REGULAR COUNCIL AGENDA

C-09/2023
Wednesday, May 3, 2023
9:00 AM
Meridian Community Centre - Accursi A and B
100 Meridian Way
Fonthill, ON
L0S 1E6

The Town of Pelham is holding hybrid meetings of Council and Committee in accordance with Procedure By-law 4507(2022). Public access to meetings will be provided in-person at the location indicated on the agenda, via Livestream: www.youtube.com/townofpelham/live and subsequent publication to the Town's website at www.pelham.ca.

Pages

1. Call to Order and Declaration of Quorum

2. 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.

3. Approval of the Agenda

4. Disclosure of Pecuniary Interests and General Nature Thereof

5. Hearing of Presentation, Delegations, Regional Report

5.1 Delegations

5.1.1 Save Your Skin Foundation - Melanoma and Skin Cancer Awareness Month 5 - 7

Kathy Barnard

5.1.2 FACS Niagara Foundation - LemonAID Day 2023 8 - 21

Rhianon Burkholder, FACS Foundation Board Member

5.1.3 2022-2023 Lincoln Pelham Public Library Year In Review 22 - 43

Julie Andrews, CEO
Susan DiBattista, Director of Community Engagement

6. Adoption of Council Minutes

6.1 C-08/2023-Regular Council Meeting-April 19, 2023 44 - 57

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

8. Consent Agenda Items to be Considered in Block

8.1 Staff Reports of a Routine Nature for Information or Action

8.1.1 2023 Winter Operations Report, 2023-0108-Public Works 58 - 60

8.2 Information Correspondence

8.2.1 Niagara Peninsula Conservation Official Status Re-designation of Niagara River Beach Closings Beneficial Use Impairment 61 - 88

8.3 Regional Municipality of Niagara Correspondence for Information or Action

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of Unbuilt Housing Supply

9. Consent Agenda Item(s) Lifted for Separate Consideration, if any

10. Presentation and Consideration of Reports

10.1 Staff Reports Requiring Action

10.1.1 Farr Road and River Road Roadside Ditching and Culvert Drainage Improvements, 2023-0110-Public Works 106 - 111

10.1.2 Establishment of the Environmental and Climate Adaptation Advisory Committee, 2023-0109-Clerks 112 - 117

10.1.3 Proposed Strategic Plan Timelines, 2023-0106-Chief Administrator Officer 118 - 120

10.1.4 Pelham Communities in Bloom 2023 - 2024, 2023-0107-Recreation 121 - 144

11. Unfinished Business

12. New Business

13. Presentation and Consideration of By-Laws 145 - 167

1. By-law 29-2023 - Being a by-law to amend By-law 13-2023, confirming various appointments to Advisory Committees of the Town of Pelham for the 2022-2026 Term of Council and to appoint members to the Pelham Active Transportation Committee and the Pelham Cultural Advisory Committee.

2. By-law 30-2023 - Being a by-law to amend By-law No. 4307(2021), as amended, being an Administrative Authority By-law to delegate certain powers and duties under the Municipal Act, 2001, S.O. 2001, c. 25, and other Acts as contained in the Scheduled hereto.

3. By-law 31-2023 - Being a By-law to amend By-law No. 4504(2022) to establish 2023 Fees and Charges to be collected by the Corporation of the Town of Pelham; And to Add Fees and Charges to the Clerk's

Department Schedule.

14. Motions and Notices of Motion

15. Resolution to Move In Camera

16. Rise From In Camera

17. Confirming By-Law 168 - 168

18. Adjournment

Request to Appear Before Council

Administration Services

Please fill out and return no later than 12 p.m. noon ten (10) days prior to the Meeting you wish to appear. Completed forms, including presentation materials are to be submitted to the Clerk's department and can be dropped off or emailed to clerks@pelham.ca

Name or Organization or Firm: Save Your Skin Foundation	
Name and Title of Presenter(s): Kathy Barnard- Founder	
Address: 28-53480 Bridal Falls Road, Rosedale BC V0X1X1	
Telephone: 778-240-4532	Email: ani@saveyourskin.ca for Kathy@saveyourskin.ca

Date of Meeting Requested: May 3, 2023

How will you attend Council? ☐ In-person ■ Electronically

*The delegate shall notify the Clerk at least five (5) business Days in advance.

Subject matter to be discussed:	Melanoma and Skin Cancer Awareness Month
If not for information, identify the desired action requested:	Spread Awareness

Have you previously spoken on this issue? ■ Yes ☐ No

If a group or individual has previously appeared as a delegate, a further delegation from the same group or individual on the same topic will not be permitted, unless there is significant new information to be brought forward.

Do you have presentation material or speaking notes? ☐ Yes ■ No

Delegations are required to provide the Clerk's department presentation materials for publication in Council's agenda package. Materials must be provided no later than 12 p.m. noon ten (10) days prior to the Meeting.

I have read and understand the Delegation Protocol attached to this form and understand that the information contained on this form, including any attachments submitted, will become public documents and listed on the Town's meeting agenda and posted to the Town's website. I also understand that as a participant of this meeting, I will be recorded and further understand that this recording with be posted to the Town of Pelham's YouTube Channel.

Signature

MArch 9, 2023

Date

Delegation Protocols

The Clerk shall list a maximum of four (4) delegations per meeting. Delegations will be considered on a first come first serve basis, unless prioritized otherwise at the discretion of the Clerk, in consultation with the Chief Administrative Officer.

The purpose of the delegation process is to allow residents to make their views known to Council, based on the requirements of the Town of Pelham Procedural By-law. The views of interested citizens are valued and input is welcome, along with comments and constructive suggestions. Council must consider a large number of issues and concerns at any given time, thus the following protocol is observed:

1. The delegate shall arrive to the meeting by 8:45 am.

2. A presentation by a delegate, who is a member of the public, shall be a maximum of five (5) minutes (whether the Delegation consists of an individual or a group). A presentation by a delegate, who is a member of Town or Regional staff, shall be a maximum of twenty (20) minutes.

3. Where the delegate is a group of persons, a primary speaker is to be assigned to address Council.

4. Discussion topics, other than the subject matter of the written request to appear as a delegation, will not be permitted. Subsequent delegations on the same topic, without significant new information, will not be permitted.

5. A delegate shall not speak disrespectfully, use offensive language and/or disobey the rules of procedure or a decision of the Chair. Remarks or questions concerning topics identified within Section 28.7 of the Procedural By-law shall be immediately ruled out of order. A subsequent offense during the same presentation will result in the speaker forfeiting their right to speak. The Chair reserves the right to immediately end the delegation if the remarks are considered severe.

6. Upon completion of remarks, the speaker(s) will remain in position to allow for any questions from Members. Members may ask questions for clarification purposes. After completion of any questions, the speaker will be asked to be seated or will be placed into the waiting room of the Zoom meeting.

7. Delegations will not be permitted on items that will be the subject of an upcoming or closed public meeting pursuant to the *Planning Act*, unless exceptional circumstances apply, which have been reviewed and approved by Council. Persons should present their concerns and opinions at the scheduled Public Meeting where their comments can be considered along with other submissions.

Pelham NIAGARA

Proclamation
Office of the Mayor

Melanoma and Skin Cancer Awareness Month

May 2023

WHEREAS it is imperative that communities across Canada be reminded of the importance of sun safety;

AND WHEREAS over-exposure to UV radiation is one of the major causes of melanoma and non-melanoma skin cancers;

AND WHEREAS skin cancer is the most common of all cancers. 1 in 6 Canadian born in the 1990s will get skin cancer in their lifetimes;

AND WHEREAS many people seek sun without taking the advisable precautionary measures and ae unaware that any darkening of skin color, including a tan, is indicative of UV damage;

AND WHEREAS skin self-examinations should be performed on a monthly basis because skin cancers are highly treatable when detected early;

AND WHEREAS Save Your Skin Foundation is dedicated to the fight against non-melanoma skin cancers, melanoma and ocular melanoma through nationwide education, advocacy, and awareness initiatives;

THEREFORE, BE IT RESOLVED THAT the Corporation of the Town of Pelham does hereby proclaim May 2023 as Melanoma and Skin Cancer Awareness Month.

DATED AT the Town of Pelham this 08th day of March, 2023.

Mayor Marvin Junkin
Town of Pelham

Request to Appear Before Council

Administration Services

Please fill out and return no later than 12 p.m. noon ten (10) days prior to the Meeting you wish to appear. Completed forms, including presentation materials are to be submitted to the Clerk's department and can be dropped off or emailed to clerks@pelham.ca

Name or Organization or Firm: FACS Niagara Foundation	
Name and Title of Presenter(s): Rhianon Burkholder - FACS Foundation Board Member	
Address: 82 Hannover Drive	
Telephone: 905-937-7731	Email: carly.eckhardt@facsniagara.on.ca

Date of Meeting Requested: May 3, 2023

How will you attend Council? ☐ In-person ☒ Electronically

*The delegate shall notify the Clerk at least five (5) business Days in advance.

Subject matter to be discussed:	We would like to make a five-minute presentation about our 2nd Annual Mountainview LemonAID Day for FACS Niagara which raises money to send vulnerable children in our community to summer camp. We are requesting Council's assistance in sharing information about the event with their community and, if possible, declaring the Saturday, June 10, 2023 Mountainview LemonAID Day in Pelham.
If not for information, identify the desired action requested:	

Have you previously spoken on this issue? ☒ Yes ☐ No

If a group or individual has previously appeared as a delegate, a further delegation from the same group or individual on the same topic will not be permitted, unless there is significant new information to be brought forward.

Do you have presentation material or speaking notes? ☒ Yes ☐ No

Delegations are required to provide the Clerk's department presentation materials for publication in Council's agenda package. Materials must be provided no later than 12 p.m. noon ten (10) days prior to the Meeting.

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Carly Eckhardt Digitally signed by Carly Eckhardt Date: 2023.04.04 14:24:09 -04'00'

Signature

April 4, 23

Date

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7. Delegations will not be permitted on items that will be the subject of an upcoming or closed public meeting pursuant to the *Planning Act*, unless exceptional circumstances apply, which have been reviewed and approved by Council. Persons should present their concerns and opinions at the scheduled Public Meeting where their comments can be considered along with other submissions.

Mountainview LemonAID Day, 2023
June 10, 2023

WHEREAS Family and Children's Services (FACS) Niagara has been dedicated to protecting and supporting children and improving the lives of vulnerable children youth, and families across the Niagara Peninsula since 1898;

AND WHEREAS Mountainview Homes and other generous sponsors are supporting FACS Niagara Foundation in these efforts by encouraging children and families to give back to their community by registering online and setting up lemonade stands across the Town of Pelham and the Niagara Peninsula on Saturday, June 10th, 2023;

AND WHEREAS Mountainview Homes and other great community sponsors have generously provided 100 LemonAID Day Kits, so every family and child have the resources needed to successfully participate, and so that ALL the funds raised by children go directly to sending vulnerable children supported by FACS Niagara to summer camps;

AND WHEREAS by instilling the values of community, generosity and goodwill in the next generation, Mountainview Homes and other generous sponsors are helping build a brighter future for Niagara;

AND WHEREAS the Town of Pelham commends the hundreds of young children for their philanthropy and hard work, generosity, goodwill, and for making our community a much better place to live;

AND WHEREAS by participating, citizens can help send 450 children from Niagara Peninsula to experience summer camp in 2023;

NOW THEREFORE BE IT RESOLVED THAT the Council of the Town of Pelham hereby proclaims Saturday, June 10, 2023 as Mountainview LemonAID Day in the Town of Pelham;

AND THAT the Council of the Town of Pelham hereby encourages children of the Town of Pelham to participate in the annual Mountainview LemonAID Day;

AND THAT the Council of the Town of Pelham encourages all citizens of the Town of Pelham to support these children in their efforts by generously donating in person or online to the Mountainview LemonAID Day stands.

DATED AT the Town of Pelham this.

Mayor Marvin Junkin
Town of Pelham

Mountainview **LemonAID Day** for FACS Niagara

Hello!

I'm Rhianon Burkholder

I serve on the Board of the Foundation and I'm excited to share some information about our LemonAID initiative to support young people in Pelham and across Niagara.

Kids **Helping** Kids

- Mountainview LemonAID Day is a community driven event, encouraging kids to help kids by raising funds to send children to summer camp.

- On Saturday, June 10, teams of kids will set up lemonade stands across Niagara to ask for donations.

There are so many children in our community who deserve an opportunity to be with friends, connect with nature, and make lasting childhood memories.

Mark Basciano
President of Mountainview Building Group

More than

$85,000

Raised in 2022 to send local children to summer camp

In **2022**

SUMMER CAMP
400+
CHILDREN WHO HAD A SUMMER CAMP EXPERIENCE IN 2022, INCLUDING:
ATTENDING WEEK-LONG DAY CAMPS
OVERNIGHT CAMPS OUTSIDE THE REGION
CAMPING WITH FOSTER PARENTS
RECEIVING A SPECIAL CAMP AT HOME BASKET

One Hundred Stands **Across** Niagara

Each team will receive everything needed to run a LemonAID stand!

- LemonAID Stand & Banner
- 4 T-shirts & hats
- Lemonade Concentrate
- Pitchers
- 100 cups and stickers

& more!

100%

of proceeds go towards sending local children and youth to summer camp.

More Info

facsniagarafoundation.org

905.937.7731

Help Make Summer a Little Sweeter for Everyone!

Thank You!

Questions?

Pelham NIAGARA

Request to Appear Before Council

Administration Services

Please fill out and return no later than 12 p.m. noon ten (10) days prior to the Meeting you wish to appear. Completed forms, including presentation materials are to be submitted to the Clerk's department and can be dropped off or emailed to clerks@pelham.ca

Name or Organization or Firm: Lincoln Pelham Public Library	
Name and Title of Presenter(s): Julie Andrews, CEO, Susan DiBattista, Director of Community Engagement, Amy Guilmette, Director of Customer Experience	
Address: 43 Pelham Town Square	
Telephone: 9055637014	Email: jandrews@lppl.ca

Date of Meeting Requested: May 3, 2023

How will you attend Council? ☐ In-person ■ Electronically

*The delegate shall notify the Clerk at least five (5) business Days in advance.

Subject matter to be discussed:	Library Updates
If not for information, identify the desired action requested:	

Have you previously spoken on this issue? ☐ Yes ■ No

If a group or individual has previously appeared as a delegate, a further delegation from the same group or individual on the same topic will not be permitted, unless there is significant new information to be brought forward.

Do you have presentation material or speaking notes? ■ Yes ☐ No

Delegations are required to provide the Clerk's department presentation materials for publication in Council's agenda package. Materials must be provided no later than 12 p.m. noon ten (10) days prior to the Meeting.

I have read and understand the Delegation Protocol attached to this form and understand that the information contained on this form, including any attachments submitted, will become public documents and listed on the Town's meeting agenda and posted to the Town's website. I also understand that as a participant of this meeting, I will be recorded and further understand that this recording with be posted to the Town of Pelham's YouTube Channel.

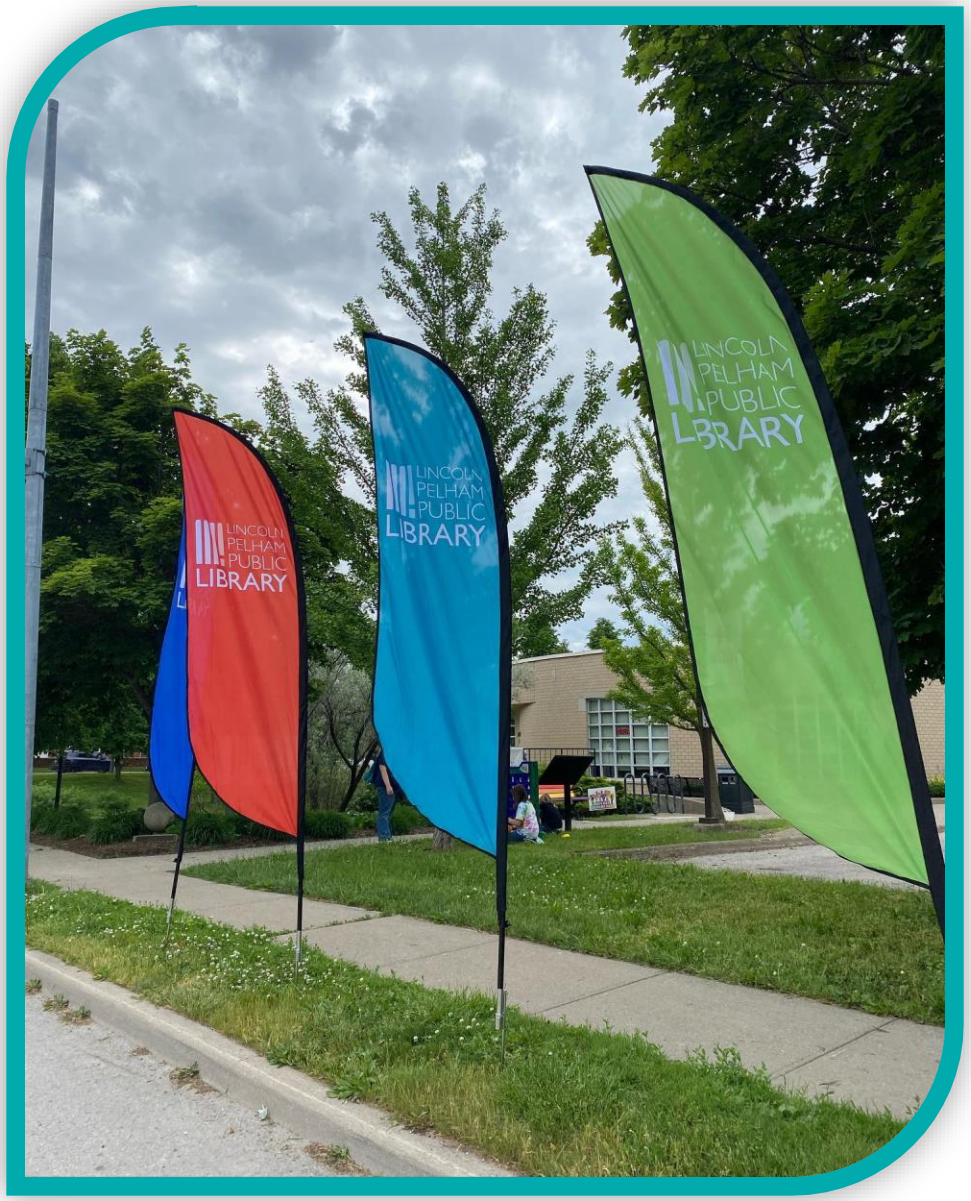
Signature: _____ Date: 11 April 2023

2022/23 Year in Review

LINCOLN PELHAM PUBLIC LIBRARY

https://www.youtube.com/watch?v=-MzagBS4zFU

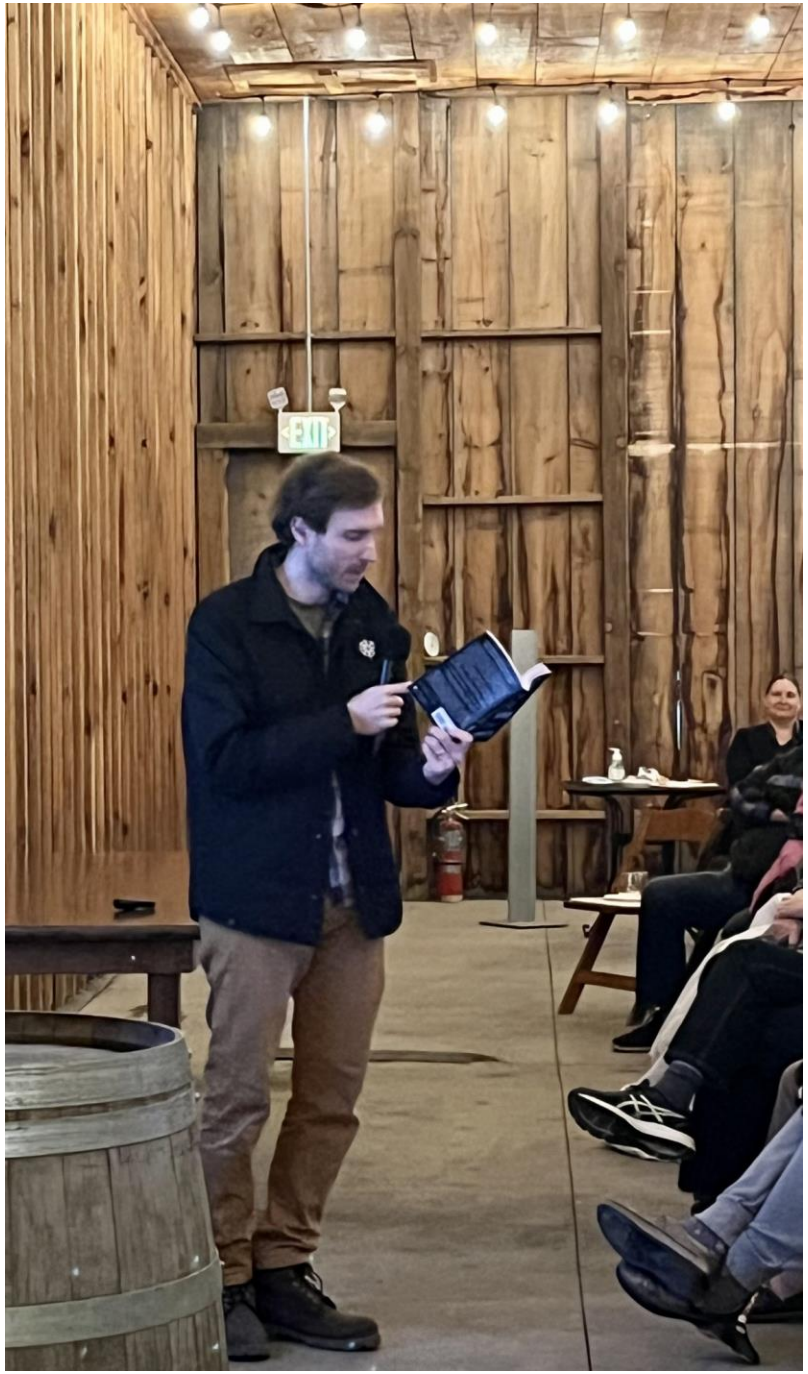
PELHAM LIBRARY
LINCOLN
PELHAM
PUBLIC
LIBRARY


LINCOLN
PELHAM
PUBLIC
LIBRARY

3D Printing

Town of Lincoln

Pelham NIAGARA


EXIT

STORYWALK
START HERE
PELHAM ART FESTIVAL INC.
PELHAM LIBRARIES
TWELVE THOUSAND
$ 12,000
00
Meridian
PAF

Sneezy the Snowman
by
Maureen Wright
Illustrated by
Stephane Gilpin
START

kanopy

NATIONAL GEOGRAPHIC

CBC Corner

DISCOVER THE BEST CANADIAN SHOWS, STORIES & MORE

New in 2022

New in 2023!

