:

BE IT RESOLVED THAT Council receive Report # 2022-0208 - 2022-2026 Advisory Committee Structure Recommendation, for information;

AND THAT Council approve, in principle, restructuring Town of Pelham Ad Hoc Advisory Committees into three (3) types of committees, being:

- 1) Advisory Committees;**
- 2) Statutory Committees; and**
- 3) Working Groups;**

AND THAT Council direct staff to review the Town's current advisory committees and to prepare revised terms or reference and committee recommendations for the 2022-2026 Council Term in a report to be delivered on December 19, 2022.

Background:

The review of Pelham's committee structure is a routine process which occurs at the beginning/end of each Council cycle. It generally supports the (current) strategic plan goal of supporting a strong organization through reviewing the terms of reference for committees and boards.

The current Town of Pelham Procedural By-Law 4107(2019), as amended, stipulates Council may create ad hoc committees, commonly referred to as advisory committees. Currently, the majority of Pelham's committees are advisory, which is to say that they are optional/voluntary. The Town also operates committees which are statutory (Committee of Adjustment, Accessibility Advisory, Lincoln Pelham Union Library Board, Livestock Valuer & Pound Keeper).

Advisory committees are established by Council via resolution and by-law. These committees typically have a defined area of focus, defined by their terms of reference. Frequently committees are able to develop greater levels of expertise in specific areas and then provide advice to Town Council on various options, policy initiatives and potential courses of action. As a default committees last for the entire term of Council, however they can also be designed to have shorter durations, and can end when a goal/task is accomplished or at the end of defined amount of time.

Membership requirements for advisory committees include at least one (1) Member of Council, at least one (1) Town of Pelham staff liaison and various Town of Pelham residents, stakeholders and/or field experts.

Currently the Council for the Town of Pelham has established seventeen (17) advisory committees for the 2018 – 2022 term, being:

- Pelham Finance and Audit Committee
- Cannabis Control Committee
- Committee of Adjustment
- Community Beautification Committee
- Joint Accessibility Advisory Committee
- Livestock Valuer and Pound keeper
- Meridian Community Centre ("MCC") Hospitality Committee
- Meridian Community Centre ("MCC") User Groups Committee
- Municipal Heritage Advisory Committee
- Pelham Active Transportation Committee
- Pelham Arts Advisory Committee
- Pelham Seniors Advisory Committee
- Pelham Summerfest Committee
- Pelham Thursday Night Experience Committee
- Utility Sustainability Advisory Committee
- Lincoln Pelham Union Public Library Board
- Mayor Youth Advisory Committee

Over the past term of Council, it has become clear that the Town is operating too many committees relative to its size. This spreads the volunteer base thinly, is a challenge to support adequately amongst the existing staff compliment and also creates a large demand upon a limited pool of elected officials.

Analysis:

Ad hoc committees are intended to provide important advice and guidance to Council. This is true and common practice for many of the committees established by Council, however there are several committees which do not provide advice and

guidance, rather organize, execute and oversee important projects and tasks on behalf of the Town of Pelham.

Staff recommend Council formally establish three (3) categories of committee structure: advisory committees, statutory committees and volunteer working groups. Staff recommend advisory committees be established to provide Council advice and guidance on a specific initiative or matter while volunteer working groups operate to execute important projects, events or tasks on behalf of the Town. Statutory committees are obligatory and will continue to fulfill provincial requirements.

Advisory Committees

Staff propose that advisory committees continue to be established by Council via resolution and by-law. Advisory committees shall be governed by terms of reference as approved by Council. Membership shall include at least one (1) Member of Council and at least one (1) Town of Pelham staff liaison in addition to the residents, stakeholders and/or field experts defined within the terms of reference. Advisory committees shall continue to run with the term of Council, unless Council wishes to indicate otherwise.

Staff recommend advisory committees continue to be governed by the Procedural By-law and parliamentary rules. It is important that procedures be defined and that advisory committees remain accountable and transparent to the public in their decision-making and policy recommendation processes. Parliamentary procedure provides the committees with structure and a consistent format which aids in making decisions, goals and objectives democratically.

Staff recommend that existing administrative responsibilities remain, such as record keeping, routine Council updates, publishing agendas and publishing minutes to the website and Council agenda.

Staff recommend committees such as: Cannabis Control Committee, Pelham Finance and Audit Committee and Pelham Active Transportation Committee remain in the advisory committee structure. Committees such as these have specialized knowledge and regularly make recommendations to Council. The establishment of specific advisory committees for the 2022 – 2026 Council term are subject to the approval of the incoming Council.

Statutory Committees

Statutory committees are required under legislation and/or Provincial/ Regional guidelines. The Town of Pelham's proposed statutory committees are guided by the *Planning Act, 1990, Public Libraries Act, 1990, Accessibility for Ontarians with Disabilities Act, 2005* and the Ontario Wildlife Damage Compensation Program

initiated through the Ministry of Agriculture, Food and Rural Affairs. Save and except the Livestock Valuer and Poundkeeper, statutory committees shall report to Council on their activities through meeting minutes and/or a delegation.

Staff propose that membership to statutory committees continue to be appointed by Council via by-law. Where the statutory committee is comprised on inter-municipal membership, Council shall appoint only the Town of Pelham representative(s). Statutory committees shall be governed by their approved terms of reference, their specific statute and/or the Procedural By-law; where procedures conflict, the specific statute shall prevail. Statutory committees shall continue to run with the term of Council.

Staff recommend re-categorizing the committees of: Committee of Adjustment, Joint Accessibility Advisory Committee, Lincoln Pelham Union Public Library and Livestock Valuer and Poundkeeper as statutory committees.

Working Groups

Staff recommend the establishment of Working Groups to facilitate or execute a project, event or task. More specifically, such Working Groups, when and as required, should have terms of reference be initiated by the lead department director and approved by the Chief Administrative Officer. This is in-keeping with their operational/project orientation and general lack of politicization. Membership can include Member(s) of Council, residents, stakeholders and/or field experts of the Town of Pelham. A Town staff liaison from the lead department shall be required to attend all meetings.

It is anticipated that most Working Group members would be appointed to two year terms, which are renewable. This would address the turnover experienced by many current Town Committees, where a number of residents have been most kind to volunteer their time and services, however do not necessarily want to make a four year commitment.

Working Groups would be exempt from the provisions of the Procedural By-law. Rather, they would have structural and administrative flexibility. Primarily comprised of volunteers, Working Groups would not be required to send their minutes to Council for information, as they are not providing advice. This would address the concern raised by some current volunteers that they do not want to be part of "Town bureaucracy".

An ancillary benefit is that this exemption will alleviate a significant number of council meeting agenda pages. Working Groups would be able to work on special projects, events and tasks which benefit the community on one-off, as needed

basis. This structure improves the overall functionality of the group through the implementation of a streamlined approach.

Staff recognize the importance of accountability and transparency for all committees and groups. Working Group meetings shall be required to be open to the public. Additionally, volunteer working group members shall be governed and subject to the Town's Code of Conduct.

Staff recommend committees such as: Pelham Summerfest Committee, Pelham Thursday Night Experience Committee and MCC User Group Committee operate as Working Groups. The establishment of Working Groups for the 2022 – 2026 Council term would proceed at the beginning of the new term of Council, at the discretion of the lead department head and Chief Administrative Officer.

Pitfalls in the Current System

Time Commitment

The time commitment of Members of Council and advisory committee members over the four (4) year term is significant. The Clerk's department receives numerous resignations from advisory committee members throughout the four (4) year term, occasionally resulting in a deficiency in membership requirements. A good example of this is the Utility Sustainability Advisory Committee which hasn't met in more than two years as it has been unable to achieve quorum.

Advisory committees that no longer meet the membership requirement as prescribed in the approved terms of reference must temporarily cease until membership has been filled. This is abundantly difficult for committees such as the Summerfest Committee which must continue to operate to successfully deliver the annual event.

It is anticipated that lessening the time commitment of Working Group members (i.e. Summerfest Committee) to a two (2) year term will increase volunteerism and encourage positive membership cycles which will bring fresh ideas and perspectives to the groups.

The establishment of volunteer working groups will make the attendance of Members of Council optional for such groups. Members of Council may choose to dedicate their time where they deem fit. This should help promote a work life balance for Members of Council.

Procedural Issues

Advisory committees exist to provide advice and guidance to Council. This is not practical for each existing committee. For example, the MCC User Groups

Committee meets to schedule upcoming events and ice time. They do not have information to report to Council. Additionally, the Summerfest Committee meets to facilitate and execute the annual Summerfest event. Although they periodically provide updates to Council, this is not presented as advice or guidance. It shall be noted that Working Groups are not precluded from providing Council with updates or appearing as delegates.