C02 Monitor

Museum Passes

Nintendo Switch Games

Borrow fishing rods, tackle boxes and life vests

Borrow snowshoes

Seed Library – at all 4 branches

2023 Projects

- RFID tagging of all lending materials

- Installing our first lending library machine

Early Literacy Programming

STEAM Programming for school-aged children

Programming and services for tweens and teens

Programs for families and adults of all ages

Meet Rosie,
The LPPL
Outreach Van

Helping us to connect with the community outside of our physical spaces

INDIGENOUS READS

BOOK CLUB

Read and discuss books centred on Indigenous voices, stories, and experiences. Co-facilitated by Courtney Corbeil, Indigenous Culture and Heritage Specialist.

February 7

Tuesdays, 7 pm
Rittenhouse Branch
4080 John Charles Blvd
Free; registration required.

Presented in partnership by

LINCOLN PELHAM PUBLIC LIBRARY

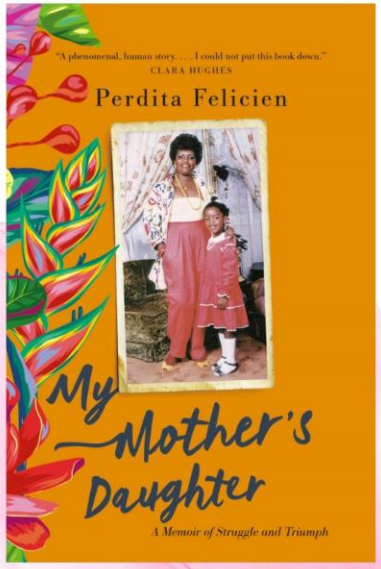
Lincoln Museum & Cultural Centre
Home of the Jordan Historical Museum of the Twenty

The Canadian Library Book Wrapping

Thursday, April 6, 4 - 7 pm
Fonthill Branch
Free; drop in

LINCOLN PELHAM PUBLIC LIBRARY

One Book One Niagara - March 2023



LINCOLN PELHAM PUBLIC LIBRARY

books on the bench
AUTHOR SERIES

PERDITA FELICIEN

WORLD CHAMPION
OLYMPIAN | TV HOST
BESTSELLING AUTHOR

Thursday, May 4
7 - 9 pm
The Good Earth Food and Wine Co.

REGULAR COUNCIL

MINUTES

Meeting #: C-08/2023
Date: Wednesday, April 19, 2023
Time: 9:00 AM
Location: Meridian Community Centre - Accursi A and B
100 Meridian Way
Fonthill, ON
L0S 1E6

Members Present: Mayor Marvin Junkin
Councillor Bob Hildebrandt
Councillor Wayne Olson
Councillor John Wink
Councillor Kevin Ker
Councillor Shellee Niznik
Councillor Brian Eckhardt

Staff Present: David Cribbs
Bob Lymburner
Teresa Quinlin-Murphy
Jennifer Stirton
Vickie vanRavenswaay
Barbara Wiens
Sarah Leach
William Tigert
Derek Young

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1. Call to Order and Declaration of Quorum

Noting that a quorum was present, the Mayor called the meeting to order at approximately 9 am.

2. Land Recognition Statement

The Mayor read the land acknowledgement into the record.

3. Approval of the Agenda

Moved By Councillor Brian Eckhardt
Seconded By Councillor Wayne Olson

BE IT RESOLVED THAT the agenda for the April 19, 2023 Regular meeting of Council be adopted, as circulated.

Motion as Amended:
Moved By Councillor Brian Eckhardt
Seconded By Councillor Wayne Olson

BE IT RESOLVED THAT the agenda for the April 19, 2023 Regular meeting of Council be adopted with the addendum of items 5.1.3.1 and 5.1.4, as amended.

For (7): Mayor Marvin Junkin, Councillor Bob Hildebrandt, Councillor Wayne Olson, Councillor John Wink, Councillor Kevin Ker, Councillor Shellee Niznik, and Councillor Brian Eckhardt

Carried (7 to 0)

4. Disclosure of Pecuniary Interests and General Nature Thereof

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

5. Hearing of Presentation, Delegations, Regional Report

5.1 Delegations

5.1.1 Town of Pelham Recreation Master Plan, Monteith Brown Planning Consultants

Mr. Steve Langois, Principal Planner at Monteith Brown Planning Consultants presented the draft Town of Pelham Recreation Master Plan.

Moved By Councillor John Wink
Seconded By Councillor Shellee Niznik

BE IT RESOLVED THAT Council receive the presentation from Steve Langlois, Principal Planner at Monteith Brown Planning Consultants regarding the Town of Pelham Recreation Master Plan, for information.

For (7): Mayor Marvin Junkin, Councillor Bob Hildebrandt, Councillor Wayne Olson, Councillor John Wink, Councillor Kevin Ker, Councillor Shellee Niznik, and Councillor Brian Eckhardt

Carried (7 to 0)

5.1.2 Town of Pelham Drainage Study for the Farr, Webber and River Road Area, AHYDTECH Geomorphic Ltd.

This was a timed item for 11:00 am.

Dr. Bahar, Managing Director and Glenn Switzer, Senior Engineer of AHYDTECH Geomorphic Ltd presented the Town of Pelham drainage study for the Farr, Webber and River Road Area.

Moved By Councillor Kevin Ker
Seconded By Councillor John Wink

BE IT RESOLVED THAT Council receive the Town of Pelham Drainage Study for the Farr, Webber and River Road Area presentation from Dr. Bahar and Glenn Switzer of AHYDTECH Geomorphic Ltd, for information.

For (7): Mayor Marvin Junkin, Councillor Bob Hildebrandt, Councillor Wayne Olson, Councillor John Wink, Councillor Kevin Ker, Councillor Shellee Niznik, and Councillor Brian Eckhardt

Carried (7 to 0)

5.1.3 John and Joyce Sonneveld re: Town of Pelham Drainage Study for the Farr, Webber and River Road Area

This was a timed item for 11:00 am, following the drainage consultant presentation.

John and Joyce Sonneveld discussed existing drainage issues on Farr and Webber Road.

Moved By Councillor Bob Hildebrandt
Seconded By Councillor Brian Eckhardt

BE IT RESOLVED THAT Council receive the delegation from John and Joyce Sonneveld regarding the Town of Pelham Drainage Study for the Farr, Webber and River Road Area.

For (7): Mayor Marvin Junkin, Councillor Bob Hildebrandt, Councillor Wayne Olson, Councillor John Wink, Councillor Kevin Ker, Councillor Shellee Niznik, and Councillor Brian Eckhardt

Carried (7 to 0)

5.1.4 Ian McTaggart re: Town of Pelham Drainage Study for the Farr, Webber and River Road Area

This was a timed item for 11:00 am, following the drainage consultant presentation.

Mr. Ian McTaggart discussed existing drainage issues on Farr and Webber Road.

Moved By Councillor Shellee Niznik
Seconded By Councillor Wayne Olson

BE IT RESOLVED THAT Council receive the delegation from Ian McTaggart regarding the Town of Pelham Drainage Study for the Farr, Webber and River Road Area.

For (7): Mayor Marvin Junkin, Councillor Bob Hildebrandt, Councillor Wayne Olson, Councillor John Wink, Councillor Kevin Ker, Councillor Shellee Niznik, and Councillor Brian Eckhardt

Carried (7 to 0)

6. Adoption of Council Minutes

Moved By Councillor Kevin Ker
Seconded By Councillor Brian Eckhardt

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

1. C-07/2023- Regular Council Meeting - April 5 2023

For (7): Mayor Marvin Junkin, Councillor Bob Hildebrandt, Councillor Wayne Olson, Councillor John Wink, Councillor Kevin Ker, Councillor Shellee Niznik, and Councillor Brian Eckhardt

Carried (7 to 0)

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

8. Consent Agenda Items to be Considered in Block

Moved By Councillor John Wink
Seconded By Councillor Bob Hildebrandt

BE IT RESOLVED THAT the Consent Agenda items as listed on the April 19, 2023 Council Agenda be received and the recommendations contained therein be approved:

8.1 Staff Reports of a Routine Nature for Information or Action

8.1.1 Q1 2023 Fire and By-law Department Quarterly Report, 2023-0102-Fire Dept

BE IT RESOLVED THAT the Q1/2023 Fire and By-law Enforcement Department Report be received for information.

8.1.2 Q1 2023 Public Works Department Quarterly Report, 2023-0101-Public Works

BE IT RESOLVED THAT the Q1/2023 Public Works Department Report be received for information.

8.1.3 Q1 2023 Clerk's Office Quarterly Report, 2023-0073-Clerks

BE IT RESOLVED THAT the Q1/2023 Clerk's Report be received for information.

8.1.4 Q1 2023 Corporate Service Department Quarterly Report, 2023-0051-Corporate Services

BE IT RESOLVED THAT the Q1/2023 Corporate Services Department Report be received for information.

8.1.5 Q1 2023 RCW Quarterly Report, 2023-0104-Recreation

BE IT RESOLVED THAT the Q1 2023 Recreation, Culture and Wellness Department Report be received for information.

8.1.6 Q1 2023 Planning and Development Quarterly Report, 2023-0095-Planning

BE IT RESOLVED THAT the Q1/2023 Community Planning and Development Department Report be received for information.

8.2 Action Correspondence of a Routine Nature

8.3 Information Correspondence

8.3.1 City of Thorold Thank You Letter to Town of Pelham Fire Department

BE IT RESOLVED THAT Council receive the thank you letter dated March 30, 2023 from the City of Thorold to the Pelham Fire Department, for information.

For (7): Mayor Marvin Junkin, Councillor Bob Hildebrandt, Councillor Wayne Olson, Councillor John Wink, Councillor Kevin Ker, Councillor Shellee Niznik, and Councillor Brian Eckhardt

Carried (7 to 0)

9. Consent Agenda Item(s) Lifted for Separate Consideration, if any

10. Presentation and Consideration of Reports

10.1 Members of Council Reports

10.1.1 Councillor Olson - Welland Pelham Chamber of Commence

Councillor Olson provided a verbal update on the Welland Pelham Chamber of Commerce.

Moved By Councillor Bob Hildebrandt
Seconded By Councillor Kevin Ker

BE IT RESOLVED THAT Council receive the verbal update from Councillor Olson regarding the Welland Pelham Chamber of Commerce, for information.

For (7): Mayor Marvin Junkin, Councillor Bob Hildebrandt, Councillor Wayne Olson, Councillor John Wink, Councillor Kevin Ker, Councillor Shellee Niznik, and Councillor Brian Eckhardt

Carried (7 to 0)

10.2 Staff Reports Requiring Action

10.2.1 Drainage Study Farr, River and Webber Road , 2023-0097-Planning

This was a timed item for 11:00 am, following the drainage presentations.

Moved By Councillor Shellee Niznik
Seconded By Councillor Brian Eckhardt

BE IT RESOLVED THAT Council receive Report #2023-0097 – Drainage Study for Farr, River, and Webber Road Area, for information;

AND THAT Staff be directed to investigate the feasibility of dredging the roadside ditches and culverts along Farr and River Road within Public Works 2023 Operating Budget and/or the 2023 roadside ditching program;

AND THAT Staff continues to participate in discussions with the developers on the east and west sides of River Road to identify potential long-term, comprehensive drainage and stormwater solutions.

Amendment:
Moved By Councillor Wayne Olson
Seconded By Councillor John Wink

That the motion be amended to add:

THAT staff be directed to produce a report with specific advice, recommendations and options on how we might proceed with a municipal drain to cover the study area.

For (7): Mayor Marvin Junkin, Councillor Bob Hildebrandt, Councillor Wayne Olson, Councillor John Wink, Councillor Kevin Ker, Councillor Shellee Niznik, and Councillor Brian Eckhardt

Carried (7 to 0)

<u>Motion as Amended</u>:
Moved By Councillor Wayne Olson
Seconded By Councillor John Wink

BE IT RESOLVED THAT Council receive Report #2023-0097 – Drainage Study for Farr, River, and Webber Road Area, for information;

AND THAT Staff be directed to investigate the feasibility of dredging the roadside ditches and culverts along Farr and River Road within Public Works 2023 Operating Budget and/or the 2023 roadside ditching program;

AND THAT Staff continues to participate in discussions with the developers on the east and west sides of River Road to identify potential long-term, comprehensive drainage and stormwater solutions;

AND THAT staff be directed to produce a report with specific advice, recommendations and options on how we might proceed with a municipal drain to cover the study area.

For (7): Mayor Marvin Junkin, Councillor Bob Hildebrandt, Councillor Wayne Olson, Councillor John Wink, Councillor Kevin Ker, Councillor Shellee Niznik, and Councillor Brian Eckhardt

Carried (7 to 0)

10.2.2 Lease Agreement with Fonthill Platform Tennis Club, 2023-0105-Town Solicitor

Moved By Councillor Kevin Ker
Seconded By Councillor John Wink

BE IT RESOLVED THAT Council receive Report #2023-0105 – Lease Agreement with Fonthill Platform Tennis Club, for information;

AND THAT Council approve the proposed lease agreement between the Town of Pelham and Fonthill Platform Tennis Club;

AND THAT Council approve the by-law authorizing the Town of Pelham to enter into the said lease

agreement and further authorizing the Mayor and the Town Clerk to sign the lease agreement.

For (7): Mayor Marvin Junkin, Councillor Bob Hildebrandt, Councillor Wayne Olson, Councillor John Wink, Councillor Kevin Ker, Councillor Shellee Niznik, and Councillor Brian Eckhardt

Carried (7 to 0)

10.2.3 Pelham Summerfest 2023, 2023-0098-Recreation

Moved By Councillor John Wink
Seconded By Councillor Wayne Olson

BE IT RESOLVED THAT Council receive Report #2023-0098 – Pelham Summerfest 2023, for information;

AND THAT the Clerk be authorized to make an application for a Special Occasion Permit for Pelham Summerfest on Thursday, July 13, 2023, Friday, July 14, 2023, Saturday, July 15, 2023 and Sunday July 16, 2023;

AND THAT staff be directed to bring the necessary festival licensing by-laws for Council's consideration at the next regular meeting of Council;

AND THAT Council authorize a variance to the Town of Pelham Bylaw

No. 4454(2022), being a By-law to regulate and control noise in the Town of Pelham for the purpose of facilitating the Summerfest musical venues being conducted as part of the event from 4:00 pm Friday, July 14, 2023, until 1:00 am on Sunday, July 16, 2023;

AND THAT Council authorize the following road closures:

Pelham Town Square from the rear entrance to the Fonthill Plaza to 60 m west from 4:00 pm Thursday, July 13, 2023 to 10:00 pm of the same day;

Pelham Town Square entrance off Pelham Street from 7:00 am

Friday, July 14, 2023 to noon, Monday, July 17, 2023;

Pelham Street from Regional Road #20 (Hwy 20) to the south

property line of 1419 Pelham Street from 7:00 am Friday, July 14, 2023 to 12:00 pm on Sunday, July 16, 2023;

Pelham Street from the south property line of 1419 Pelham Street to College Street from 7:00 am Saturday, July 15, 2023, to 6:00 pm on the same day;

Pelham Town Square from 150 m west of Station Street to its

termination at the Fonthill Plaza entrance from 7:00 am Sunday, July 16, 2023 to 5:00 pm of the same day.

For (7): Mayor Marvin Junkin, Councillor Bob Hildebrandt, Councillor Wayne Olson, Councillor John Wink, Councillor Kevin Ker, Councillor Shellee Niznik, and Councillor Brian Eckhardt

Carried (7 to 0)

10.2.4 2023 Review of Delegation of Powers and Duties - Administrative Authority By-Law Update , 2023-0093-Clerks

Moved By Councillor Wayne Olson
Seconded By Councillor Brian Eckhardt

BE IT RESOLVED THAT Council receive Report #2023-0093 – 2023 Review of Delegation of Powers and Duties – Administrative Authority By-law Update, for information;

AND THAT Council consider the draft amendments to the Administrative Authority By-Law to delegate additional authority to various municipal staff positions;

AND THAT the Clerk be directed to present the By-law for Council approval at the next regular meeting.

For (7): Mayor Marvin Junkin, Councillor Bob Hildebrandt, Councillor Wayne Olson, Councillor John Wink, Councillor Kevin Ker, Councillor Shellee Niznik, and Councillor Brian Eckhardt

Carried (7 to 0)

10.2.5 2023 Updated Code of Conduct for Elected and Appointed Officials, 2023-0099-Clerks

Moved By Councillor Kevin Ker
Seconded By Councillor Shellee Niznik

BE IT RESOLVED THAT Council receive Report #2023-99 - 2023 Updated Code of Conduct for Elected and Appointed Officials Policy and a Complaint Protocol, for information;

AND THAT Council adopt Policy S201-15, Code of Conduct for Elected and Appointed Officials, as revised;

AND THAT Council adopt Policy S201-16, being a Complaint Protocol for use under Policy S201-15 for Elected and Appointed Officials and Municipal Conflict of Interest Complaints.

For (6): Mayor Marvin Junkin, Councillor Bob Hildebrandt, Councillor John Wink, Councillor Kevin Ker, Councillor Shellee Niznik, and Councillor Brian Eckhardt

Against (1): Councillor Wayne Olson

Carried (6 to 1)

10.2.6 Sidewalk Patio Encroachment Policy Update and New Approval Framework for Temporary Outdoor Patios, 2023-0094-Clerks

Moved By Councillor Bob Hildebrandt
Seconded By Councillor John Wink

BE IT RESOLVED THAT Council receive Report #2023-0094 Sidewalk Patio Encroachment Policy Update and New Approval Framework for Temporary Outdoor Patios, for information;

AND THAT Council approve Policy No. S201-04 – Temporary Outdoor Patio on Municipal or Private Property, as revised;

AND THAT Council direct staff to prepare an amendment to the Town's Fees and Charges By-law to include an annual Temporary Outdoor Patio on Municipal Property Permit fee of $150.00.

For (7): Mayor Marvin Junkin, Councillor Bob Hildebrandt, Councillor Wayne Olson, Councillor John Wink, Councillor Kevin Ker, Councillor Shellee Niznik, and Councillor Brian Eckhardt

Carried (7 to 0)

11. Unfinished Business

12. New Business

13. Presentation and Consideration of By-Laws

Moved By Councillor Brian Eckhardt
Seconded By Councillor Kevin Ker

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 26-2023 - Being a By-law to amend Zoning By-law 4481(2022), as amended, for lands located south of Port Robinson Road, east of Stella Street and west of the Steve Bauer Trail, legally described as Part of Lot 173, Geographic Township of Thorold, Now in the Town of Pelham, Regional Municipality of Niagara, from the Residential One (R1) and Environmental Protection (EP1) Zones to the site specific Residential Two – 156 (R2-156), Environmental Protection 1 (EP1) and Open Space (OS) zones. File No. AM-03-2020.

2. By-law 27-2023 - Being a By-law to Authorize the Execution of a Lease Agreement with Fonthill Platform Tennis Club for the lands and clubhouse facility at 1120 Haist Street.

For (7): Mayor Marvin Junkin, Councillor Bob Hildebrandt, Councillor Wayne Olson, Councillor John Wink, Councillor Kevin Ker, Councillor Shellee Niznik, and Councillor Brian Eckhardt

Carried (7 to 0)

14. Motions and Notices of Motion

14.1 Councillor Olson

Moved By Councillor Wayne Olson
Seconded By Councillor Bob Hildebrandt

WHEREAS the Town of Pelham supports local businesses and the local economy which contribute to community development and growth;

AND WHEREAS emerging from the COVID-19 pandemic, supporting business resilience and growth is critical for Ontario's economic recovery;

AND WHEREAS businesses are still facing challenges in repaying funding received from repayable government support programs and navigating business operation in the absence of support programs;

AND WHEREAS the special exemption provided by Council on June 15, 2020, to waive a maximum of six (6) parking space requirements for restaurants to operate pop-up parking lot patios was initially to provide relief to those businesses facing occupancy restrictions during the COVID-19 pandemic in 2020;

AND WHEREAS the permission of temporary pop-up restaurant patios situated in parking lots does not comply with the Town Zoning By-law;

AND WHEREAS Council provided two extensions to the special exemptions to permit temporary pop-up restaurant patios in parking lots in 2021 and 2022;

AND WHEREAS Council deems the economic recovery of restaurants and mobile food services to be still impacted by poor economic conditions;

NOW THEREFORE BE IT RESOLVED THAT Council for the Town of Pelham permit the temporary waiving of a maximum of six (6) parking spaces for restaurants to allow 'pop-up' parking lot patios for the remainder of 2023;

AND THAT food trucks/refreshment vehicles be and are hereby permitted to operate within the Specialty Agricultural and Agricultural Zones for the remainder of 2023, pending the acquisition of an Itinerant Sellers Licence.

For (7): Mayor Marvin Junkin, Councillor Bob Hildebrandt, Councillor Wayne Olson, Councillor John Wink, Councillor Kevin Ker, Councillor Shellee Niznik, and Councillor Brian Eckhardt

Carried (7 to 0)

15. Resolution to Move In Camera

Moved By Councillor Shellee Niznik
Seconded By Councillor John Wink

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 and (d) - labour relations or

employee negotiations - 1 item (Consideration of Appointments to Advisory Committees)

For (7): Mayor Marvin Junkin, Councillor Bob Hildebrandt, Councillor Wayne Olson, Councillor John Wink, Councillor Kevin Ker, Councillor Shellee Niznik, and Councillor Brian Eckhardt

Carried (7 to 0)

16. Rise From In Camera

Moved By Councillor Bob Hildebrandt
Seconded By Councillor Wayne Olson

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

For (7): Mayor Marvin Junkin, Councillor Bob Hildebrandt, Councillor Wayne Olson, Councillor John Wink, Councillor Kevin Ker, Councillor Shellee Niznik, and Councillor Brian Eckhardt

Carried (7 to 0)

17. Appointments to Advisory Committees

Moved By Councillor Shellee Niznik
Seconded By Councillor John Wink

BE IT RESOLVED THAT Council appoint the following individual to the Pelham Active Transportation Committee:

1. Thom Hounsell

AND THAT Council direct the Town Clerk to prepare and present the necessary appointment by-law at the following Regular Meeting of Council.

For (7): Mayor Marvin Junkin, Councillor Bob Hildebrandt, Councillor Wayne Olson, Councillor John Wink, Councillor Kevin Ker, Councillor Shellee Niznik, and Councillor Brian Eckhardt

Carried (7 to 0)

18. Confirming By-Law

Moved By Councillor Bob Hildebrandt
Seconded By Councillor Brian Eckhardt

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

Being a By-law No. 28-2023 to Adopt, Ratify and Confirm the proceedings of Council of the Town of Pelham at its Regular Meeting held on the 19th day of April, 2023.

For (7): Mayor Marvin Junkin, Councillor Bob Hildebrandt, Councillor Wayne Olson, Councillor John Wink, Councillor Kevin Ker, Councillor Shellee Niznik, and Councillor Brian Eckhardt

Carried (7 to 0)

19. Adjournment

Moved By Councillor Kevin Ker
Seconded By Councillor Wayne Olson

BE IT RESOLVED THAT this Regular Meeting of Council be adjourned until the next regular meeting scheduled for May 3, 2023 at 9:00 am.

For (7): Mayor Marvin Junkin, Councillor Bob Hildebrandt, Councillor Wayne Olson, Councillor John Wink, Councillor Kevin Ker, Councillor Shellee Niznik, and Councillor Brian Eckhardt

Carried (7 to 0)

_____

Mayor: Marvin Junkin

_____

Town Clerk: William Tigert

Public Works Department
Wednesday, May 03, 2023

Subject: 2023 Winter Operations Report

Recommendation:

> **BE IT RESOLVED THAT Council receive Report #2023-0108, 2023 Winter Operations Report, for information.**

Background:

The Public Works Department provides a full suite of winter maintenance services including roadway clearing, sanding and salting, sidewalk and paved trail snow clearing, and snow removal in the Designated Business Areas of Fonthill, Fenwick, and Ridgeville according to the Public Works Policy S802-04 approved by Council in 2020.

Public Works also provides the clearing and treatment of parking lots and walkways at all municipal facilities. Where mechanically possible, these services are delivered consistently and equitably to all areas of the Town.

The winter maintenance season within which the Town of Pelham performs winter highway maintenance commences November 1st and is completed March 31st, as stated in Policy S802-04, and in accordance with O.Reg. 239/02: MINIMUM MAINTENANCE STANDARDS FOR MUNICIPAL HIGHWAYS, under the Municipal Act, 2001, S.O. 2001, c.25. (MMS). However, the Fiscal Year commences January 1st and is completed December 31st. This report serves to inform Council on winter maintenance to date in 2023, and the impact on the 2023 Winter Operations Budget.

Analysis:

Between the period of January 1 and April 1/2023, the Town of Pelham recorded 76 cm of accumulation and performed 21 winter weather response operations, involving 3 or more snowplow units. Both of these metrics are below the historic averages of 110 cm of accumulation and 26 winter weather response operations for this same period, observed over the past 10 years.

During this same period in 2022, the Town of Pelham recorded 133 cm of snow and 20 winter weather response operations. The below-average winter and the Council-approved budget increase in 2023 have resulted in a more positive budget position than this same period in 2022.

The total approved budget in 2023 for Winter Operations is $690,282. The spend to date for winter maintenance is $484,622, or 70% of the total budget allotment.

The budget allotment for Contracted Services-Snow Removal in the Winter Operations budget is $400,000 for January through March, as well as November and December. The cost of providing contracted snow clearing service in January through March, which includes the plowing of all municipal sidewalks was $332,155. During this same period in 2022 the costs were $364,437.

The 2023 total non-salary budget is $546,650 of which to date $430,855 has been spent. This leaves the remaining budget of $115,795 for November and December 2023. The average amount spent during this period is $95,000 which includes sand and salt supply, and contracted services. Due to the lighter-than-average winter, and the amount of unused sand/salt stock at the Operations Centre, staff believe the remaining budget is adequate for the late year winter season.

The majority of the municipal snow-clearing fleet is reaching the end of its operational life span. The Town's snowplow equipment has become less reliable and has resulted in multiple breakdowns over the course of the winter. Breakdowns directly impact snow clearing and road treatment operations and the time of response. The total length of roadways in Pelham has been increasing since the 1990s, including the subdivisions of Cherry Ridge in Fenwick, the Residence of Look-Out in Fonthill, and the now expanding East Fonthill developments without the addition of labour or equipment.

Staff was able to meet the level of service prescribed by Policy S802-04 and the MMS, however, service slowdowns as a result of equipment breakdown and the addition of roadways requiring service resulted in increased resident complaints and frustration.

Financial Considerations:

As stated above, 70% of the 2023 Winter Operations has been spent, leaving $205,660 which is adequate for the beginning of the 2023-2024 winter season in November and December of this year.

Staff anticipate that there will be an operating surplus in the Winter Operations budget at the end of the year.

Alternatives Reviewed:

This report is for information only. There were no alternatives considered in the preparation of this report.

Strategic Plan Relationship: Infrastructure Investment and Renewal

The Town of Pelham provides reliable, efficient, and environmentally responsible winter maintenance services that support the safe movement of traffic, as well as all forms of active transportation within the Town.

Consultation:

The Director of Corporate Services & Treasurer

Supervisor of Roads

Other Pertinent Reports/Attachments:

Public Works Policy S802-04 Winter Operations

Prepared and Recommended by:

Ryan Cook, Dipl.M.M., CRS
Manager of Public Works

Jason Marr, P. Eng.
Director of Public Works

Prepared and Submitted by:

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

Report To: **Board of Directors**

Subject: **Official Status Re-designation of Niagara River 'Beach Closings' Beneficial Use Impairment (BUI)**

Report No: **FA-09-23**

Date: **March 24, 2023**

Recommendation:

1. **THAT** Report No. FA-09-23 RE: Official Status Re-designation of Niagara River 'Beach Closings' Beneficial Use Impairment (BUI) **BE RECEIVED**.

2. **THAT** a letter **BE WRITTEN** to the Town of Niagara-on-the-Lake thanking them for their collaborative efforts with the NPCA to improve the Niagara River's water quality and ecosystem health as part of the Niagara River Remedial Action Plan program.

3. **AND THAT** Report No. FA-09-23 **BE CIRCULATED** to the watershed municipalities and the Niagara Parks Commission.

Purpose:

The purpose of this report is to inform the NPCA Board of Directors about the official status re-designation of the Niagara River Beach Closings Beneficial Use Impairment (BUI) to 'not impaired'. Re-designating the status of a BUI from 'impaired' to 'not impaired' is considered a tremendous environmental achievement for the RAP and its AOC.

Background:

The Niagara River was identified as one of 43 Great Lakes' Area of Concern (AOC) in the late 1980s due to water quality and habitat problems. Several partners (including the NPCA) have been working together to improve the Niagara River's water quality and ecosystem health as part of a local Remedial Action Plan (RAP). Each RAP aims to restore up to fourteen (14) environmental challenges referred to as beneficial use impairments (BUIs) that are the result of historical environmental degradation. Improving BUIs is done through implementing targeted monitoring and/or remediation efforts.

When the Niagara River was first identified as a bi-national AOC, there were nine (9) impairments, two (2) requiring further assessment, and three (3) beneficial uses deemed not impaired. Since the early 1990s, water quality problems restricted recreational swimming at the only public swimming beach on the Canadian side of the Niagara River resulting in one of these impairments (i.e., *Beach Closings* BUI). There is no beach water quality impairment on the U.S. side of the Niagara River.

Re-designating the status of a BUI from 'impaired' to 'not impaired' is considered a tremendous environmental achievement for the RAP and its AOC. To re-designate the status of a BUI, a RAP team must demonstrate that all remedial actions are complete and specific delisting/restoration criteria are met through the completion of an assessment report. If there is community support for the re-designation, the RAP team submits its recommendation to the Governments of Canada and Ontario for final approval and removal of the BUI. A comprehensive *Beach Closings* BUI Status Assessment Report was completed in 2021, which indicated that the BUI delisting/restoration criteria were met and recommended that the status of the *Beach Closings* BUI for the Canadian side of the Niagara River be officially changed to 'not impaired' (Appendix 1).

Discussion:

Queen's Royal Beach in the Town of Niagara-on-the-Lake (NOTL) is the only public swimming beach on the Canadian side of the Niagara River. Investigative monitoring carried out in the Niagara River from 2010-2018 indicated that the water quality issues at this beach were related to storm sewer outfall discharging near the beach. Eighteen (18) priority remediation actions within the sewer catchment area to improve water quality at the beach were identified by a technical expert working group and implemented by the Town of NOTL from 2018 to mid-2020. Actions included installing raccoon grates, sewer infrastructure improvements (fixing cracks, joint offset, connection problems), implementing several best management practices (e.g., regular maintenance of catch basins), disconnecting a wading pool from the storm system, and constructing a bioswale (low-impact development feature) in Simcoe Park.

To meet the RAP BUI criteria, at least 80% of beach sampling events had to meet the provincial water quality guideline (200 *E. coli* colony forming units per 100 mL) over three consecutive years. Given the dynamic nature of beach environments and natural influences (e.g., wildlife, rainfall), it is unlikely for a beach to be entirely free of *E. coli* bacteria 100% of the time. Before remediation efforts began in 2018, 44% to 75% of the beach samples met provincial water quality targets. Water quality monitoring at the beach was carried out three times per week during the remediation process. Results indicate year-over-year improvements in water quality at the beach, with 83% to 91% of samples meeting targets in each swimming season from 2018-2020. Other low-level sources of *E. coli* (e.g., from wildlife, wind, waves, and upstream sources) may occasionally continue to impact beach water quality; however, risk management actions (e.g., continued monitoring, website communication, signage) are in place to inform visitors and protect human health. A comprehensive *Beach Closings* BUI Status Assessment Report was completed in 2021, which indicated that the BUI delisting/restoration criteria were met and recommended that the status of the *Beach Closings* BUI for the Canadian side of the Niagara River be officially changed to 'not impaired'.

In a joint outreach and engagement effort with the Town of NOTL, NPCA staff and RAP partners conducted extensive outreach and engagement activities from June 2021 – May 2022 to seek input from the public, local First Nations, Métis Nation of Ontario, and U.S. RAP counterparts on the report's recommendation. Given the restrictions due to the COVID-19 pandemic in 2021, virtual engagement tools and techniques were used to involve various stakeholders in the BUI re-designation process (e.g., social media, the NPCA's GetInvolved online engagement portal, the Niagara River RAP website, E-newsletter, and a YouTube video). To ensure access to technology was not a barrier to participation, other traditional (non-virtual) methods were also used (e.g., direct email, newspaper ad, radio interviews, place-based signage) to inform the public about the engagement opportunities. A paper survey was available upon request. Efforts to inform and engage a wide range of people in providing feedback was successful, as summarized in the infographic below:

The results of the outreach and engagement efforts showed overall support for the change in status of the Niagara River RAP's *Beach Closings* BUI to 'not impaired'. There were no concerns raised from local Indigenous communities and letters of support were received from U.S. counterparts. The results were summarized and included in the final assessment report (Appendix 1) which was submitted to Governments of Canada and Ontario for review and approval in July 2022.

On March 1, 2023, the NPCA received an official letter from Environment and Climate Change Canada to confirm that, after a comprehensive review of the submitted assessment report, the *Beach Closings* BUI in the Niagara River is officially designated 'not impaired' (Appendix 2).

The official re-designation of the *Beach Closings* BUI is a tremendous environmental accomplishment for the NPCA and all Niagara River RAP partners in their pursuit of improved water quality and ecosystem health in the Niagara River. Although this positive news signals an important milestone, there is more work to be done. The RAP team continues to implement priority actions, as identified in its 5-year Delisting Strategy, to restore four (4) remaining impairments related to fish consumption, sediment quality, habitat, and fish & wildlife populations.

Financial Implications:

There are no financial implications. The Niagara River Remedial Action Plan program is funded through agreements with Environment and Climate Change Canada and the Ontario Ministry of the Environment, Conservation and Parks.

Links to Policy/Strategic Plan:

Goal 1.3: restore and enhance natural habitat, water resources, and forest cover; Goal 4.1: strengthen government relations toward collective outcomes and impact; Goal 4.2: foster relationships with the community, non-government organizations, businesses, agriculture, industry, and academic institutions for collective outcome and impact; Goal 4.3: improve engagement with local First Nations, Métis, and Inuit peoples that supports shared stewardship.

Related Reports and Appendices:

Report No. FA-36-21 RE: Niagara River 'Beach Closings' Beneficial Use Impairment (BUI) Status Assessment and Re-designation

Appendix 1: Beach Closings Beneficial Use Impairment Status Assessment Report for the Niagara River (Ontario) Area of Concern

Appendix 2: Official re-designation letter from Environment and Climate Change Canada

Authored by:

Original Signed by:

Natalie Green, M.Sc., PMP
Manager, Climate Change and Special Programs

Submitted by:

Original Signed by:

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

NIAGARA RIVER
Remedial Action Plan

ASSESSMENT REPORT

BEACH CLOSINGS
BENEFICIAL USE IMPAIRMENT #10

2021

BEACH CLOSINGS BENEFICIAL USE IMPAIRMENT

STATUS ASSESSMENT REPORT

for the Niagara River (Ontario) Area of Concern

FINAL

Prepared June 2021
Final draft endorsed by Niagara River Remedial Action Plan Council in October 2021, revised June 2022

Submitted to Canada-Ontario Agreement Annex 4 Co-Leads in July 2022

Suggested citation: Green, N. 2021. Beach Closings Beneficial Use Impairment Assessment Report for the Niagara River (Ontario) Area of Concern. Welland, ON. pp. 17.

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EXECUTIVE SUMMARY

This document serves to present an updated assessment on the *Beach Closings* Beneficial Use Impairment against the established delisting criteria. Based on the monitoring results and the evaluation, this report outlines the recommendation to change the status to not impaired for the Canadian side of the Niagara River Area of Concern.

The *Beach Closings* Beneficial Use Impairment (BUI) is meant to indicate water quality issues due to bacterial pollution from fecal pollution sources (e.g., sewage waste). Historically, the *Beach Closings* BUI has been designated as impaired in the Niagara River Area of Concern (AOC) since the inception of the Remedial Action Plan (RAP) program and was first listed in the RAP Stage 1 Report (1993). It remained impaired due to high levels of *E. coli* bacteria at Queen's Royal Beach in the Town of Niagara-on-the-Lake—the only beach that is considered to be a public swimming beach on the Niagara River.

Recent extensive water quality monitoring, microbial source tracking studies, storm sewer investigations, and implementation of remedial actions have resulted in significant water quality improvements at the Niagara River beach. Additional risk management actions will remain in place to ensure people are aware of potential risks and help them make decisions to protect their health.

This assessment report reviews recent information to examine whether the BUI delisting criteria have been met. Further, all remedial actions identified in the Niagara River Delisting Strategy were completed, as planned (Appendix 1). Community outreach and engagement conducted in 2021 and 2022 indicates support for changing the status of the *Beach Closings* BUI (Appendix 2).

Below is a summary of the BUI delisting criteria and the result of this assessment.

For the Niagara River (ON) AOC, the Beach Closings BUI will no longer be considered impaired when:	Assessment Result
1) Prominent sources of fecal pollution that could contaminate the beach or recreational waters are known <u>and</u> remedial actions to address known sources are identified and completed;	☑
2) At least 80% of the geometric mean results of recreational water samples (when sampled at least once per week) meet the Ontario Ministry of Health Recreational Water Quality Guideline (≤200 CFU/100 mL) each swimming season for a minimum of three years;	☑
3) Risk management actions (e.g., postings, signage, education, rain rule) are in place to protect human health.	☑

Through this report, the Remedial Action Plan (RAP) Committee is requesting the governments of Canada and Ontario officially change status of the *Beach Closings* BUI for the Canadian side of the Niagara River to 'NOT IMPAIRED'.

BACKGROUND

Swimming is a fun and healthy way for people to enjoy the waters of the Great Lakes and is considered a beneficial use under the Canada-U.S. Great Lakes Water Quality Agreement (GLWQA). When something interferes with the ability to enjoy water (like poor water quality leading to a beach posting), it is considered a Beneficial Use Impairment, or BUI. The BUIs are used by the local Remedial Action Plan (RAP) team to focus restoration needs, track progress and report on success. When assessed, the cumulative status of the BUIs inform the RAP team about the overall condition of the Niagara River—which was listed as a Great Lakes Area of Concern (AOC) in 1987. When the required actions for each BUI identified by the RAP are complete and locally defined goals (called delisting criteria) are met, then the Niagara River can be removed from the list of AOCs.

The *Beach Closings* BUI is meant to address water quality issues due to bacterial pollution from fecal pollution sources (e.g., sewage waste). This was one of the main environmental concerns when the Niagara River was first listed as an AOC. Swimming in waters with bacterial pollution increases the risk of infections of the ear, eye, nose, throat, and skin and may cause diarrhea if that water is ingested (Niagara Region 2021). *Escherichia coli* (*E. coli*) is used as an indicator of fecal pollution for the purpose of beach monitoring across Ontario. Each AOC has its own set of goals and actions to guide remediation and tackle the key issues impacting the water quality impairment.

For the Niagara River (ON) AOC, the *Beach Closings* BUI will no longer be considered impaired when:

1) Prominent sources of fecal pollution that could contaminate the beach or recreational waters are known <u>and</u> remedial actions to address known sources are identified and completed;
2) At least 80% of the geometric mean results of recreational water samples (when sampled at least once per week) meet the Ontario Ministry of Health Recreational Water Quality Guideline (≤200 CFU/100 mL) each swimming season for a minimum of three years;
3) Risk management actions (e.g., postings, signage, education, rain rule) are in place to protect human health.

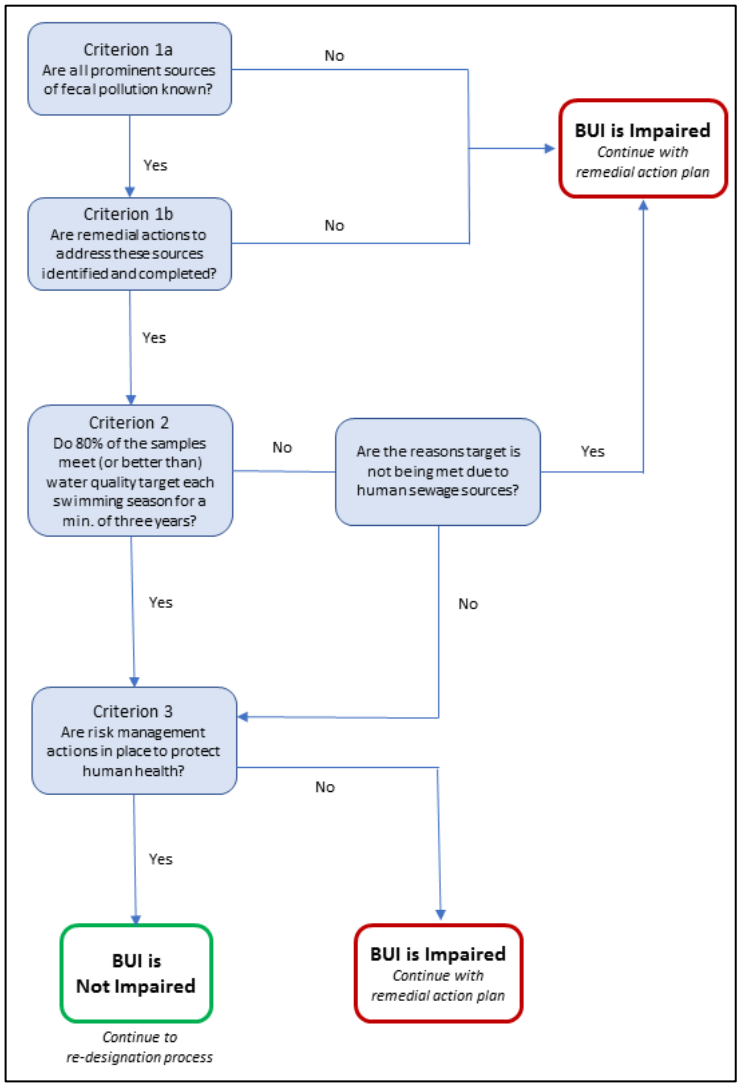
The *Beach Closings* BUI has been noted as impaired on the Canadian side of the Niagara River AOC since the RAP Stage 1 Report (NRRAP 1993), which provided a description of environmental conditions and identified problems in the AOC. The 1993 Report indicated that beach closings on the Canadian side, "had occurred fairly routinely over a decade and that issues were related to combined sewer overflows, slow moving waters in nearshore swimming areas, and plentiful waterfowl". At that time, there were other public swimming beaches on the Canadian side of the Niagara River, but they have since been removed from the list of public beaches by the Niagara Parks Commission due to public safety concerns rather than water quality issues. Today, Queen's Royal Beach (QRB), located in the Town of Niagara-on-the-Lake (NOTL) at the mouth of the Niagara River, is the only public swimming beach within the Ontario waters of the Niagara River.