Council and advisory committees currently function within a framework of rules and procedures as prescribed by the Procedural By-law. This includes, but is not limited to abiding by the *Municipal Conflict of Interest Act, 1990*. When a member of an advisory committee has a conflict of interest, they are to declare it and remove themselves from consideration on the topic. This requirement is particularly difficult for committees such as the MCC User Groups Committee and Summerfest Committee. For example, such committees are comprised of stakeholders who technically may have a pecuniary interest in the matter.

Advisory committee members have routinely expressed the desire to waive the requirements of strictly following parliamentary rules and procedures. Staff recognize that parliamentary procedure is not practical for committees that operate to execute a project, event or task. There is really no choice for Statutory Committees, and Advisory Committees also require structure, but the Town can likely offer freedom from procedural rules to Working Groups.

eSCRIBE Board Manager Software

Beginning in the 2022–2026 term, staff will be utilizing the eSCRIBE board manager module to allow users to easily manage and publish committee names, member details, appointments, vacancies and applications through a unified public interface.

The board manager module will streamline administrative tasks, improving the experience of the staff and end users. Applicants will be able to apply directly online and easily access information such as vacancies, membership details and terms of references online in one convenient location. Additionally, residents can submit their application to multiple committees at one time.

Staff are hopeful the user friendly and expedient interface will increase committee participation.

This module will be utilized for both advisory committees and statutory committees.

Conclusion

This recommendation is a logical step in the evolution of the Town's governance structure. In reality, advisory committees such as the Pelham Summerfest

Committee, MCC User Groups Committee and Pelham Arts Advisory Committee never functioned as an advisory committee in the traditional sense. The addition of a proposed volunteer working group structure will address the administrative inefficiencies and recommendations of current committee members. The addition of a statutory committee category will assist in identifying committees required by legislation and/or Provincial/ Regional guidelines.

The changes recommended in this report are intended to take effect with the 2022-2026 Council term. In the interim, staff recommend Council direct the Clerk's department and lead department directors to draft terms of reference in accordance with the proposed new advisory, statutory and volunteer working group structure for the up-coming term of Council. Starting this process now will allow the establishment and recruitment of such committees to begin promptly following the beginning of the new term of Council. If Council does not direct staff to initiate this work now, it will likely defer the establishment and recruitment of committees until mid-2023.

Financial Considerations:

There are no direct costs associated with this report.

Alternatives Reviewed:

Council can determine to continue with the status quo or defer consideration of the proposed committee structures to the next term of Council.

Strategic Plan Relationship: Build Strong Communities and Cultural Assets

Restructuring how advisory committee are organized will build stronger communities and enhance the Town's events and festivals by promoting volunteerism and input. The recommendations in this report were derived from the input of current committee members and the observations of Town staff representatives.

Consultation:

Senior Leadership Team

Other Pertinent Reports/Attachments:

Draft Template of the 2022-2026 Terms of Reference – Advisory/ Statutory Committees

Draft Template of the 2022-2026 Terms of Reference – Volunteer Working Groups

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

Advisory Committee Name:	<Advisory/ Statutory Committee name>
Meeting Date and Time:	3 rd Thursday of the month, 5 p.m. to 6:30 p.m.
Meeting Location:	Meridian Community Centre, Kinsmen Room

Purpose

The purpose of the <Advisory/ Statutory Committee name> Committee <insert abbreviation if applicable> is to provide input and perspective on matters related to <insert> that impact the Town of Pelham (the "Town").

Mandate

The mandate of the <Advisory/ Statutory Committee name> is to provide feedback, advice and recommendations to Town Council with respect to the following areas:

-

Membership:

The Committee shall be appointed by Town Council and comprised of the following:

- One (1) Member of Council (Ex-offio);
- <number> resident representatives;
- <number> community group volunteer(s);
- Director of lead department, or designate (as a resource);
- Secretary (as an administrative resources).

Pelham residents must meet the following criteria to be eligible for appointment:

- Satisfactory Police Criminal Record Check/ Vulnerable Sector Check, at the discretion of the Clerk and/or Chief Administrative Officer;
- Resident of the Town of Pelham;
- Must sign the Code of Conduct;
- <insert professional designation ex. CPA>
- Must sign Confidentiality Agreement;

The meetings of the <Advisory/ Statutory Committee name> are public and may be recorded and posted to the Town's website. Members should be aware that their names will be in the public realm. Member information, other than their first and last name, will be kept confidential in accordance with the *Municipal Freedom of Information and Protection of Privacy Act* "MFIPPA".