The *Beach Closings* BUI status remained 'Impaired' in the RAP Stage 2 Report (NRRAP 1995) and in the subsequent 2009 RAP Stage 2 Update Report due to bacteria levels not meeting the water quality goals at QRB, particularly in 2009. The RAP Stage 2 Update Report (NRRAP 2009) indicated that the source of contamination at QRB was likely from the nearby storm sewer outfall and recommended further studies to determine whether the contamination was anthropogenic (from human sources) and if the source could be remediated. From 2010-2018, thorough investigations into the bacterial pollution

source(s) were completed and 18 priority actions were identified by a Technical Expert Working Group in 2019 (Appendix 1). Between 2018 and mid-2020, the Town of NOTL and other relevant partners implemented remedial and monitoring actions to address the specific challenges impacting water quality at QRB.

The assessment of the *Beach Closings* BUI delisting criteria and discussion for changing the BUI status to 'Not Impaired' is outlined in the following sections of this report.

ASSESSMENT OF BUI DELISTING CRITERIA



A BUI assessment is the formal process by which a local RAP team evaluates the status of a particular impairment. It is conducted once all identified remedial actions have been completed.

This assessment examines and summarizes the information related to each of the three delisting criteria identified for the *Beach Closings* BUI from 2018-2020 to determine if delisting criteria were met.

The Assessment Framework (Fig. 1) was developed in 2018 to support the evaluation of the *Beach Closings* BUI status.

For more information about the NRRAP assessment and re-designation process, refer to the Niagara River's Delisting Strategy (Green et al. 2021).

Figure 1. Beach Closings BUI assessment framework for determining BUI status.

Assessment of Criterion #1

This BUI delisting criterion examines if all prominent sources of fecal pollution are known and whether remedial actions have been identified and completed as necessary. It is meant to ensure a course of action is identified and completed if significant sources of fecal pollution are found. Remedial actions noted in this criterion target locally-controllable human sources (e.g., human sewage rather than waterfowl fecal waste) as these are tied to the legacy concerns of the AOC and RAP program.

In response to recommendations in the Stage 2 Update Report (NRRAP 2009), scientists from Environment and Climate Change Canada (ECCC) conducted microbial source trackdown studies using DNA markers from 2010-2015 to identify the source (human or animal) of bacterial pollution at beaches in the Niagara Region, including QRB. The studies found that:

- a microbial DNA marker indicating human sewage contamination was detected more often at QRB than any other Niagara Region beach included in the study;
- low levels of *E. coli* bacteria (usually from human sources) at the beach come from upstream sources in the Niagara River;
- high levels of *E. coli* at QRB were strongly linked to the stormwater outfall near the beach;
- subsequent studies also identified low levels of fecal pollution from gulls at QRB and at the storm outfall typically associated with rain events.

Overall, the microbial source trackdown results between 2010-2015 identified that the King Street Stormwater Outlet (KSSO), which discharges stormwater immediately east of QRB, was the key source of contamination that required further investigation and remediation (Fig. 2). The Town of NOTL subsequently received funding from Environment and Climate Change Canada between mid-2017 to early 2019 to investigate the KSSO catchment area (Fig. 3) to identify the potential sources of *E. coli* that were impacting QRB.

Figure 2. *View of the Niagara River from the King Street Storm Outlet located near the Queen's Royal Beach (located to the left of the image; not shown).*

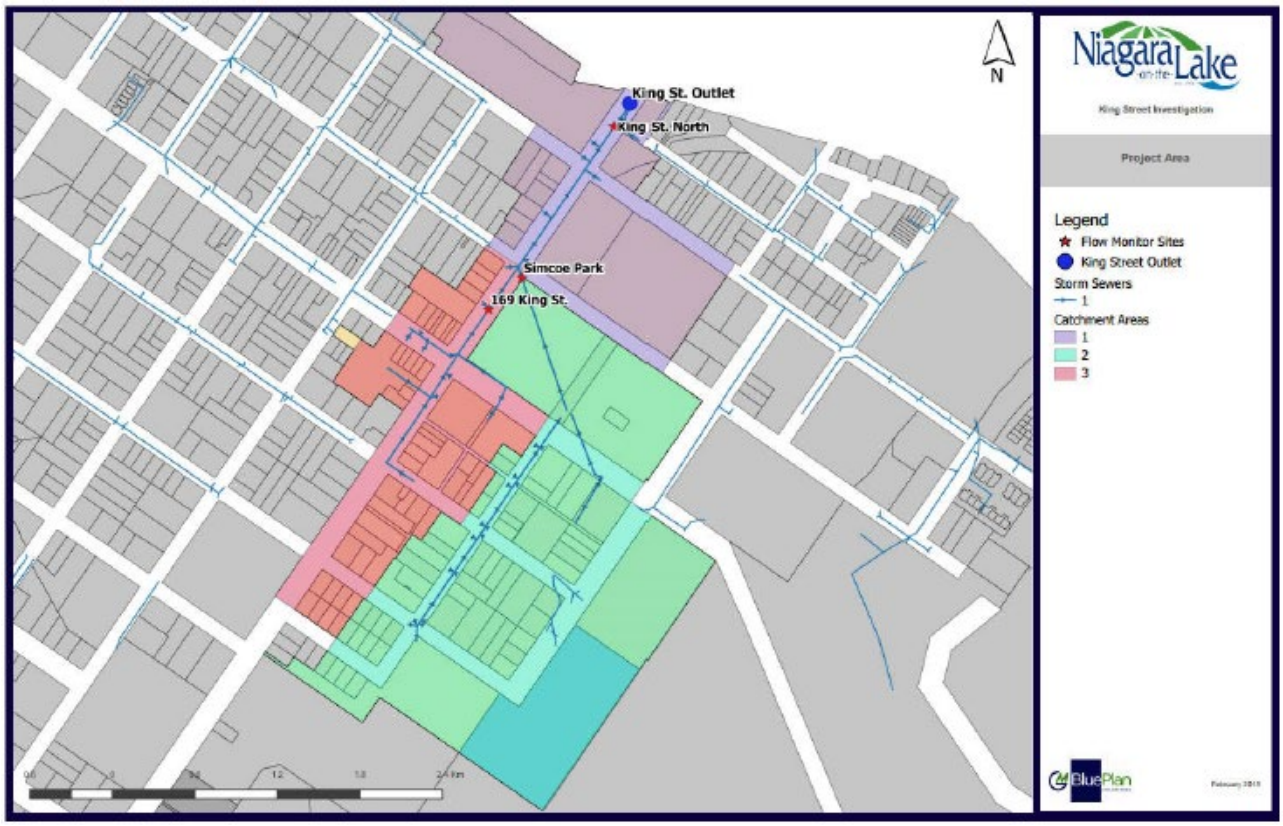


Figure 3. *Map of the King Street Storm Sewer catchment area (Coveart 2021).*

The engineering firm retained by the Town of NOTL to conduct the storm sewer investigations found that the KSSO catchment area had several issues with bacterial contamination linked to improper sewer connections, abandoned sewer infrastructure, low flow cross-connections (between storm and sanitary sewers), and stormwater infrastructure in poor/failing condition. A detailed report (GMBP 2019) outlined findings of the investigations and provided recommendations to address the most prominent sources of bacterial contamination in the KSSO catchment area. The Niagara River RAP technical expert working group reviewed and prioritized these recommendations into a list of remaining actions that guided remediation efforts (refer to Appendix 1). From 2018-2020, a water quality monitoring program, extensive field investigation program, and rehabilitation of identified infrastructure deficiencies were undertaken within the KSSO drainage area with a focus on reducing levels of *E. coli* at QRB. With the most prominent issues identified, the Town of NOTL began completing remedial actions in 2018 to resolve problems with the storm sewer system potentially impacting water quality at QRB. For example, raccoon grates were

Figure 4. *The biofiltration facility installed in Simcoe Park in the Town of NOTL (October 2020).*

installed in 2019, sewer infrastructure improvements (fixing cracks, joint offset, connection problems) were completed in 2019/20, several best management practices were implemented (e.g., regular maintenance of catch basins), and a bioswale (low-impact development feature) was constructed in Simcoe Park in 2020 (Fig. 4). The bioswale uses one meter of engineered filter media comprised of sand, soil and organic matter to provide quality control treatment for two stormwater outfalls with a 4.2 ha catchment area, which ultimately discharge to the KSSO, thereby reducing the amount of bacterial loading at QRB. A report by GMBluePlan Engineering (Coveart, 2021) indicates that the efficacy of these remedial actions in the KSSO catchment area have been successful in improving water quality (Table 1). Specifically, post-remediation sampling (2020) at the KSSO outfall indicated minimal levels of human sources of *E. coli* and confirms that the outfall is no longer a significant source of human sewage. Further, the construction of the bioswale at Simcoe Park has significantly improved water quality. Monitoring at the site indicates it is 89-95% effective at reducing bacteria.

Table 1. Summary of water quality monitoring results (2018-2020) in specific areas of focus in the KSSO.

Area of Focus	Summary of Results
KSSO Outlet discharging to the beach	• Only 20% of samples collected from KSSO in 2020 showed presence of human sources of *E. coli* compared to 2018 (where all samples collected had the presence of human source of *E. coli*). • The maximum amount of human DNA marker found in dry weather samples was reduced by 68%. • The maximum amount of human DNA marker in wet weather samples was reduced by 77% (compared to 2020) and 85% (compared to 2019). • 82% reduction of other animal source *E. coli* DNA markers (non-human and non-gull) in wet weather. • 99% reduction in human DNA marker compared to highest recorded value in 2014.
Simcoe Park bioswale	• Human DNA marker (max amount) detected during wet weather was reduced by 93%. • 95% reduction of maximum values found for Other Animal source (non-human and non-gull) *E. coli* during wet weather • 89% reduction of average values for Human DNA marker (wet weather) • Average values for Other Animal source (non-human and non-gull) E. coli during wet weather – 94% reduction.

While the Town of NOTL had completed all priority actions as part of the RAP requirements by mid-2020, it initiated additional infrastructure upgrades to the King Street drainage area during the 2021 season, including the installation of trenchless structural lining in the mainline sewer pipes within the KSSO catchment area.

In summary, all significant sources of fecal pollution are known and remedial actions to address these known sources are identified and completed. **The assessment shows that delisting criterion #1 has been met.**

Assessment of Criterion #2

BUI delisting criterion #2 specifically relates to the water quality condition at the beach due to bacteria from anthropogenic sources (i.e., human sewage). It is meant to ensure that remedial actions (identified and addressed through criterion 1) are having a positive impact on water quality at the beach.

Prior to 2017, the Niagara Region Public Health Unit (NRPHU) monitored Queen's Royal Beach water quality weekly as part of its regional beach monitoring program during the swimming season defined as May (Victoria Day) to September (Labour Day). In 2017, the NRPHU determined that several beaches (including QRB) would be removed from their sampling schedule to allow for increased sampling and data accuracy at the most popular beaches (A. Habjan, personal communication, May 2019). To fulfill the RAP goals and the Town of NOTL's desire to maintain the QRB as a public swimming beach, partner organizations involved in the Niagara River RAP worked together to ensure the beach continue to be monitored. The Town of NOTL monitored water quality at the beach three times per week during the swimming season 2018-2020 with funding support from ECCC, Ontario Ministry of Environment, Conservation and Parks (MECP) and technical support from the NRPHU and the Niagara Peninsula Conservation Authority (NPCA) (Fig. 4). During that time, the NRPHU provided training for Town of NOTL water quality staff and conducted sample analysis to ensure adherence to the sample collection and analysis protocols for quality assurance and for comparison to previous sampling.

Figure 5. *Staff at the Town of NOTL collect a sample at QRB (June 2019).*

In Ontario, the water quality guidelines are set by the Ontario Ministry of Health and Long-Term Care (OMHLTC) (OMHLTC, 2018) with delivery by the local Public Health Units. People are advised to avoid using recreational waters when the geometric mean[1] of *E. coli* is higher than 200 colony forming units (CFU) per 100 mL and the beach is 'Posted' (i.e., swimming/recreational water contact should be avoided due to unsafe conditions). A beach is closed when there is a high risk of impacting human health due to poor water quality or immediate health hazards that make it unsafe for recreational body contact (e.g., blue-green algae, chemical spill, oil). To date, no Niagara Region beaches have ever been 'closed' due to water quality and/or severe health hazards (A. Habjan, personal communication, May 2019).

The BUI delisting criterion #2 target is at least 80% of sampling events meeting the provincial water quality guideline assessed over a three-year period. Prior to 2018, 44%-75% of the beach samples met water quality targets. Results of the water quality sampling in 2018, 2019, and 2020 indicate that the beach consistently met the RAP water quality targets in each swimming season. Details on sampling and

[1] *The **geometric mean** is a calculation used to average the bacterial levels of E. coli in samples collected from recreational water. Monitoring public beaches for E. coli bacteria and the use of the geometric mean approach permits more meaningful statistical evaluations. Assessment of the bacterial quality of recreational water requires more than a single result. Due to the uneven distribution of bacteria throughout a liquid medium, the count of microorganisms in a single "grab sample" does not represent the average concentration in a particular body of water. A single random sample may demonstrate a concentration that is far above or below the average. To obtain an accurate assessment of the quality of recreational water, the results of a number of samples shall be combined in such a way that a random, unrepresentative sample will not unduly influence the average (OMHLTC, 2018a).*

results are outlined in two separate reports (Laufman & Moura, 2020; Laufman & Patel, 2021). Below is a summary of the key findings from the water quality monitoring studies:

Year	% samples met water quality target
2018	83
2019	81
2020	91

Given the dynamic nature of beach environments and natural influences (e.g., wildlife, rainfall), it is unlikely for a beach to be entirely free of *E. coli* bacteria or better than provincial guidelines 100% of the time (ECCC/USEPA 2018). Past microbial source tracking studies completed in the Niagara River by ECCC (2010-2015) indicate that the Niagara River itself delivers low concentrations of *E. coli* to the beach, usually associated with low level human sewage impacts linked to wastewater treatment bypasses or heavy rainfall events farther upstream (NRRAP 2019). However, the three years of beach monitoring highlighted in this assessment shows *E. coli* levels are within the provincial guideline-based delisting criteria. Other persistent, low-level sources of *E. coli* are likely to come from various types of wildlife at the beach which is supported by the field observations made during beach monitoring (2018-2020). Water quality monitoring staff noted the frequent presence of gulls and geese at QRB. Microbial source tracking analysis also confirmed the presence of gull DNA markers as well as 'Other Animals' (there were no other DNA markers used to identify other suspected animals such as horses and racoons). 'Other Animals' was thought to include racoons as their presence in the storm sewers was confirmed in 2017 and remedial actions were taken to prevent their entry into the KSSO area (e.g., installation of racoon prevention grates and a one-way check valve on the storm outlet at the beach). Horses are the other suspected source of 'Other Animal' DNA as there is a horse carriage route in the area that may contribute low levels of *E. coli* through run-off to the storm system. To address this potential issue the Town of NOTL installed additional remedial measures (i.e., smart sponges) in targeted locations to capture fecal contamination from runoff to protect water quality at QRB. Furthermore, the Town of NOTL may re-route the horse carriages away from the KSSO catchment area and may consider adding other management options to reduce droppings on the roads. Results show that these remedial actions have reduced the maximum amount of 'Other Animal' microbial DNA in samples from the KSSO from 2018-2020 by 99% in dry weather and 89% in wet weather (Coveart 2021). The Town of NOTL will continue to monitor the beach by collecting samples 3 times per week with analysis support by the Niagara Region Public Health Unit (NRPHU). This long-term collaborative sampling will be reviewed and confirmed annually.

In summary, over 80% samples collected during each swimming season met the provincial water quality target of ≤200 E. coli CFU/100 mL each year for the last 3 years (i.e., 2018, 2019, 2020). **Results of the assessment shows that criterion #2 has been met.**

Assessment of Criterion #3

The third and final BUI delisting criterion is meant to mitigate health risks associated with swimming in contaminated waters. Given that it is unlikely for beach water to be 100% free of *E. coli*, there is alwaysa low lever of inherent risk associated with swimming at public beaches. The protection of human health can be achieved through numerous risk management methods such as appropriate signage indicating best practices (e.g., wash hands after swimming and before eating, do not swim when water is wavy or if it has rained within the past 24 hours, check the website for beach monitoring results).

In line with the risk management actions required to meet criterion #3, the Niagara River RAP partners have implemented several risk management actions:

- A webpage was added to the Town of NOTL website to communicate best practices for swimming at QRB and to share beach monitoring results;
- The NRRAP website contains a webpage to communicate similar best management practices and has a link to the NOTL beach webpage;
- The NRPHU will continue to post data on its Open Data Portal website where it can be downloaded.
- A sign is in development and will be installed at the beach to further protect beachgoers from potential bacteria in the water.
- Although not required, a sign may be also installed at the storm outlet advising people not to let pets drink the water.

Given all these risk management actions are completed or in progress, **criterion #3 has been met.**

RECOMMENDATION

As a result of recent water quality monitoring, microbial source tracking studies, storm sewer investigations, and implementation of remediation and risk management actions, the Niagara River (ON) *Beach Closings* BUI delisting criteria have all been met.

Recent outreach and engagement activities indicate overall support from the RAP stakeholders, Indigenous partners, local municipal government, U.S. agencies, and the community (Appendix 2).

It is recommended that the status of the *Beach Closings* BUI for the Canadian side of the Niagara River be officially changed to 'NOT IMPAIRED'.

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Niagara River Remedial Action Plan (NRRAP) 2009. Niagara River Remedial Action Plan Stage 2 Update

Ontario Ministry of Health and Long-Term Care (OMHLTC). 2018. Operational Approaches for Water Quality Guideline.

Appendix 1. The list of recommended actions identified by the RAP's Technical Expert Working Group members in 2019 as part of the development of the Delisting Strategy. All actions with a check mark are complete.

#	Recommended Action	2019	2020	2021	2022	2023	Beyond	Lead(s)
REMEDIAL ACTION(S)								
10.1	Disconnect the wading pool in Simcoe Park from the lateral storm sewer connection and connect to the sanitary sewer system.	☑						NOTL
10.2	Implement grate improvements to the Wellington Street storm sewer inlet to prevent racoon entry.	☑						NOTL
10.3	Implement storm grate outlet improvement and structural lining of storm sewer on Davy Street.		☑					NOTL
10.4	Repair the laterals with large and medium joint offsets at property line.		☑					NOTL
10.5	Remediate the sanitary manhole with the Region of Niagara sewage forcemain connection.		☑					NOTL, Niagara Region
10.6	Rehabilitate the storm manhole and outlet in poor condition located on King Street and Front Street.	☑	☑					NOTL
10.7	Abandonment of poor condition mainline sanitary sewer on King street.		☑					NOTL
10.8	Implement low-impact development (LID) stormwater management techniques in Simcoe Park to reduce bacterial loadings to the storm sewer system.		☑					NOTL, ECCC, MECP
	• If *E. coli* results do not improve after LID construction in Simcoe Park, then LID techniques at the storm outfall near QRB (King Street Storm Outlet) could be considered.			N/A				
10.9	Implement regular maintenance of catchbasins and storm drains in the King Street Storm Outlet (KSSO) catchment area, including (but not limited to):							NOTL
	• Perform sump maintenance (annually) to remove sediment and debris in catchbasins.	☑	☑				☑	
	• Flush the King Street Storm Outlet catchment area once grates installed on Wellington Street storm inlet (min. once per year thereafter). After flushing, conduct a visual inspection of storm sewer sumps to ensure they are free of debris. If not, they must be cleaned.	☑	☑				☑	
	• Manual labour required where difficult truck access is noted (e.g. Simcoe Park) for catchbasin sump cleaning in spring and fall annually.		☑				☑	

#	Recommended Action	2019	2020	2021	2022	2023	Beyond	Lead(s)
WATER QUALITY MONITORING								
10.10	Collect water samples from QRB three times per week during the swimming season and analyze for levels of *E. coli* (note: this sampling began in 2018).	✓	✓				✓	NOTL (collection) NRPHU (analysis)
10.11	Confirm that the QRB will continue to be monitored at least once per week during the swimming season and analyze for levels of *E. coli* beyond the RAP.		✓				✓	NOTL (collection) NRPHU (analysis)
10.12	Collect monthly (May-Oct) water samples from the stormwater outfall near QRB for *E. coli* testing.	✓	✓					NPCA, NOTL
10.13	Collect water samples from the storm sewer catchment area to validate the efficacy of the LID stormwater management techniques.		✓					NOTL
10.14	Collect water samples from QRB and stormwater outfall to be tested for presence/absence of human DNA markers.	✓	✓					NOTL
OUTREACH & EDUCATION								
10.15	Notify the public of beach postings at QRB due to elevated levels of *E. coli* using existing methods such as NRPHU website and signage at the beach (NOTL Parks & Recreation Dept.).	✓	✓					NRPHU, NOTL
10.16	Continue to communicate information to public about making safe swimming choices (e.g., avoid swimming 24-48h after rainfall, check NRPHU website before entering water, wash hands after swimming, etc.).	✓	✓	✓			✓	NRPHU (2019) NOTL (2020 - beyond)
10.17	Design and install improved signage at the QRB to communicate beach postings, swimming safety, and risk management practices (e.g., rain rule, washing hands, etc.).			✓				NOTL
10.18	Design/install interpretive signage to highlight the LID project at Simcoe Park.			✓				NOTL, NRRAP
REPORTING								
10.19	Gather all relevant water quality information for the past three years at QRB and conduct an assessment of the BUI.		✓	✓				NRRAP
	• If not impaired, proceed with re-designation process			✓	✓			
	• If still impaired, further discussions will be required.			N/A				

Appendix 2 – Outreach and Engagement Summary & Results

OVERVIEW

Engaging and obtaining input from the broad range of community groups involved in the RAP initiative (public, Indigenous peoples, municipalities, private sector, etc.) is vital to the success of restoring the Niagara River AOC. There are many different organizations and local citizens involved in the Niagara River RAP initiative through their participation in the RAP Implementation and Public Advisory Committees. The RAP committees provide critical input and endorses all major reports before they are released for public review. In December 2020, the RAP committees received two presentations summarizing all research findings relating to the *Beach Closings* BUI and agreed that an assessment report should be prepared to determine if all BUI criteria were met. In April 2021, the RAP committees agreed to move forward with the public review period to seek input on the recommendation to officially change the BUI status from 'impaired' to 'not impaired'.

The purpose of the outreach and engagement activities related to the *Beach Closings* BUI was to: (1) inform the public about the work completed to improve water quality at Queen's Royal Beach and that an assessment indicates all RAP goals were met; (2) engage the public and other RAP stakeholders in providing input on the recommendation to change the BUI status from 'impaired' to 'not impaired'.

This section of the assessment report summarizes the outreach and engagement activities and associated results. Overall, many people were aware of the recommendation to re-designate the *Beach Closings* BUI and results indicate support from the local U.S. agencies, Indigenous partners, municipal government, and the public.

OUTREACH & ENGAGEMENT METHODS

Given the restrictions due to the COVID-19 pandemic, virtual engagement tools and techniques were used to involve various stakeholders in the BUI re-designation process such as social media, the NPCA's Get Involved online engagement portal, the Niagara River RAP website, E-newsletter, and a YouTube video.

Anticipating there may be limitations for involvement due to lack of internet/computer access, other traditional (non-virtual) methods were used (e.g., direct email, newspaper ad, radio interviews, place-based signage; Fig. 6) to inform the public about the engagement opportunities. In addition, we were prepared to accommodate requests for a paper copy of the report or survey. Table 1 provides a summary of each method with targeted audience and additional details.

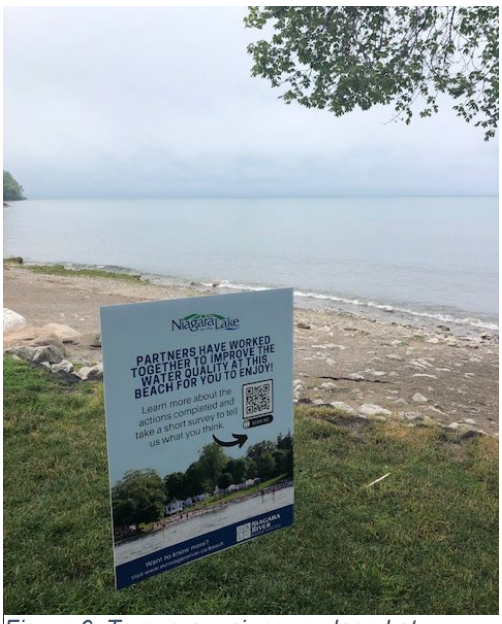

Figure 6. Temporary signage placed at Queen's Royal Beach during the engagement period to encourage people to learn more and participate.

Table 1. Overview of outreach and engagement tools/tactics, intended audiences, and additional details for each.

Tool / Tactic	Audience(s)	Additional Details
Get Involved site - project webpage	All	The NPCA's Get Involved platform was utilized to facilitate online information sharing and engagement. The project page included an overview of the BUI and work done, educational video, important links (e.g., Assessment Report, beach monitoring results), engagement timeline, FAQs, digital comment box, and a survey. https://getinvolved.npca.ca/niagara-river-beach
RAP website	All	New website landing page created to facilitate information sharing and engagement www.ourniagarariver.ca/beach
E-Newsletter	All	A short blurb and link to more information was included in the June and July editions of the Niagara River RAP's e-newsletter.
Direct emails	Indigenous communities	Direct emails to Indigenous partners (Mississaugas of the Credit First Nation, Métis Nation of Ontario) and local First Nations (Six Nations of the Grand River and Haudenosaunee Confederacy) to inform them of the assessment report and to accommodate their desired level of engagement and preferred method of providing input.
	Unites States EPA New York State	Formal letters prepared and sent by the Niagara River RAP's Canada-Ontario representatives to relevant contacts at the New York State Department of Environmental Conservation and the United States Environmental Protection Agency (Region 9) which both oversee the U.S. side of the Niagara River Area of Concern.
Social media	General Public	Social media images/key messages shared throughout the public review period across Facebook, Instagram, and Twitter platforms from the RAP accounts, Town of NOTL account, and NPCA account. Targeted ad promoted using Facebook boost of the 30s video (see below) to broaden reach in the area.
Media Release	General public	Formal media release sent to all local media contacts and posted to the NPCA's website. The media release helped us garner further exposure through written newspaper articles and a radio interview with the RAP Project Manager. A list of media coverage is provided in the results section. https://npca.ca/newsroom/article/niagara-river-rap-water-quality-improvement-queens-royal-beach
Newspaper ad	General Public	Ads placed in all three Niagara daily and weekly newspapers and NOTL-specific newspapers (Lake Report and NOTL Local) on July 15, 2021. To support non-virtual outreach and engagement opportunities (phone number provided). See page 14 for example ad.
Educational video	All	Informational video to highlight the key findings of the assessment report: https://youtu.be/c8_gwEyzy8cr Promotional (30 sec) video shared as an ad on social media to garner broader awareness/input: https://youtu.be/xK-SLxWsOgo
Presentations	NPCA Board of Directors and Public Advisory Committee	The RAP Project Manager (NPCA staff) provided a verbal update at the NPCA's Public Advisory Committee meeting as well as prepared a formal report to the NPCA's Board of Directors (Report #FA-36-21) to inform both groups about this important milestone and opportunities to provide input.
On-site signage	Beach users	Temporary signage with a call to action and QR code to fill out the survey was placed at the beach from July 5-Aug 6, 2021.
Survey	All	A brief survey was developed to gather demographic information and feedback from the community. Survey was offered digitally as well as in paper to accommodate all interested participants.

EXAMPLES OF OUTREACH MATERIALS

Ad featured in the Lake Report newspaper on July 15, 2021.

Examples of social media graphics that were used in a variety of posts throughout the engagement period.

RESULTS OF OUTREACH & ENGAGEMENT

To understand if we were successful in informing and engaging people in this opportunity to provide input on the recommendation to change the status of the *Beach Closings* BUI, we tracked several metrics throughout the engagement period. Taken together, these metrics indicate that the RAP's outreach and engagement initiative performed well, and many people were aware and engaged in providing feedback (as summarized in the infographic below).

Survey results

A survey, consisting of 14 specific questions, was launched on July 5 until August 6, 2021 to gather input from the community about the recommendation to re-designate the status of the Beach Closings BUI. The digital survey was made available through the NPCA's Get Involved online engagement platform and promoted using existing RAP channels and on social media in partnership with the NPCA and the Town of NOTL. A paper survey was made available to those that requested it (none were requested).

In total, 33 surveys were completed by members of the public. Most of the surveys were submitted by residents of the Niagara Region (87.9%) while 6.1% of respondents were from Ontario (outside of Niagara) and 6.1% from the United States. Of those from the Niagara Region, the majority (62.1%) noted living in the Town of Niagara-on-the-Lake (NOTL).

To understand if we were hearing feedback from beachgoers, we asked survey participants if they'd ever visited the Queen's Royal Beach in the Town of NOTL. Results show that 93.9% of respondents visited the beach at least once and most (56.7%) had visited the beach within the last week. We also asked about the types of recreational usage at the beach as anecdotal evidence suggested the beach was not often used for swimming. The survey confirms that most people (71%) prefer to use the beach for sightseeing, picnic or walking (do not enter the water) while 35.5% enjoy swimming at the beach (Fig. 7). Other responses included allowing their dog to swim in the water, showing tourists Fort Niagara across the water, and having dinner nearby.

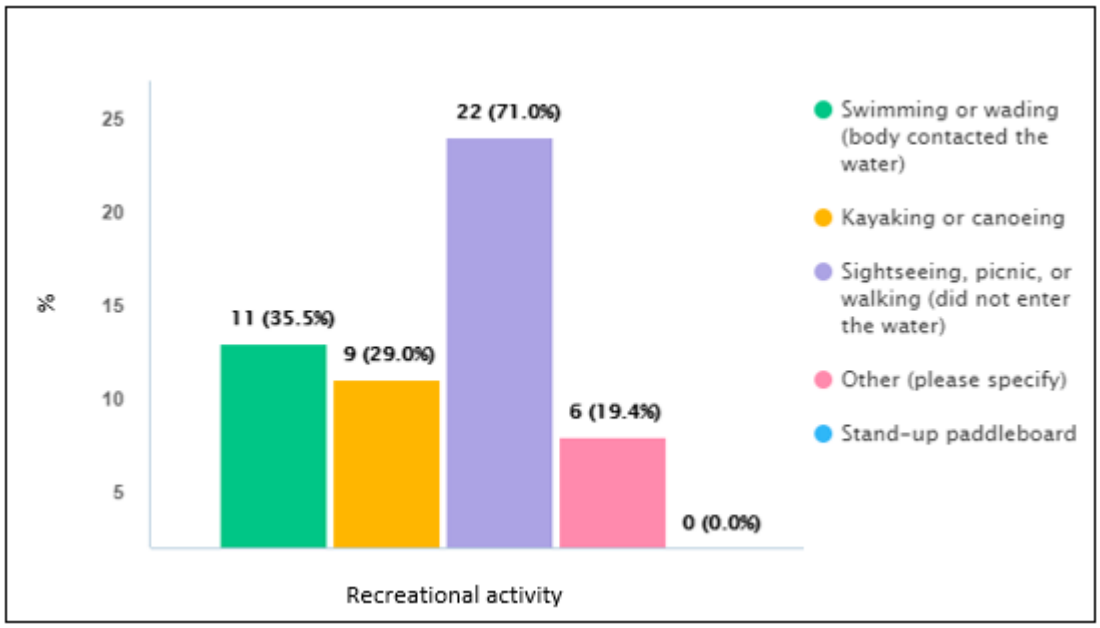

Figure 7. *Percentage of respondents that indicated they participate in one or more of the listed recreational activities when they visited QRB (n=31).*

Overall, there is good support for changing the status of the Beach Closings BUI from 'Impaired' to 'Not Impaired'. We asked participants to rate their agreement with changing the BUI status on a scale of 1 to 5 (1= Strongly Disagree and 5= Strongly Agree). The average rating of agreement was 3.7 indicating positive support. The majority (66.7%) of participants in agreement (either 'Strongly Agree' or 'Agree'). In total, 21.2% of respondents selected 'Disagree' and 12.1% chose 'Neutral'. No participants selected 'Strongly Disagree'.

A total of 24 participants provided additional feedback to explain the reason for their comments. Most comments were positive and several people noted the following reasons for agreeing with the change of status: all actions were completed, data and report supports change, long-time swimmer/diver with no issues, water quality is improved. Those that were neutral or did not agree with the status change provided reasons that are not within the scope of the BUI such as issues related to trash/garbage, that all actions still 'in progress' need to be completed, that the beach water quality needs to be 100% safe (rather than 80% of samples meeting water quality standards), washrooms being closed in 2020, local urban sprawl/deforestation, and weeds/algae in the water. One person that disagreed with the recommendation had not visited the beach. The feedback was considered and did not result in any changes to the report or its recommendation.

Participants were thanked for their feedback upon completing the survey and encouraged to contact staff by email or phone with additional questions. There were no inquiries related to the BUI.

Media Coverage

A media release was sent to all local media contacts and the *Beach Closings* BUI outreach and engagement campaign garnered media attention in the community. Below is a summary and links to various media coverage:

- Niagara This Week (also appeared in all of the local Daily newspapers and the Star): https://www.niagarathisweek.com/community-story/10434972-water-quality-improving-at-queen-s-royal-beach-public-feedback-requested/
- NOTL Local: https://notllocal.com/2021/07/14/13748

- Lake Report: https://img1.wsimg.com/blobby/go/80918cb8-76d5-4cb4-902d-b164080ed0bc/THELAKEREPORTJuly222021forweb.pdf
- Newstalk Radio 610 CKTB: https://www.iheartradio.ca/610cktb/audio/natalie-green-npca-project-manager-niagara-river-action-plan-1.15601813?mode=Article

INDIGENOUS ENGAGEMENT

There are three First Nation communities located within the Treaty lands of the Niagara Peninsula watershed: Mississaugas of the Credit First Nation (MCFN), Six Nations of the Grand River (SNGR) and Haudenosaunee Confederacy.

Staff from the MCFN's Department of Consultation and Accommodation have participated in the RAP's Implementation & Public Advisory Committee since 2018. Even though staff participate in the Committee and are part of the decision-making process for recommending change in BUI status, the RAP Team wanted to ensure that MCFN Staff had ample opportunity to review the documents and provide feedback. An email with all supporting information was sent in early June 2021 and a virtual overview presentation was given to DOCA staff in October 2021. After the presentation, DOCA staff confirmed that there were no concerns or disagreement with changing the BUI status to Not Impaired.

Although invited, staff with the SNGR have yet to participate in the RAP's Implementation & Public Advisory Committees. To ensure active dialogue, ECCC and MECP representatives for the RAP reached out to staff from the SNGR through several meetings, phone calls, and emails to invite participation in the RAP. As part of those conversations, the Niagara River beach assessment report and supporting material (e.g., dedicated webpage and video) were shared with SNGR staff, and summary slides were presented to them outlining the remedial actions taken to address the impairment and the monitoring results that show the BUI delisting criteria have been met. There have been no concerns raised from SNGR with changing the BUI status to Not Impaired.

There have been several attempts since 2018 to engage the Haudenosaunee Confederacy in the RAP process, including letters and emails requesting a meeting with the Haudenosaunee Confederacy Chiefs Council to discuss the AOC/RAP program and welcome opportunities for dialogue. There has never been a response.

The Métis Nation of Ontario (MNO) has had participation on the RAP's Implementation & Public Advisory Committee since 2019; however, there was a change in representation in 2020 resulting in a break in representation when the assessment results were presented to the committee. Therefore, the new staff person at MNO was emailed in May 2021 to formally request a review of the BUI Assessment Report and offer to set up a meeting to discuss, if desired. The MNO staff person consulted with the MNO Region 9 Council, which did not express any concern regarding the BUI Assessment report and did not request an information sharing meeting to discuss.

U.S. CONSULTATION

As a binational AOC, the Niagara River (ON) RAP re-designation process includes consultation with its American counterparts. In June 2021, the NRRAP's ECCC and MECP representatives sent a request for review and feedback (via direct email) to the U.S. RAP agencies.

On July 6, 2021, the New York State Department of Environmental Conservation (which coordinates the Niagara River U.S. RAP) sent a letter of support for the re-designation of the BUI. Additionally, the U.S.

Environmental Protection Agency sent an email to the RAP Team on July 27, 2021 to congratulate the partnership and to provide their support for the re-designation of the BUI to 'Not Impaired'.

CONCLUSION

In summary, the results of the outreach and engagement efforts show general support for the change in status of the Niagara River RAP's *Beach Closings* BUI to 'Not Impaired'. There are no concerns raised from local Indigenous communities. Together, these results indicate broad agreement with the Niagara River (ON) RAP's recommendation to officially remove this impairment.

ACKNOWLEDGEMENTS

The Niagara River RAP gratefully acknowledges the contributions of the staff from the Town of NOTL (Beth Audet & Lauren Kruitbosch) and the Niagara Peninsula Conservation Authority (NPCA) (Erika Navarro) for providing their expertise and assistance for this outreach & engagement initiative. Special thanks to Heather Frank (RAP Project Assistant) for her tremendous support with social media graphics, data gathering, and everything in between.

Funding for this engagement was provided by Environment and Climate Change Canada and the Ontario Ministry of the Environment Conservation and Parks through the Niagara River RAP, in partnership with the NPCA.

Environment and Climate Change Canada | Environnement et Changement climatique Canada

VIA E-Mail

March 1, 2023

Natalie Green
Manager, Climate Change and Special Programs
Niagara Peninsula Conservation Authority
250 Thorold Road West
Welland, Ontario
L3C 3W2

Dear Ms. Green,

Re: Status of the Beach Closings Beneficial Use Impairment – Niagara River Area of Concern

Based on a comprehensive review by Environment and Climate Change Canada and the Ontario Ministry of Environment, Conservation and Parks of the following report:

- *Beach Closings Beneficial Use Impairment Assessment Report for the Niagara River (Ontario) Area of Concern* (2021)

I am pleased to inform you that this beneficial use impairment is hereby designated as "not impaired", pursuant to the provisions of the Canada-US Great Lakes Water Quality Agreement, 2012.

Congratulations to the Remedial Action Plan Coordinating Committee, partner agencies and stakeholders, and the local community for attaining this important milestone. I look forward to continued collaboration toward our shared goal of restoring the Niagara River Area of Concern.

Sincerely,

Jennifer McKay

Digitally signed by: Jennifer McKay
DN: CN = Jennifer McKay email = Jennifer.McKay@ec.gc.ca C = CA O = Environment and Climate Change Canada OU = RDG ON Region
Date: 2023.03.01 17:22:30 -05'00'

Jennifer McKay
A/Regional Director General, Ontario Region
Environment and Climate Change Canada

DISTRIBUTION

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April 26, 2023

CL 7-2023, April 20, 2023
PEDC 4-2023, April 5, 2023
PDS 8-2023, April 5, 2023

LOCAL AREA MUNICIPALITIES

SENT ELECTRONICALLY

Regional Planning Commissioners of Ontario (RPCO) Inventory of Unbuilt Housing Supply
PDS 8-2023

Regional Council, at its meeting held on April 20, 2023, passed the following recommendation of its Planning and Economic Development Committee:

That Report PDS 8-2023, dated April 5, 2023, respecting Regional Planning Commissioners of Ontario (RPCO) Inventory of Unbuilt Housing Supply, **BE RECEIVED** and **BE CIRCULATED** to the Local Area Municipalities.

A copy of PDS 8-2023 is enclosed for your reference.

Yours truly,

Ann-Marie Norio
Regional Clerk
js

CLK-C 2023-048

cc: A. Stea, Director, Community and Long Range Planning
M. Sergi, Commissioner, Planning & Development Services
N. Oakes, Executive Assistant to the Commissioner, Planning and Development Services

Subject: Regional Planning Commissioners of Ontario (RPCO) Inventory of Unbuilt Housing Supply

Report to: Planning and Economic Development Committee

Report date: Wednesday, April 5, 2023

Recommendations

1. That this report **BE RECEIVED** for information; and

2. That a copy of Report PDS 8-2023 **BE CIRCULATED** to the Local Area Municipalities.

Key Facts

- In response to the Province of Ontario's goal of creating 1.5 million homes by the year 2031, the Regional Planning Commissioners of Ontario (RPCO) issued an inventory of Ontario's unbuilt housing supply.

- The housing inventory presented by RPCO demonstrates that there is a healthy supply of units within the development approvals process to advance the Province's housing objectives.

- The inventory identified 1.25 million homes within the development pipeline across 15 upper and single-tier municipalities in Ontario. Of the 1.25 million homes, over 25,000 units are within Niagara Region.

Financial Considerations

There are no financial considerations associated with this report.

Background

More Homes, Built Faster: Ontario's Housing Supply Action Plan 2022-2023

The Province has set a goal of building 1.5 million homes by the year 2031 as part of *More Homes, Built Faster Act (*released on October 25, 2022). The *More Homes, Built Faster Act* aims to increase the supply of housing in Ontario by reducing costs and timelines related to building housing; promoting intensification near transit and more

gentle density; and identifying more land for attainable housing. As part of *More Homes, Built Faster* the Province has:

- passed Bill 23, *More Homes Built Faster Act, 2022,* with certain provisions to take effect upon Royal Assent (November 28, 2022), while others only coming into force upon Proclamation by the Lieutenant Governor, the specific timing of which is not known;
- identified housing targets for the 29 largest and fastest-growing municipalities in Ontario, including St. Catharines and Niagara Falls;
- initiated a review of the *Provincial Policy Statemen*t (PPS) and *Growth Plan for the Greater Golden Horseshoe* with the intent of creating a single, streamlined province-wide policy document to increase housing supply; and
- removed land from the *Greenbelt Plan* for housing development.

RPCO Housing Supply Inventory for the Greater Golden Horseshoe

The Regional Planning Commissioners of Ontario (RPCO) is an organization whose upper and single-tier municipal members provide planning services and give planning advice to municipal Councils. It's membership represents approximately 80% of Ontario's population and Niagara Region is one of 21 member municipalities, RPCO works together to promote excellence in planning across urban and rural municipalities working to achieve sustainable and resilient communities, and supporting the growth of a strong and competitive economy.

In response to the 1.5 million homes Provincial target, on March 7, 2023, RPCO released an inventory of unbuilt housing supply across Ontario (Appendix 1). The data was collected from 15 of its 21 member municipalities, including Niagara Region.

The inventory identified over 1,250,000 housing units that are approved or proposed to be built. The housing supply inventory constitutes 85% of the Provincial target of 1.5 million homes by 2031. A proxy of 150,000 accessory units was also included to the inventory to address the Province's as-of-right legislation (Bill 23) to create up to three dwelling units on selected individual property types. The inventory represents a minimum estimate, as it did not include housing supply units of all members of RPCO.

Table 1: RPCO Housing Supply Inventory

Application Status/ Type	Housing Units
Development Ready (Registered and Draft Approved)	331,632
Under Application or Proposed	731,129
Ministerial Zoning Orders	64,199
As-of-right units (proxy)	150,000
Total housing unit inventory	**1,276,960**

Niagara Region's Housing Units within the RPCO Inventory

Of the 1,250,000 housing supply units identified by RPCO, over 25,000 are within Niagara Region. Table 2 provides a summary of housing units currently within the development pipeline, as defined by RPCO categories, in the Niagara Region.

Table 2: Niagara Region's Housing Units within the RPCO Inventory

Application Status/ Type	Single-detached	Semi-detached	Town-house	Apart-ment	Other/Not Assigned	All Types
Development Ready (Registered & Draft Approved)	4,015	360	5,720	4,885	0	14,980
Under Application / Proposed	1,420	295	2,750	2,645	1,350	8,460
Ministerial Zoning Order	0	0	0	1,700	0	1,700
Total	**5,435**	**655**	**8,480**	**9,230**	**1,350**	**25,140**

Included within the "Under Application/Proposed" category are 1,350 units where details regarding the housing types are not yet available. The 25,140 units in Niagara are a minimum as there are many more units that have been approved through site plans,

zoning amendments or may be built as-of-right based on Bill 23. Further this inventory did not include units that have been approved through site plans and zoning amendments. An additional 6,000 units have been approved in the City of Niagara Falls alone through zoning amendments.