Schedule and Location of Meetings

The <Advisory/ Statutory Committee name> shall meet <ex, Monthly on the 3rd Thursday at 5 p.m. to 6:30 p.m.> at the Meridian Community Centre, Kinsmen Room, however, additional meetings may be scheduled to deal with any urgent matters subject to the availability of Members and staff.

Committees are entitled to a summer/ vacation break.

Term of Committee

The term of membership shall be four (4) years, aligned with Town Council's elected term of office subject to the election period, and the memberships shall be approved by Council in accordance with membership requirements.

Please note, Committees do not meeting during the election period which commences on Nomination Day as determined by the *Municipal Elections Act, 1996*.

Resources and Budget

The <insert> department is the designated lead department providing support for the <Insert Advisory/Statutory Committee name>; however, the <Advisory/ Statutory Committee name> also has access to the technical expertise of staff from other Town of Pelham departments as may be required.

This Committee is allotted a Budget of \$00.00 and is subject to annual Council approval.

Meeting Protocols

Advisory and Statutory Committees are governed by the Town of Pelham's Procedural By-law, as amended. See relevant Section.

Consent

By applying to the <Advisory/ Statutory Committee name>, you have agreed, consented and understand all the provisions within these Terms of Reference.

Financial Reporting

Financial reporting will be administered by the Town of Pelham Corporate Services Department.

Amendments to the Terms of Reference

The Terms of Reference shall be reviewed and refined every four years to ensure that they remain current and meaningful. This four year period shall run with the Term of Council.

Proposals to amend the Terms of Reference must be approved by the Committee and Council.

Council Approval Date:

Advisory Committee Name:	<insert Volunteer Working Committee name>
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Purpose

The purpose of the <insert Volunteer Working Committee name> Committee <insert abbreviation if applicable> is to execute <program/ project/ event> in the Town of Pelham (the "Town").

Mandate

The mandate of the <insert Volunteer Working Committee name> is to <Coordinate/ assist/ guide/ etc.> Town Staff with respect to the following areas:

-

Membership:

Membership shall consist of the following:

- Interested Pelham residents;
- Director of lead department, or designate (as a resource).

Pelham residents must meet the following criteria to be eligible for appointment:

- Satisfactory Police Criminal Record Check/ Vulnerable Sector Check, at the discretion of the Clerk and/or Chief Administrative Officer;
- Resident of the Town of Pelham;
- Must sign the Code of Conduct;

Applications will be considered, and membership approved by the Director of <insert lead department>.

The meetings of the <insert Volunteer Working Committee name> are public and may be recorded and posted to the Town's website. Members should be aware that their names will be in the public realm. Member information, other than their first and last name, will be kept confidential in accordance with the *Municipal Freedom of Information and Protection of Privacy Act* "MFIPPA".

Schedule and Location of Meetings

To be determined by the Director of the Lead Department in consultation with the Volunteer Working Committee.

Term of Committee

The term of membership shall be a maximum of two (2) years. Members may have the option to re-apply for additional terms.

Resources and Budget

The <insert> department is the designated lead department providing support for the <insert Volunteer Working Committee name>; however, the <insert Volunteer Working Committee name> also has access to the technical expertise of staff from other Town of Pelham departments as may be required.

This Committee is allotted a Budget of \$00.00 and is subject to annual Council approval.

Meeting Protocols

Volunteer Working Committees are governed by the Town of Pelham's Procedural By-law, as amended. See relevant Section.

Consent

By applying to the Volunteer Working Committee, you have agreed, consented and understand all the provisions within these Terms of Reference.

Financial Reporting

Financial reporting will be administered by the Town of Pelham Corporate Services Department.

Amendments to the Terms of Reference

The Director of the lead department, in consultation with the Chief Administrative Officer may amend the Terms of Reference, from time to time.

Director of <insert lead department>

Chief Administrative Officer

Executed this _____ day of _____, 2022.



The Corporation of the Town of Pelham

By-law No. 4488(2022)

Being a by-law to adopt, ratify and confirm the actions of the Council at its regular meeting held on the 06th day of September 2022.

WHEREAS section 5(3) of the *Municipal Act, 2001*, S.O. 2001, c. 25 ("*Municipal Act, 2001*" or "the statute") provides that, unless 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 the 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 06th day of September, 2022, 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.** This By-law shall come into force on the date that it is enacted.

Read, enacted, signed and sealed this 06th day of September, 2022.

Marvin Junkin, Mayor

Holly Willford, Town Clerk