Also excluded from the Niagara Region housing supply calculation are updates to the Greenbelt Plan within the Town of Grimsby.

The Province, in support of Bill 23, redesignated 35 ha of Greenbelt lands for the purpose of residential development. These lands shall accommodate a minimum of 1,750 people and jobs based on the minimum Designated Greenfield Area density target of 50 people and jobs per hectare. The Province has indicated that the landowners of these properties are expected to develop plans and build houses quickly, requiring significant progress on approvals and implementation be achieved by the end of 2023 and construction must be underway by 2025.

Municipal Housing Targets and Pledges

The City of St. Catharines and City of Niagara Falls were each identified by the Ontario government as two of the largest and fastest growing municipalities in Ontario and were assigned ten-year housing targets by the Province. The City of St. Catharines was assigned a target of 11,000 new units between 2021 and 2031, while the City of Niagara Falls was assigned 8,000 new units.

The Region's Land Needs Assessment, June 2022 (completed in accordance with Provincial methodology) identified the need to plan for 19,770 new housing units within St. Catharines and 20,210 new housing units within Niagara Falls by the year 2051. The newly assigned housing targets would accelerate a portion of the forecasted growth by 2031 rather than over a 30-year timespan.

Both the City of St. Catharines (https://stcatharines.civicweb.net/document/104018) and Niagara Falls (https://niagarafalls.civicweb.net/document/56886/) have responded to the Province in support of the housing targets by providing a housing pledge that outlines how each municipality will accommodate the target.

The Region is committed to working with the City of St. Catharines and Niagara Falls on ensuring required infrastructure is in place to support housing development within the accelerated timeline. The challenge will be to provide support to Niagara's other fast-growing municipalities that are not identified within the Provincial housing forecast but are contributing to strong housing growth in the Province.

Conclusion

Legislation supporting the Province's Bill 23, the More Homes Built Faster Act, seeks to support building more homes, reducing construction costs and fess in addition to streamlining development approvals. Niagara Region and the Area Municipalities have undertaken extensive work to address housing supply and affordability, working collaboratively on streamlining initiatives, which harmonize and improve the development review process to provide consistency throughout Niagara Region. The housing inventory presented by RPCO illustrates that municipalities are well on their way to achieving 1.5 million new homes across the Province demonstrating that there is a healthy supply of units within the development process to advance the Province's housing objectives.

Alternatives Reviewed

This report is for information purposes, no alternatives were reviewed.

Relationship to Council Strategic Priorities

This report supports the following Council Strategic Priorities 2018-2022:

- Healthy and Vibrant Community
- Responsible Growth and Infrastructure Planning

Other Pertinent Reports

- PDS 27-2022 Proposed Amendments to the Greenbelt Plan Boundary
- CL-C-145-2022 Proposed Provincial Legislation—Bill 23 More Homes Built Faster Act, 2022

Prepared by:
Greg Bowie
Senior Planner
Planning and Development Services

Recommended by:
Michelle Sergi, MCIP, RPP
Commissioner
Planning and Development Services

Submitted by:
Ron Tripp, P.Eng.
Chief Administrative Officer

This report was reviewed by Angela Stea, MCIP, RPP, Director of Community and Long Range Planning.

Appendices

Appendix 1 Regional Planning Commissioners of Ontario issue inventory of Ontario's unbuilt housing supply, March 7, 2023.

Regional Planning Commissioners of Ontario

Please direct all correspondence to the office of the Chair

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NEWS RELEASE AND MEDIA PACKAGE

WINDSOR, March 7, 2023

Regional Planning Commissioners of Ontario issue inventory of Ontario's unbuilt housing supply

RPCO reports over 1,250,000 housing units approved and proposed to be built prior to Provincial Bill 23, and encourages all stakeholders to work together, as supply alone will not solve Ontario's housing affordability crisis.

Data shows there are already over 1 million approved and proposed housing units in the development approval process. If a proxy of as-of-right accessory units is added, this number totals more than 1.25 million potential new homes.

In year two of the Province's ten-year goal to build 1.5 million homes, the Regional Planning Commissioners of Ontario (RPCO) has undertaken a housing supply inventory, which already constitutes 85% the Provincial 2032 goal. Some proposed units will require infrastructure, but these numbers are intended to provide an indication of the status of units already approved and in the formal approval process.

Municipalities representing the remaining 30% of Ontario's population would also have approved and proposed housing unit inventories. If they were included, the approved and proposed supply of housing units in the development approval process could exceed the 1.5 million Provincial target.

Collaboration with all stakeholders on the importance of building a mix of unit types to achieve better housing affordability for Ontarians is critical. Addressing supply alone will not fix the problem.

The housing supply inventory is summarized as follows, and is presented in housing units prior to Provincial Bill 23:

Development Ready (Registered and Draft Approved)	**331,632**
Under Application or Proposed	**731,129**
Ministerial Zoning Order	**64,199**
As-of-right units (proxy)	**150,000**
Total housing unit inventory now (year 2 of 10)	**1,276,960**
Provincial Target by end 2031 (year 10)	**1,500,000**

Notes:

1. Most data are collected to the end of 2022, but all data capture dates were not identical. Please see the accompanying Appendix for details.

2. Some draft approved and proposed units will require the construction of supporting infrastructure to proceed to development. However, discounts and exemptions to development fees and charges may further hinder the timing of constructions of this required infrastructure.

The Chair of RPCO, Thom Hunt, and the Chair of the RPCO GGH Caucus, Paul Freeman, made the announcement today.

"There is no doubt that Ontario is faced with big housing pressures, and while municipalities will do their part to streamline the development review process, they cannot achieve the 1.5 million homes goal alone. We all need to work better together", said Thom Hunt, Chair of RPCO. "To inform the discussion about housing supply and the importance of building a diverse range of affordable units, members of RPCO have identified the inventory of approved and proposed housing units. This follows RPCO's recent report: *Making Room* that identifies gaps in housing delivery which, if properly addressed through collaborative engagement, can make real differences for Ontarians right now".

Legislation supporting the Province's Bill 23, the *More Homes Built Faster Act*, seeks to support building more homes, helping home buyers, reducing construction costs and fees, and streamlining development approvals. However, the legislation has unintended consequences, and does little to address solutions for a variety of housing types and affordability.

All parties involved in the creation of new homes should make working to increase housing production their highest shared priority. This must include the many different housing types, tenures and affordability options for all income levels.

It should also be noted that RPCO continues to not support in principle the removal of lands from the Greenbelt as a necessary step to address Ontario's housing needs.

"We respect and share the stated goals of Bill 23", said Paul Freeman, Chair of the RPCO GTA Caucus. "The housing supply inventory is intended to support working collaboratively with the Province. Supply alone will not solve the housing affordability crisis, and we look forward to working with all levels of government and stakeholders involved in enabling and building housing to understand all supply and demand factors, and to find meaningful and practical affordability solutions."

Background:

In 2022, the Province of Ontario announced a target of creating 1.5 million new homes across the Province in the next ten years.

Municipalities issue development approvals for new home construction subject to public consultation and Council decision-making. Once development approvals are received, they remain in place until the property owner decides to proceed. Municipalities do not build market housing, but they do apply development charges and other growth-related fees to build infrastructure and community services to support growth ensuring complete communities (e.g. transportation, water supply and distribution, wastewater collection and treatment, stormwater management and community amenities). Municipalities cannot make property owners build new housing. It is up to developers to decide whether and when to develop their lands for housing.

Provincial legislative changes through Bill 23, the *More Homes Built Faster Act,* focus on municipalities streamlining and expediting the development approval process. Financial exemptions from development charges are intended to encourage developers to build more housing supply.

To identify Ontario's existing unbuilt housing unit inventory, RPCO undertook a survey of key municipalities across Ontario to identify approved and proposed units in the development approval process. This follows a recently released, action-oriented RPCO report entitled Making Room: Shaping Big Housing Growth and Affordability in Ontario (Making Room)
More information can be found on the RPCO website www.rpco.ca

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About the Regional Planning Commissioners of Ontario (RPCO):

RPCO is an organization made up of senior level practitioners from Ontario's large single-tier Cities and upper-tier Regions. Members of RPCO provide planning services and give planning advice to municipal Councils that represent approximately 80% of Ontario's population. As such, RPCO members are fully engaged on a daily basis in matters which are urban and rural; northern and southern; small town and big city. The universal importance of having a healthy development industry to support community vitality across Ontario is also understood and supported.

Regional Planning Commissioners of Ontario Media Contacts:

Rob Horne, Senior Advisor
Rjhorne03@gmail.com

Thom Hunt, Chair of RPCO
thunt@citywindsor.ca

Paul Freeman, Chair of the RPCO's GGH Caucus
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Appendix: Unbuilt Housing Unit Inventory

The following highlights some key aspects of the RPCO inventory:

- Municipalities surveyed constitute approximately 70% of Ontario's population. This means that the development inventory for municipalities representing the remaining 30% of Ontario's population were not included, but would be expected to raise the aggregated numbers even higher.

- The entire GTHA is included, representing Canada's largest urban area. In the GTHA 911,748, units (82%) were identified through the inventory.

- Unit types are roughly divided as 25% ground-related units and 75% apartment units.

- Lands designated for development that do not have development applications in place are excluded from this inventory. These lands represent additional but uncounted inventory, as their designation reflects their status as being developable.

- Most data were collected to the end of 2022, but all data capture dates were not identical. Specifically, housing unit creation and absorption was captured for Toronto and Ottawa to mid-year 2022, and Durham Region and Oxford County to year-end 2021. However, these differences are not seen as being material (i.e. while unit creation and absorption will partially or entirely offset each other, the differences are not expected to affect the large aggregated inventory estimate).

- A proxy of 150,000 accessory units has been included in the inventory to address the Province's as-of-right legislation to create up to three dwelling units on selected individual property types. According to the Census of Canada, there were approximately 5.5 million occupied private dwellings in Ontario in 2021. Of this total, 3.8 million private dwellings were single detached, semi-detached and row houses (the unit types eligible for accessory dwellings), which combined accounted for 68.3% of all private dwellings. This 150,000 accessory unit proxy constitutes an estimate of 4% of homeowners choosing to create one additional unit (i.e. four households per 100 households) in units other than apartments, other single attached and movable dwellings. This is far less than rates occurring in some municipalities today. Accessory unit creation may be further accelerated by rising interest rates and the resulting needs of homeowners to supplement their incomes to keep their homes (as they close on a new home, renew, or lock in their existing mortgages). The proxy of 150,000 also assumes only one additional unit would be created per existing dwelling unit, while up to three units on a property are permitted. Three units may also be preferred by investment property owners.

- The inventory includes 15 municipalities with total housing supply of 1,126,960 housing units.
    - Registered Unbuilt and Draft Approved units – 29%
    - Proposed (under application) housing units – 65%

- Under construction housing units (over 225,000) not included
- Note that Canada Mortgage and Housing Corporation has estimated that 75,000 accessory apartments existed in the City of Toronto alone in 2021

Housing Supply Definitions:

Registered Unbuilt Units:
- Registered Plans of Subdivision with no building permits issued
- Site Plans with executed agreements

Draft approved:
- Draft approved plans of subdivision
- Site plan endorsed / approved in principle

Under Application / Proposed Units:
- Proposed Site Plans
- Proposed Plans of Subdivision

Ministerial Zoning Order:
- Approved MZO housing units

Housing Supply from Municipalities Included Represents 70% of Ontario's Population:

GTHA	**GGH**	**Outside GGH**
Durham	Barrie	Kingston
Halton	Guelph	Ottawa
Hamilton	Niagara	Oxford
Peel	Simcoe	Sudbury
Toronto	Waterloo	
York		

Aggregated Figures for All Surveyed Municipalities (Containing 70% of Ontario's Population)

Total Housing Supply	Unit Type				
	Single detached	Semi detached	Townhouse	Apartment	All Types
Registered Unbuilt	19,891	904	16,214	25,371	62,379
Draft Approved	51,124	6,059	55,095	156,976	269,253
Under Application / Proposed	50,977	4,138	68,240	607,775	731,129
Ministerial Zoning Order	148	-	1,326	62,725	64,199
Total	**122,139**	**11,101**	**140,875**	**852,846**	**1,126,960**
% Share of Total	*10.8%*	*1.0%*	*12.5%*	*75.7%*	*100%*

Greater Toronto Hamilton Area- Aggregated Figures

GTHA	Unit Type				
	Single detached	Semi detached*	Townhouse	Apartment	All Types
Registered Unbuilt	4,154	87	4,871	12,080	21,192
Draft Approved	25,792	3,154	28,615	138,855	196,416
Under Application / Proposed	23,353	1,320	39,865	581,624	646,162
Ministerial Zoning Order	148	-	174	47,656	47,978
Total	**53,447**	**4,561**	**73,525**	**780,215**	**911,748**
% Share of Total	*5.9%*	*0.5%*	*8.1%*	*85.6%*	*100%*

Golden Horseshoe – Aggregated Figures

GGH Municipalities	Unit Type				
	Single detached	Semi detached*	Townhouse	Apartment	All Types
Registered Unbuilt	9,054	439	6,275	7,691	23,458
Draft Approved	14,723	1,173	15,459	13,937	45,291
Under Application / Proposed	18,840	2,606	14,980	14,685	51,110
Ministerial Zoning Order	-	-	1,132	15,069	16,201
Total	**42,616**	**4,218**	**37,846**	**51,381**	**136,060**
% Share of Total	*31.3%*	*3.1%*	*27.8%*	*37.8%*	*100%*

Municipalities Surveyed Outside the Greater Golden Horseshoe

Outside GGH	Unit Type				
	Single detached**	Semi detached	Townhouse*	Apartment	All Types
Registered Unbuilt	6,683	378	5,068	5,600	17,729
Draft Approved	10,609	1,732	11,021	4,184	27,546
Under Application / Proposed	8,784	212	13,395	11,466	33,857
Ministerial Zoning Order	-	-	20	-	20
Total	**26,076**	**2,322**	**29,504**	**21,250**	**79,152**
% Share of Total	*32.9%*	*2.9%*	*37.3%*	*26.8%*	*100%*

Supply Estimates (in Years) – Per CMHC Data and Growth Plan Forecasts

YEAR'S SUPPLY BASED ON 10 YEAR CMHC AVERAGE COMPLETIONS			
	Ground Related	Apartments	Total
GTHA	9.4	34.4	24.9
GGH	14.1	16.8	15.0
Outside GGH	11.7	8.2	10.5
TOTAL	**10.2**	**30.8**	**20.7**

YEAR'S SUPPLY BASED ON GROWTH PLAN 2021 31 FORECAST	
	Year s Supply
GTHA	18.1
GGH Municipalities	6.7
TOTAL	**14.8**

Public Works Department
Wednesday, May 03, 2023

Subject: Farr Road and River Road Roadside Ditching and Culvert Drainage Improvements

Recommendation:

> **BE IT RESOLVED THAT Council receive Report #2023-0110 Farr Road and River Road Roadside Ditching and Culvert Drainage Improvements, for information;**
>
> **AND THAT Council Direct staff to complete a detailed inspection and survey of the roadside ditches along Farr Road and River Road including the culverts within the Town's road allowance and complete the required maintenance and repairs necessary to ensure that the town's infrastructure is performing as intended.**

Background:

At its regularly scheduled meeting of Council on April 19, 2023, staff presented report 2023-0097 Drainage Study Farr, River and Webber Road for Council's consideration. The report outlined the results of the drainage study completed by AHYDTECH Geomorphic Ltd. The staff report recommended the following resolution:

> **BE IT RESOLVED THAT Council receive Report #2023-0097 – Drainage Study for Farr, River, and Webber Road Area, for information;**
>
> **AND THAT Staff be directed to investigate the feasibility of dredging the roadside ditches and culverts along Farr and River Road within Public Works 2023 Operating Budget and/or the 2023 roadside ditching program;**
>
> **AND THAT Staff continues to participate in discussions with the developers on the east and west sides of River Road to identify potential long-term, comprehensive drainage and stormwater solutions.**

The following resolution was passed by Council based on the discussion regarding report 2023-0097:

BE IT RESOLVED THAT Council receive Report #2023-0097 – Drainage Study for Farr, River, and Webber Road Area, for information;

AND THAT Staff be directed to investigate the feasibility of dredging the roadside ditches and culverts along Farr and River Road within Public Works 2023 Operating Budget and/or the 2023 roadside ditching program;

AND THAT Staff continues to participate in discussions with the developers on the east and west sides of River Road to identify potential long-term, comprehensive drainage and stormwater solutions;

AND THAT staff be directed to produce a report with specific advice, recommendations and options on how we might proceed with a municipal drain to cover the study area.

This report aims to investigate the feasibility of dredging the roadside ditches and culverts along Farr and River Road and to provide a recommendation for completing maintenance work on the ditches and culverts within the Farr Road and River Road right-of-way.

Analysis:

Council approved an operating budget of $100,000 to complete roadside ditching for the municipality's entire geographic area. This work is generally contracted to a company that provides these services using specialized equipment. Based on an annual contract value of $100,000 the estimated quantity of ditching completed is approximately 10 km. In addition, an operating budget is set aside to complete ongoing maintenance and upkeep of various road culverts throughout the road network. The labour, equipment, and material cost to complete maintenance of culverts is embedded in the operating costs included in the annual Roads Operating budget and are not specifically designated for such.

In addition, Council approved a project RD 06-23 Culvert Replacement Program in the amount of $60,000. This project is an annual capital project that focuses on the repair and replacement of damaged culverts throughout the Town. As stated above the Public Works Department has the resources to complete repairs and replacement of smaller diameter culverts through the operating budget. This capital program is meant to repair and replace larger size culverts and is usually contracted out through the Town's procurement process.

The Engineering and Public Works Department has based a scope and estimate using GIS and previous contract pricing received for similar work in 2022. Farr Road from Webber Road to River Road is approximately 835 m and River Road from

RR 24 (Victoria Ave.) and Farr Road is approximately 575 m resulting in a total of 1,410 m. If both sides of the roadway were re-ditched the estimated total length of ditching is 2,820 m. In 2022, staff tendered a roadside ditching program and received a unit price of $9.22 per m (plus applicable taxes). Based on this rate the estimated cost to complete the re-ditching of the entire length of the roadside ditches on Farr and River Road is $26,000 (plus taxes). Adding a 5% inflation for 2023 costs the estimated total cost to re-ditch the entire length of roadside ditches as described above is $27,300 (plus applicable taxes).

There are 38 culverts located along and across Farr and River Road. At the time of writing this report, a thorough analysis of the condition and required maintenance was not completed. Most culverts will likely require a flush and clean while others may require replacement. Until a more detailed inspection by Engineering and Public Works, staff can be completed the scope of work is unknown. That being said if 6 culverts require replacement at a cost of $2,500 each and 32 culverts require minimum maintenance at a cost of $500 each the total cost related to culvert improvements can be estimated at $31,000 (plus applicable taxes). In addition, staff will require traffic control to complete the culvert maintenance which is estimated at $2,500. As a result, the total estimated cost to complete either maintenance or replacement to all of the culverts along Farr and River Road is $33,500 (plus applicable taxes). Note: this does not include work to any culverts on private property nor does it include any maintenance work or replacement of any Niagara Region-owned infrastructure.

Based on the above assumptions if Council directs staff to complete re-ditching on the entire length of roadside ditches on Farr and River Road in the area described above and staff performed maintenance on all 38 culverts along these road segments the total estimated cost is $60,800 (plus applicable taxes).

Roadside ditches are an item of Town infrastructure with the primary purpose to drain the roadbed and the water draining off the road surface. This is a common drainage technique that continues to be used in rural areas and some urban subdivisions. The obvious benefit of these systems is that they detain, filter and infiltrate runoff as it is conveyed along the grassed ditch, resulting in smaller volumes of runoff and associated pollutants from reaching the watercourse or stormwater management facility.

Material from roads, including sediment from winter sanding, moves from the roadbed to the ditches as a result of traffic, rainfall-runoff, snowmelt runoff, plowing, erosion, and potentially other activities. Over time roadside ditches and culverts fill in with gravel and sediment. The periodic removal of this material is required to maintain the hydraulic capacity of the ditches and protect the roadway and traveling public.

Ditches are typically vegetated to offer resistance to flow and erosion. Periodic mowing is often required to retain the hydraulic capacity of the ditches, hence why the Town has an Annual Roadside Mowing Program. When ditches are unstable, or when the vegetation is disturbed during ditch maintenance, erosion can significantly impact water quality and can cause increased volumes of water downstream as the time of concentration is reduced and the ability of the water to infiltrate into the ground is reduced.

In addition, ditch maintenance work is not allowed to impact private property unless proper easements are obtained. Water should not be diverted onto private property from either the road itself or the ditch. If conditions change in the watershed resulting in increased water volume, the ditch design may need to be evaluated. It is recommended that any major alterations of drainage elements be reviewed by a qualified engineer prior to carrying out any of the following:

- Create a new ditch
- Change the size of the culvert
- Change the size of the original ditch
- Change the shape of the original ditch
- Change the slope(s) for the culvert or the ditch
- Change culvert inverts
- Change the drainage pattern (lateral ditches, turn-outs)
- Work in ditches with perennial flow
- Find a long-term fit for a recurring problem
- Replace culverts for streams crossing under roads or ditches crossing under large roads

The Roads Department has identified approximately 8 km of roadside ditching locations throughout the Town, that currently require ditching in 2023. The intent is to complete this work as a contracted service as part of the 2023 operating budget. The anticipated costs for the ditching works, based on the previous year's costs indicated earlier in the report, would be approximately $77,448.00 plus applicable taxes. Some of these locations will need to be deferred to 2024 based on the scope of work to be completed on Farr Road and River Road.

Financial Considerations:

The estimated cost of re-ditching the entire length of roadside ditches (approximately 2,820 m) is $27,780 (including taxes).

The estimated cost to perform maintenance and/or replacement of the existing culverts within the road allowance of Farr and River Roads is $31,546 (including taxes).

The estimated cost to provide traffic control to complete the required work above is $2,544 (including taxes).

The total estimated cost to re-ditch the entire length of roadside ditches on Farr and River Roads is $61,870 (including taxes).

Council approved a project in the 2023 operating budget to complete roadside ditching in the amount of $100,000. The cost to complete the ditching work can be funded by this account in the amount of 27,780 which would defectively reduce the overall budget by 28 percent.

The culvert repairs and maintenance could be funded through the 2023 operating budget for the Roads Department. In addition, Council approved a capital project RD 06-23 Culvert Replacement Program in the amount of $60,000 which could be used to fund any replacements required.

Alternatives Reviewed:

Council may consider directing staff to complete a more detailed inspection and survey of the roadside ditches and culverts to determine a reduced scope of work that would be aimed at improving the performance of the roadside ditches and culverts along Farr Road and River Road. The cost to complete selective targeting of areas to receive re-ditching and culvert maintenance/replacement could be reduced following a more detailed review, lowering the overall cost. The ditching would still be funded through the annual ditching contract and the cost to perform any culvert maintenance would be absorbed by the 2023 operating budget. Major culvert repairs and replacements could be funded through capital account RD 06-23 Culvert Replacement Program.

Strategic Plan Relationship: Infrastructure Investment and Renewal

Maintaining the Town's Road infrastructure is critical to ensuring the safe movement of vehicular and pedestrian traffic. In addition, maintaining the drainage systems within the Town's Road allowance helps to mitigate against pre-mature failure of our road network and reduces the risk associated with flooding concerns caused by the Town's Road infrastructure.

Consultation:

A consultation was undertaken with the Manager of Engineering, Director of Community Planning & Development, and the Treasurer/Director of Corporate Services.

Other Pertinent Reports/Attachments:

2023-0097-Planning Drainage Study Farr, River and Webber Road, April 19, 2023.

Prepared and Recommended by:

Jason Marr, P. Eng.
Director of Public Works

Prepared and Submitted by:

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

Clerks' Office
Wednesday, May 03, 2023

Subject: Establishment of Environmental and Climate Adaptation Advisory Committee

Recommendation:

> **BE IT RESOLVED THAT Council receive Report #2023-109 - Establishment of Environmental and Climate Adaptation Advisory Committee, for information;**
>
> **AND THAT Council for the Town of Pelham confirm and establish the Environmental and Climate Adaptation Advisory Committee;**
>
> **AND THAT Council approve the Terms of Reference attached hereto, as recommended by staff;**
>
> **AND THAT Council direct staff to seek applications from interested residents for the Environmental and Climate Adaptation Advisory Committee for appointment in 2023 through the balance of this term of Council, with applications to be considered in closed session with appointments to occur in open session.**

Background:

On April 5, 2023, Council for the Town of Pelham received the draft 2023-2027 Strategic Plan and adopted the following resolution:

> **BE IT RESOLVED THAT Council receive the presentation from David Cribbs, Chief Administrative Officer entitled Draft Town of Pelham 2023-2027 Strategic Plan, for information;**
>
> **AND THAT Council endorse and adopt the 2023-2027 Strategic Plan, as presented, and as amended;**
>
> **AND THAT the Chief Administrative Officer be and is hereby directed to take the necessary steps to implement the Strategic Plan.**

One of the action items identified within the strategic plan under the umbrella of Environmental and Climate Adaption, was the establishment of an Advisory Committee.

This report is provided in support of that action item by bringing forward terms of reference for a potential Environmental and Climate Adaptation Advisory Committee, along with the call for applicants to sit on the Committee.

Analysis:

Staff have reviewed other municipal Environmental and Climate Adaptation Advisory Committee terms of reference and have developed a draft term of reference for Council's consideration. The draft terms of reference are appended to this report.

Staff recommend the proposed Environmental and Climate Adaptation Advisory Committee meets bi-monthly.

Financial Considerations:

With the creation of this Committee, midyear, there has been no allocation of budget within the 2023 approved Town Budget.

It is not anticipated that the Committee will require to expend any significant funds in its early term. Subsequent years may see requests made as part of the annual budget process. Future budget requests, if any, will be supported by a Committee request in recommending any proposed budget allocation.

Alternatives Reviewed:

As this was identified as a key requirement under the recently completed Strategic Planning exercise no other alternatives were investigated.

Council however does have the authority to modify the proposed terms of reference, composition of the Committee, meeting times and frequency or in any manner that they deem required to meet the needs they envisioned during the Strategic Planning discussions.

Strategic Plan Relationship: Environmental and Climate Change Adaptation

Pelham is known locally and within the province for its environmental concerns and its collective desire to be good stewards of the land and environment.

Establishing an Environmental and Climate Adaptation Advisory Committee demonstrates Council's commitment to the environment within Pelham and its concern with the impacts that climate change is having across the planet.

As elected representatives, establishment of this committee ensures this community has a voice when developing policies which might affect, not only its local environment, but it will also assist in lessoning impacts on the broader world in relation to climate change impacts.

Consultation:

David Cribbs, Chief Administrative Officer

Other Pertinent Reports/Attachments:

1. Draft Environmental and Climate Adaptation Advisory Committee Terms of Reference

Prepared and Recommended by:

William Tigert
Town Clerk

Prepared and Submitted by:

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

Advisory Committee Name:	Environmental and Climate Adaptation Advisory Committee (ECAAC)
Meeting Date and Time:	Fourth Wednesday of the month 2:30 – 4:00pm **(Proposed)**
Meeting Location:	Meridian Community Centre, Kinsmen Room

Purpose
The purpose of the Environmental and Climate Adaptation Advisory Committee (ECAAC), is to provide input and perspective on matters related to Environmental and Climate Change issues and potential adaptations that impact the Town of Pelham (the "Town").

Mandate
The mandate of the Environmental and Climate Adaptation Advisory Committee is to provide feedback, advice and recommendations to Town Council and staff with respect to the following areas:

- Identify and advise on identified Environmental Issues within the Town
- Identify and advise on Climate change issues and adaptation strategies to lessen the impacts on the Town and its citizens
- The Committee is responsible for providing advice and recommendations to Council on environmental issues impacting the municipality.
- The Committee is an environmental advisory body that will promote the stewardship, preservation, conservation, protection and enhancement of the natural environment within the Town of Pelham
- Identify and endorse potential "thinking green sustainability policies" for consideration by Town Council
- Promote/Plan community events and activities for stewardship, awareness, education, and outreach
- To recommend environmental protection and climate adaption strategies that includes communication, education, and incentives for the Town to consider

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

- One (1) Member of Council (Ex-officio).
- Up to five (5) resident representatives.
- Up to two (2) community group volunteer(s).
- Director of Public Works and Engineering as the lead department or designate (as a resource).
- Clerk or designate as the Secretary (as an administrative resource).

Applicants must meet the following criteria to be eligible for appointment:

- Resident of the Town of Pelham.
- Must sign the Councillor Code of Conduct.
- Must sign Confidentiality Agreement.

The meetings of the Environmental and Climate Adaptation Advisory Committee 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 Environmental and Climate Adaptation Advisory Committee shall meet regularly on the fourth Wednesday monthly commencing in September 2023, between 2:30 and 4:00 pm **(proposed)** at the Meridian Community Centre, Kinsman Room, however, additional meetings may be scheduled to deal with any urgent matters subject to the availability of Members and staff. An alternative date and time for meetings would be Second Tuesday of the month 2:30 – 4:00 pm.

Committees are entitled to a summer/ vacation break.

Term of Committee
The term of membership shall be normally 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 meet during the election period which commences on Nomination Day as determined by the *Municipal Elections Act, 1996.*

Resources and Budget
The Public Works and Engineering department is the designated lead department providing support for the Environmental and Climate Adaptation Advisory Committee; however, the Environmental and Climate Adaptation Advisory Committee also has access to the technical expertise of staff from other Town of Pelham departments as may be required.

This Committee shall normally be allotted a Budget 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.

Consent
By applying to the Environmental and Climate Adaptation Advisory 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 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 Council with input and advice from the Committee.

Council Approval Date:

Chief Administrative Officer
Wednesday, May 17, 2023

Subject: Proposed Strategic Plan Action Item Completion Timelines

Recommendation:

> **BE IT RESOLVED THAT Council receive Report #2023-0106 - Proposed Strategic Plan Action Item Completion Timelines, for information**
>
> **AND THAT Council endorse the proposed timelines, in principle.**

Background:

At its regular meeting on April 5, 2023, Council adopted the [then] draft Strategic Plan, 2023-2027. As part of its deliberations, Council directed the Office of the CAO to provide a timeline report with completion estimates regarding the various action items identified in the plan. This report is written in satisfaction of said direction.

Analysis:

The action items have been listed under the plan's five areas of strategic focus. The action items are specific, measurable tasks designed to accomplish the various areas of strategic focus, which in turn are designed to help accomplish the plan's vision and mission. Further, the action items span the gamut of municipal operations and concerns: some are technical documents, some are major construction projects, others technological initiatives, others require community leadership and participation.

The table below has a lack of specificity, as many of the action items require some amount of third-party funding, or the participation of third parties or other variables beyond the direct control of either Council or Town Administration. Nevertheless, it is possible to indicate which projects can realistically be commenced in which year(s), and which action items are multi-year tasks versus short-term endeavours.

Across the spectrum of work, it is anticipated that something close to 50% of the tasks will be completed or substantially completed by the end of 2024, which supports the previously identified target of a strategic plan review/refresh exercise in the late winter of 2025. That exercise will commence with a report to Council so

as to receive specific direction and will be heavily influenced by consultation with the public and key stakeholders regarding content and prioritization.

	2023	2024	2025	2026
Environmental & Climate Adaptation				
Community Gardens/Communities In Bloom, Green Public Participation	Start	Work	Work	Work
Eco/Energy Building Standards Report			Start	Finish
Electric Vehicle Fleet & Charging Stations	Start	Work	Work	Finish
Environmental and/or Climate Change Advisory Committee	Start	Work	Work	Work
Improved Recycling at Municipal Events	Start	Work	Finish	
Net Zero Facilities Report			Start	Finish
Policy & Operations re: Stormwater Management Ponds	Start			
Tree Canopy & Reforestation	Start	Work	Work	Work
Infrastructure Investment & Renewal				
Evolution of Fire Fleet (Heavy Rescue)	Start	Work	Finish	
Facilities Master Plan		Start	Finish	
Fire Station #1 Refurbish/Expansion	Start	Work	Work	Finish
Future of Fonthill Library Branch	Start	Work	Work	Finish
Revised Engineering Standards	Start	Finish		
Roads Standards Recycle/Innovation	Start	Work	Work	Work
Tice Road Expansion/Reno/Relocation		Start	Work	Work
Enhancing Capacity & Future Readiness				
Continuous Technological Enhancement – Corporate Services		Start		
Continuous Technological Enhancement – Public Works	Start	Work	Finish	
Municipal Elections & Governance Model	Start	Work	Finish	
Parking Technology	Start	Work	Finish	
New System for Special Events	Start	Finish		
MCC Staff & Resource Reporting	Start	Finish		
Recreation & Culture Master Plan		Start/ Finish		
Update Code of Conduct	Start/ Finish			
Financial Health				
Airport Governance, Financing & Capital Needs Assessment	Start	Work	Work	Finish
Insurance Review	Start	Finish		
Formal Debt Targets & Discussion of Financial Positioning	Start & Finish			
Future of Investment in Hydro	Start	Finish		
Explore Shared Service Model with municipal partners	Start	Work	Work	Work
Community Development & Growth				

Community Safety Zones/Traffic Studies	Start	Finish		
East Fenwick Secondary Plans	Start	Finish		
Lathrop Trail System		Start	Work	Finish
New Official Plan	Start	Finish		
Strategic Use of Town Lands	Start			
South Fonthill Secondary Plans	Start	Finish		

Financial Considerations:

There are no financial considerations associated with this report. Many of the action items have major financial considerations, however those will be addressed in future subject-specific and budgetary reports.

Alternatives Reviewed:

Not applicable as this report was directed by Council.

Strategic Plan Relationship: Enhancing Capacity and Future Readiness

Identifying project timelines allows for both Council and the community to assess staff, corporate and community progress towards the various goals identified in the Town's strategic plan.

Consultation:

All members of the Senior Leadership Team were consulted in the drafting of this report.

Other Pertinent Reports/Attachments:

Town of Pelham 2023 – 2027 Strategic Plan

Prepared and Submitted by:

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

Recreation, Culture and Wellness Department
Wednesday, May 03, 2023

Subject: Pelham Communities in Bloom 2023 - 2024

Recommendation:

BE IT RESOLVED THAT Council receive Report # 2023-0107 Pelham Communities in Bloom 2023-2024, for information;

AND THAT in furtherance of the Strategic Plan's Action Item to pursue "Community Gardens/Communities in Bloom, Green Public Participation," Staff request Council's support to participate in the 2023 Miracle-Gro Best Garden Section program from Scotts Canada.

AND THAT Council implement the Communities in Bloom Program in 2024;

AND THAT Council direct staff to include a Communities in Bloom program budget of $10,000 in the 2024 budget for Council's consideration;

AND THAT Council approve the draft Terms of Reference for a Communities in Bloom Volunteer Working Group for 2024.

Background:

Council passed the Town's new strategic plan in the first quarter of 2023. This report is the first of many written to partially satisfy the action item "Community Gardens/Communities in Bloom, Green Public Participation" established under the Environmental & Climate Adaptation Area of Focus.

Town Staff are recommending a garden competition for the summer of 2023 and to take the steps necessary to effectively compete in the Communities in Bloom program competition in 2024. Those steps include the creation of a working group to commence in the fall of 2023.

Communities in Bloom is a volunteer and partnership-driven organization that uses a multi-tiered competitive evaluation process to foster community strength, involvement and continuous improvement. This is accomplished by nurturing

environmental sustainability, enhancements of green spaces, and heritage conservation, in cultural and natural environments encompassing municipal, residential, commercial, and institutional spaces.

History of Communities in Bloom:
Established with the guidance of Britain in Bloom, Tidy Towns of Ireland and Villes et Villages Fleuris de France, Communities in Bloom held its first edition in 1995 and 29 participating municipalities were honoured at the first awards ceremonies on Parliament Hill. The program now includes hundreds of communities across the country and an international challenge involving communities from the United States, Asia and several European countries allows participants to compete internationally.

About Communities in Bloom Program:
The program consists of communities receiving information and being evaluated either provincially or nationally by a volunteer jury of trained professionals on the accomplishments of their entire community (municipal, private, corporate and institutional sectors, citizens) on six key criteria: Community Appearance, Environmental Action, Heritage Conservation, Tree Management, Landscape and Plant & Floral Displays.

Benefits of participating in Communities in Bloom:
Growth in civic pride, positive sense of community, and tangible improvements generated by their efforts are immediately felt. Communities in Bloom is a community program where everyone wins. It is a resident-led, community economic development program, with a Return on Investment that is measurable, predictable and accountable.

The National Symposium on Parks and Grounds is held in conjunction with the annual national awards ceremonies, this event is a unique opportunity for elected officials, parks and grounds professionals and community volunteers to learn and share about current issues, trends and challenges not only in horticulture and gardening, but in community tourism and projects, environmental awareness, and much more. Workshops and awards ceremonies are also held in all provinces throughout the year.

The Communities in Bloom Foundation, established to support the educational aspect of its activities, is dedicated to funding, developing and disseminating education and awareness to a wide audience on the value, improvement, importance and sustainable development of green spaces and natural environment in Canadian society. The foundation also awards bursaries to students in horticulture / environment programs.

Within the context of climate change and environmental concerns, communities involved in the Communities in Bloom program can be proud of their efforts, which provide real and meaningful environmental solutions and benefit all of society.

How Communities in Bloom will be implemented for 2023 – 2024:

The Town of Pelham has been selected to participate in the 2023 Miracle-Gro Best Garden Selection program from Scotts Canada. For 2023 staff will recruit volunteer community judges for the Best Garden Selection, host a nomination form for residents to submit their garden in the competition and the announcement of Best Garden Selection will be posted by August 25. Hosting the Best Garden Selection Program aims to gain interest in the Communities in Bloom initiative to recruit members and community champions for 2024. The draft terms of reference for a potential Communities in Bloom Working Group is attached to this report.

Town staff attended a Communities in Bloom information session and learned that a best practice is to form a committee involving both municipal employees and community members to start planning for competition-related work approximately 6-8 months prior to entering the program. On this basis it is recommended that an official working group be created and commence meeting in the fall of 2023.

Analysis:

The purpose of this report is to establish a Communities in Bloom committee for 2024 and to request funding of $10,000 to implement and recruit volunteers for 2023 and enhance the Communities in Bloom program in 2024.

The Town participated in the Communities in Bloom National Judging program in 2000 and again in 2004. To successfully implement the Communities in Bloom program it is recommended to establish a Communities in Bloom committee to assist with the judging component and implementation of the recommendations out of the Communities in Bloom evaluation report. See attached for a sample of the Communities in Bloom Evaluation Report & a sample judging itinerary.

Financial Considerations:

For 2023, it is anticipated that $3,000-$4,000 will be required to implement the Miracle Grown Best Garden contest. These monies will be covered under the existing Beautification operating budget.

A budget approval of $10,000 (2024 budget) will be requested to support with the following components of Communities in Bloom:

- Registering for Communities in Bloom program; annual subscription

- Hosting the Communities in Bloom Judges in August of 2024
- Implement recommendations from Communities in Bloom Evaluation Reports

It is anticipated that approximately $1,000 will be required this year with the balance in 2024, which, with the direction of Council, will be built into the 2024 budget. The $1,000 will be financed out of existing municipal operations.

Strategic Plan Relationship: Environmental and Climate Change Adaptation

By focusing on environmental and climate adaptation, the Town of Pelham will prioritize actions that will continue to protect and conserve the natural heritage and resources in Pelham. Priorities of the Town in this area will provide the foundation for a clean, safe and sustainable environment for present and future generations.

Consultation:

Communities in Bloom Information Session

Teresa Quinlin-Murphy, Director of Finance

Other Pertinent Reports/Attachments:

Communities in Bloom Committee Draft Terms of Reference

Prepared and Recommended by:

Jodi Shiskov, Festivals & Events Programmer

Vickie vanRavenswaay, RRFA
Director of Recreation, Culture and Wellness

Prepared and Submitted by:

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

Volunteer Working Group:	**Communities in Bloom**

Purpose
The purpose of the Communities in Bloom Working Group is to inspire the community to enhance the visual appeal of their neighbourhoods and public spaces through the creative use of plants and landscaping with an overall respect to environmental stewardship and preservation of heritage assets in the Town of Pelham (the "Town").

Mandate
The Communities in Bloom Working Group will focus on the areas of:

- Community Appearance;
- Environmental Action;
- Heritage Conservation;
- Tree Management;
- Landscaping; and
- Plant and Floral Displays.

Membership:
Membership shall consist of the following:

- Up to five (5) interested Pelham residents;
- Up to two (2) representatives from local service clubs;
- Up to two (2) representatives from local businesses;
- Director of lead department, or designate (as a resource).

Applicants must meet the following criteria to be eligible for appointment:

- Must sign the Code of Conduct for Elected and Appointed Officials.

Applications will be considered, and membership approved by the Director of Recreation, Culture and Wellness.

The meetings of the Communities in Bloom Working Group 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 Recreation, Culture and Wellness in consultation with the Communities in Bloom Working Group.

Term of Working Group
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 Recreation, Culture and Wellness department is the designated lead department providing support for the Communities in Bloom Working Group; however, the Communities in Bloom Working Group also has access to the technical expertise of staff from other Town of Pelham departments as may be required.

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

Consent
By applying to the Volunteer Working Group, 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 Recreation, Culture & Wellness	Chief Administrative Officer

Executed this _____ day of _____, 2023.

Evaluation Form

2023

Canada

Communities in Bloom
People, Plants and Pride... Growing Together

Collectivités en fleurs
Citoyens et espaces verts en harmonie... une société florissante

2023 Evaluation Form

2023 Evaluation Form

Community: Click here to enter text.

Province: Click here to enter text.

Category: Click here to enter text.

The evaluation is based on 8 criteria, divided into the 6 following sections, assessing 4 sectors of the community:

Tidiness	0.00	/	**150.00**
Environmental Action	0.00	/	**150.00**
Heritage Conservation	0.00	/	**150.00**
Urban Forestry	**Error! Reference source not found.**	/	**Error! Reference source not found.**
Landscape	0.00	/	**200.00**
Floral Displays	0.00	/	**175.00**
Total	0.00	/	**1000.00**

Percentage: 0.00%

Bloom rating: Click here to enter text.

Bloom rating: Up to 55%: 1 bloom. 56% to 63%: 2 blooms. 64% to 72%: 3 blooms 73% to 81%: 4 blooms. >82%: 5 blooms.

Mention: Click here to enter text.

Representative (s) of Community

Name:	Click here to enter text.	Function :	Click here to enter text.
Name:	Click here to enter text.	Function :	Click here to enter text.
Name:	Click here to enter text.	Function :	Click here to enter text.

Judges

Name:	Click here to enter text.	Name:	Click here to enter text.

Evaluation date: Click here to enter a date.

IMPORTANT NOTES:

* Evaluation is adjusted to the climate and environmental conditions of the community.

* Some aspects of the evaluation might not be applicable: scoring will be prorated.
* The score will vary from the previous year based on the facts that the evaluation form is subject to modifications each year and that the evaluation is based on the perception of the current judges.

SECTORS OF EVALUATION

Municipal:

- Municipal properties, parks and green spaces, streets, streetscapes
- Properties owned and run by municipality such as museums, historical sites

Business and Institutions:

Properties owned and managed by

- **Business:** commercial sector, shopping centres, commercial streets, industrial parks, manufacturing plants
- **Institutions:** schools, universities, churches, hospitals, service and community organization buildings (such as YMCA, Legion), private museums, government and crown corporations buildings (such as Canada Post)
- **Tourism bureaus and Chamber of Commerce offices**
- **Farms:** in rural communities, farms can be considered in this section

Residential:

- Citizens and citizen groups acting within their own properties
- Residential property owners, rate payer groups

Community Involvement:

The principle of community involvement is so fundamental to the program that it is considered in each segment of the evaluation.

- Individuals, community organizations and citizen groups – all contributing to various aspects of community improvement, including municipal spaces maintained through the efforts of volunteers and community
- Organized clubs such as horticultural societies, garden clubs, community associations
- Service clubs such as Rotary, Lions, and Optimist
- Participation (financial and/or in-kind or employee participation) by the municipality, businesses and institutions.

GENERAL COMMENTS AND SUGGESTIONS

Click here to enter text.

TIDINESS

Tidiness includes an overall tidiness effort by the municipality, businesses, institutions and the residents throughout the community. Elements for evaluation are parks and green spaces, medians, boulevards, sidewalks, streets; municipal, commercial, institutional and residential properties; ditches, road shoulders, vacant lots, signs and buildings; weed control, litter clean-up (including cigarette butts and gum), graffiti prevention/removal and vandalism deterrent programs.

	Max	Actual
Municipal		
Tidiness, order, cleanliness and first impressions	10	0
Community anti-litter awareness programs	10	0
Effective bylaws, programs and policies and enforcement; litter control, graffiti prevention and eradication, graffiti removal kits to residents	10	0
Cleanliness of public green infrastructure: parks, streetscapes (sidewalks, planters, urban signage and furniture such as benches, liter and recycling containers etc.)	15	0
Visual appeal, and condition of municipal buildings and properties (including City Hall grounds)	15	0
Business & Institutions		
Tidiness, order and cleanliness and first impressions	15	0
Condition of buildings (exterior maintenance), grounds, sidewalks and parking lots	15	0
Condition of urban furniture: benches, litter and recycling containers	5	0
Residential		
Tidiness, order and cleanliness	20	0
Condition of buildings, grounds and yards	15	0
Community Involvement		
Public participation in community, neighbourhood or individual street tidiness, clean-up programs, activities and annual maintenance (including promotion, organization, innovations involving youth and seniors, etc.)	10	0
Support – financial and/or in-kind or participation by the municipality, businesses and institutions for community clean-up programs	10	0
Tidiness Total	**150.00**	**0.00**

TIDINESS

Observations:

Click here to enter text.

Recommendations:

Click here to enter text.

ENVIRONMENTAL ACTION

Environmental action pertains to the impact of human activities on the environment and the subsequent efforts and achievements of the community with respect to: policies, by-laws, programs and best practices for waste reduction and landfill diversion, composting sites, landfill sites, hazardous waste collections, water conservation, energy conservation, and environmental stewardship activities under the guiding principles of sustainable development pertaining to green spaces.

	Max	Actual
Municipal		
Sustainable development strategy: policies, programs, guidelines, long-term planning / vision; effective bylaws / policies and their enforcement; and public education programs and activities	20	0
Waste reduction to landfill and results (3-R : reduce, reuse and recycle), municipal composting programs, including activities such as composting sites, yard waste collections, mulching of wood debris (Christmas trees, hedge trimmings, etc.), reclamation of cut trees, and handling of hazardous waste including e-waste collection and reuse of compost material	20	0
Water conservation and use-reduction programs: efficient appliance incentives or promotions, efficient irrigation, use of non-potable water, water restriction policies and rainwater management	15	0
Energy conservation programs such as alternate forms of energy (ex. geothermal, biomass, wind, solar), and initiatives such as: efficient appliances initiatives, shielding for night skies issues, efficient street lighting	15	0
Environmental initiatives, innovations and actions such as: • Development and expansion of sustainable mobility and active transportation network such as bike lanes and multi-used pathways; • Horticultural practices such as green roofs, green walls, green lanes, living fences, buffer zones; re-use of sites; engineered wetlands, bio-swales, permeable surfaces and rain water management • Brownfield redevelopment, remediation, land reclamation • Air quality programs such as anti-idling, reduction of greenhouse gas emission (carbon reduction).	10	0
Business & Institutions		
Participation in the environmental effort: such as waste management (reduce, reuse and recycle), water conservation, energy conservation, brownfield management	10	0
Corporate environmental innovation / stewardship, initiatives, activities (ex. environmental clean-up activities)	10	0
Residential		
Participation in the 3-R (reduce, reuse and recycle) initiatives and composting	10	0
Adoption of water conservation practices & policies including rainwater collection	15	0
Community Involvement		
Public participation in public forums and policy development on environmental issues	5	0
Public participation in community, neighbourhood or individual street environmental activities and programs (including promotion, organization and evidence of taking ownership), etc.)	10	0
Support – financial and/or in-kind or participation by the municipality, businesses and institutions in public environmental activities and programs	10	0
Environmental Action Total	**150.00**	**0.00**

ENVIRONMENTAL ACTION

Observations:
Click here to enter text.

Recommendations:
Click here to enter text.

HERITAGE CONSERVATION

Heritage conservation includes efforts to preserve natural and cultural heritage within the community. Preservation of natural heritage pertains to policies, plans and actions concerning all elements of biodiversity including flora and fauna ecosystems and associated geological structures and formations. Cultural conservation refers to the heritage that helps define the community including the legacy of tangible (built/hard assets) elements such as heritage buildings, monuments, memorials, cemeteries, artifacts, museums and intangible elements such as traditions, customs, festivals and celebrations. The participation of groups such as historical societies and conservation groups are considered.

	Max	Actual
Municipal		
Natural heritage policies, by-laws and their enforcement and effective programs	10	0
Natural heritage management plans and preservation initiatives: including eco systems, eco parks, protection of sensitive habitats, species at risk, support for at risk pollinators, grasslands, naturalization, wetlands, urban agriculture/farming, and wildlife	15	0
Management and promotion of natural heritage (through communications, information and support programs, economic development / tourism) including activities and programs (year-round) for education and use of natural heritage sites for and by the public	15	0
Cultural heritage polices, by-laws and plans and preservation initiatives for heritage buildings, cemeteries, artefacts, museums, monuments , heritage trees and gardens, including their integration with streetscapes and landscape	15	0
Cultural heritage initiatives throughout the year including festivals and celebrations along with preservation of traditions and customs	10	0
Business & Institutions		
Conservation, restoration and integration of natural heritage, including eco parks, conservation areas, heritage gardens, trees and landscapes.	15	0
Promotion of local heritage, including heritage gardens, native plants, and heritage trees	10	0
Residential		
Conservation / restoration and reuse of heritage buildings, artefacts on residential lands.	10	0
Community Involvement		
Public participation in community, neighbourhood or individual natural heritage programs including developing policies and plans, site improvements and management, conservation and education initiatives.	15	0
Support – financial and/or in-kind or participation by the municipality, businesses and institutions (including environmental groups) in community initiated natural heritage activities and programs.	15	0
Public participation in community, neighbourhood or individual cultural heritage programs including year-round heritage community events/activities, festivals and celebrations along with preservation of traditions and customs	10	0
Support – financial and/or in-kind or participation by the municipality, businesses and institutions (including historical societies) in community initiated cultural heritage activities and programs.	10	0
Heritage Conservation Total	**150.00**	**0.00**

HERITAGE CONSERVATION

Observations:
Click here to enter text.

Recommendations:
Click here to enter text.

URBAN FORESTRY & TRAILS

Urban Forestry and Trails includes the efforts of the municipality, businesses, institutions and residents with regards to written policies, by-laws, standards for tree and trail management (selection, design, signage, planting, and maintenance), long and short-term management plans, tree replacement policies, pollinator friendly tree selection, tree inventory, and Integrated Pest Management (IPM), heritage, memorial and commemorative trees. Trail types, signage, risk management policies, accessibility, surfacing and promotion

	Max	Actual
Municipal		
Overall impact, benefit and first impression of the urban forest and trail	10	
Policies, regulations and tree by-laws, tree protection and planting on public and private lands	15	
Urban forestry and trail plan and design, including integration with overall green infrastructure landscape plan, and measures to preserve, protect, manage and expand overall tree inventory, including woodlots and trails	20	
Plan of action: procurement, species diversity (including native trees), selection of hardy and pollinator habitat tree species, recommended tree list and tree planting standards. Trail linkages , land acquisition, landowner agreements, stakeholder engagement	10	
Integrated Pest Management (IPM) / Plant HealthCare (PHC): plan of action for invasive pest detection and control, information on current infestations and diseases . Trail vegetative encroachment control and risk management	10	
Public information programs: good planting techniques, best practices and maintenance programs including Trail promotion, signage, guides, trail use protocols	15	
Maintenance best practices with proven results	10	
Qualified personnel (including seasonal staff) and/or in place training programs	5	
Business & Institutions		
Contribution to expanding overall trail and tree inventory, with consideration of design and diversity including native and hardy species of trees, on properties owned by business and institutions.	15	
Maintenance programs, best practices with proven results: watering, pruning, IPM, surfacing, signage, trailhead markers, hazard removals, inspections	10	
Residential		
Contribution to expanding overall trail and tree inventory, with consideration of design and diversity including native and hardy species of trees on residential properties	15	
Maintenance best practices with proven results	10	
Community Involvement		
Public participation in tree planting and conservation programs such as Green Streets Canada, Arbor Day, Maple Leaf Day, and other tree planting and maintenance programs and activities on public lands (including promotion, organization etc.) Trail adoption, clean up days, maintenance and public safety awareness for users, eg snowmobilers, hikers, ATV, horses, etc	20	
Support – financial and/or in-kind or participation or promotion by the municipality, businesses and institutions for community trail maintenance and stewardship, tree planting and conservation programs on public lands	10	
Urban Forestry Total	**175.00**	**0.00**

Observations:
Click here to enter text.

Recommendations:
Click here to enter text.

LANDSCAPE

Landscape includes planning, design, construction and maintenance of parks and green spaces suitable for the intended use and location on a year-round basis. Elements for evaluation include: native and introduced materials; balance of plants, materials and constructed elements; appropriate integration of hard surfaces and art elements, use of turf and groundcovers. Landscape design should harmonize the interests of all sectors of the community. Standards of execution and maintenance should demonstrate best practices, including quality of naturalization, use of groundcovers and wildflowers along with turf management.

	Max	Actual
Municipal		
First impressions of the community including gateway / entrance treatments	10	0
Sustainable designs (seasonally adjusted year round): energy efficient, use of green materials, naturalization, xeriscaping, suitable plant varieties (including pollinator friendly) , traffic calming, bank stabilisation	10	0
Urban and civic design standards for streetscape and public places: flags, banners, public art, fountains, site furnishings, signage, seasonal design and décor, walkways and paving materials	10	0
Landscape Plan: integrated and implemented throughout the municipality	10	0
Turf management programs, Integrated Pest Management (IPM), Plant Health Care (PHC), alternative solutions to diseases and infestations when appropriate, increased naturalization and adapted maintenance programs	10	0
Landscape maintenance policies, standards, best practices and programs	10	0
Landscape maintained to appropriate standards, specifications and best practices	5	0
Qualified personnel (including seasonal staff) and/or in place training programs	10	0
Demonstrated year-round opportunities and programs for education and use of parks and green spaces (urban agriculture, community gardens, parks and recreation programs)	10	0
Business & Institutions		
Sustainable designs (seasonally adjusted year round): energy efficient, use of green materials, naturalization, xeriscaping, alternate groundcovers, urban agriculture	10	0
Contribution to urban and civic design and public green spaces above requirements: such as public art, streetscape, site furniture, fountains & innovation in concept & design	15	0
Adequate ongoing life cycle management (ongoing maintenance, ground & asset management, rehabilitation & replacement) of all landscape elements	10	0
Residential		
Streetscape appeal of landscapes (year-round, seasonal, themed)	15	0
Maintenance of properties: lawn care and shrub maintenance (with proven results)	15	0
Selection of plant material (native, local, innovative, edible and pollinator friendly plants)	10	0
Community Involvement		
Public participation in community programs such as: urban agriculture, community gardens, "yard of the week", volunteer park maintenance, holiday illumination & decoration (promotion, organization, etc.)	20	0
Recognition (by municipality and/or by volunteer groups) of volunteer efforts in all aspects of the Communities in Bloom Program including activities in all evaluated criteria	20	0
Landscape Total	**200.00**	**0.00**

LANDSCAPE

Observations:
Click here to enter text.

Recommendations:
Click here to enter text.

FLORAL DISPLAYS

Floral displays evaluates efforts of the municipality, businesses, institutions and residents to design, plan, execute, and maintain floral displays of high quality standards. Evaluation includes the design and arrangements of flowers and plants (annuals, perennials, bulbs, ornamental grasses, edible plants, water efficient and pollinator friendly plants) in the context of originality, distribution, location, diversity and balance, colour, and harmony This pertains to flowerbeds, carpet bedding, containers, baskets and window boxes.

	Max	Actual
Municipal		
Integration into overall landscape plan and distribution through community. Concept and design including sustainable design	15	0
Diversity of displays: flowerbeds, raised beds, planters, hanging baskets, window boxes, carpet bedding, mosaics	20	0
Diversity of plants: annuals, perennials, bulbs, grasses, woody plants, natural flora, pollinator friendly plants	10	0
Quality, maintenance to appropriate specifications and standards, best practices: watering, weeding, edging, dead heading, etc.	20	0
Qualified personnel (including seasonal staff) and/or training	10	0
Business & Institutions		
Concept and design (including arrangement, diversity, colour of display and plants) on grounds	15	0
Contribution to, and integration with, overall community floral program	10	0
Quality of planting and maintenance: watering, weeding, edging, dead heading, etc.	10	0
Residential		
Concept and design (including arrangement, diversity, colour of display and plants) on residential properties Pollinator gardens and/or inclusion of pollinator plants in gardens	20	0
Quality of planting and maintenance with proven results	15	0
Community Involvement		
Public participation in community projects, volunteer initiatives, outreach programs in floral displays (including promotion, organization, etc.)	15	0
Support – financial and/or in-kind or participation by the municipality, businesses and institutions for community floral displays activities	15	0
Floral Displays Total	**175.00**	**0.00**

FLORAL DISPLAYS

Observations:
Click here to enter text.

Recommendations:
Click here to enter text.

Canada
Communities in Bloom
People, Plants and Pride... Growing Together
Collectivités en fleurs
Citoyens et espaces verts en harmonie... une société florissante

THANK YOU FOR YOUR INVOLVEMENT

"Within the context of climate change and environmental concerns, communities involved in the Communities in Bloom program can be proud of their efforts, which provide real and meaningful environmental solutions and benefit all of society."

COMMUNITIES IN BLOOM IS MADE POSSIBLE BY

The commitment of local, provincial and national volunteers.

The support of elected officials and of staff in municipalities.

The dedication of our judges, staff and organizations.

The contributions of our sponsors and partners.

The Corporation of the Town of Pelham

By-law No. 29-2023

Being a by-law to amend By-law 13-2023, confirming various appointments to Advisory Committees of the Town of Pelham for the 2022-2026 Term of Council and to appoint members to the Pelham Active Transportation Committee and the Pelham Cultural Advisory Committee.

WHEREAS the Council of the Corporation of the Town of Pelham deems it necessary and desirable to appoint members to Advisory Committees;

AND WHEREAS on December 5, 2022, Council established the creation of the Pelham Finance and Audit Committee, Pelham Seniors Advisory Committee, Pelham Active Transportation Committee, Pelham Cultural Advisory Committee and Agricultural Advisory Committee;

AND WHEREAS on February 21, 2023, Council passed By-law 13-2023 providing for the appointment of individuals to the Pelham Finance and Audit Committee, Pelham Seniors Advisory Committee and Agricultural Advisory Committee;

NOW THEREFORE the Council of the Corporation of the Town of Pelham enacts appointments as follows in the attached schedule, as listed below:

1. **THAT** appointments to the Pelham Active Transportation Committee and the Pelham Cultural Advisory Committee shall be confirmed as listed in Schedule "A" attached hereto and forming part of this By-law.

2. **THAT** from time to time**,** changes to Schedule "A" are necessary due to vacancies created for various reasons, it shall be deemed acceptable for Council to do so by resolution. The resolution be in effect only until the new appointments by-law is brought forward at the usual time at which Council strikes and confirms its appointments, and at which time a new by-law is enacted.

3. **Effective Date**

   3.1. This By-law shall come into force on the date that it is enacted.

Read, enacted, signed and sealed this 03rd day of May, 2023.

_____
Marvin Junkin, Mayor

_____
William Tigert, Town Clerk

Schedule "A" to By-law 29-2023

Advisory Committees

Pelham Active Transportation Committee

Council Representative	Councillor Brian Eckhardt
Public Representatives	Brian Baty Frank Adamson Lori Lehne Patrick O'Hara Rhys Evans Thom Hounsell

Pelham Cultural Advisory Committee

Council Representative	Councillor Shellee Niznik
Public Representatives	Matthew Mocha Stephanie Jones Yvonne Van Lankeld Patrick O'Hara Tammy Van Den Brink

The Corporation of the Town of Pelham

By-law No. 30-2023

Being a by-law to amend By-law No. 4307(2021), as amended, being an Administrative Authority By-law to delegate certain powers and duties under the *Municipal Act,* 2001, S.O. 2001, c. 25, and other Acts as contained in the Scheduled hereto.

WHEREAS section 23.1 of the *Municipal Act, 2001*, S.O. 2001, c. 25 ("*Municipal Act, 2001*" or "the statute") authorizes a municipality to delegate its powers and duties to a person or body, subject to certain restrictions;

AND WHEREAS the Council of the Corporation of the Town of Pelham enacted By-law No. 4307(2021) on January 11, 2021, being an Administrative Authority By-law;

AND WHEREAS the Council of the Corporation of the Town of Pelham deems it necessary and desirable to add additional delegated authority to staff as outlined in the appended Schedules;

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

1. **THAT** the Administrative Authority By-law No. 4307(2021), be amended as shown herein Schedule A to this Bylaw, by repealing and replacing:

    a. Schedule A - Chief Administrative Officer;
    b. Schedule B – Town Clerk;
    c. Schedule C – Corporate Services (Treasurer);
    d. Schedule D – Community Planning and Development; and
    e. Schedule F – Director of Public Works

2. **Effective Date**

    2.1. This By-law shall come into force on the date that it is passed.

Read, enacted, signed and sealed this 03rd day of May 2023.

_____
Marvin Junkin, Mayor

_____
William Tigert, Town Clerk

Schedule "A" to By-law 30-2023 – Delegation of Powers and Duties

Chief Administrative Officer

#	Delegation	Delegate(s)	Legislative Authority	Conditions/ Restrictions
1.	Approve execution of agreements for acquisition of temporary and permanent easements as required for approved capital projects or other municipal purposes, together with such other documents as may be required in connection with such acquisitions provided value of consideration does not exceed $100,000	Chief Administrative Officer	*Municipal Act, 2001*, S.O. 2001, C. 25, as amended, s 23.1 and 270(1)	Terms and conditions of such agreements and related documents must be acceptable to Town Solicitor.
2.	Approve execution of agreements for disposition of temporary and permanent easements as required for approved capital projects or other municipal purposes, together with such other documents as may be required in connection with such disposition, provided the value of consideration does not exceed $100,000	Chief Administrative Officer	*Municipal Act, 2001*, S.O. 2001, C. 25, as amended, s 23.1 and 270(1)	Terms and conditions of such agreements and related documents must be acceptable to Town Solicitor.
3.	Approve execution of agreements for acquisition of fee simple lands as required for municipal purposes, together with such other documents as may be required in connection with such acquisitions provided value of consideration does not exceed $100,000	Chief Administrative Officer	*Municipal Act, 2001*, S.O. 2001, C. 25, as amended, s 23.1 and 270(1)	Terms and conditions of such agreements and related documents must be acceptable to Town Solicitor.
4.	Approve execution of agreements for disposition of fee simple lands as required for municipal purposes, together with such other documents as may be required in connection with such acquisitions provided value of consideration does not exceed $100,000	Chief Administrative Officer	*Municipal Act, 2001*, S.O. 2001, C. 25, as amended, s 23.1 and 270(1)	Terms and conditions of such agreements and related documents must be acceptable to Town Solicitor.
5.	Develop, approve and implement administrative policies, procedures and practices in the exercise of authority under section 229 of the Act.	Chief Administrative Officer	*Municipal Act, 2001*, S.O. 2001, C. 25, as amended, s 23.1	Consultation and/or Delegation to Appropriate Department Director
6.	Pay Equity Adjustments, Grid Movement Approvals	Chief Administrative Officer; HR Specialist; Director	*Municipal Act, 2001*, S.O. 2001, C. 25, as amended, s 23.1	Consultation with Human Resources Specialist and Appropriate Department Director
7.	Negotiate and settle claims against the municipality within insurance deductible limit	Chief Administrative Officer; Town Solicitor	*Municipal Act, 2001*, S.O. 2001, C. 25, as amended, s 23.1	Consultation with Appropriate Department Director
8.	Responsible for legislative requirements under	Chief Administrative	*Occupational Health and*	

	the Ontario Health and Safety Act legislation.	Officer; Director responsible for Health and Safety Committee; Human Resources; CEMC and/or Emergency Operations Committee	*Safety Act,* R.S.O. 1990, c. O.1	
9.	Carry out annual performance evaluation of each Director and advise Council on performance and recommend to Council any appointment, promotion, demotion, suspension or dismissal of Directors reporting to him/her.	Chief Administrative Officer	*Municipal Act, 2001*, S.O. 2001, C. 25, as amended, s 23.1	
10.	Appoint, employ, promote, demote, suspend, discipline and dismiss all employees below the rank of Director of the Corporation.	Chief Administrative Officer	*Municipal Act, 2001*, S.O. 2001, C. 25, as amended, s 23.1	
11.	Authority to approve temporary staff positions (2 year duration or less) or to adapt existing part-time positions to full-time positions, or the reverse, provided that: a) Funds are available within current budgetary allocations; b) All expenditures deemed essential for purpose of achieving objectives of the Town; c) Alternate methods of achieving objectives have been evaluated and proven more costly or less effective than staffing a position;	Chief Administrative Officer	*Municipal Act, 2001*, S.O. 2001, C. 25, as amended, s 23.1 and 270(1)	
12.	Authority to delegate authority when positions identified in the By-law are changed no longer exist.	Chief Administrative Officer	*Municipal Act, 2001*, S.O. 2001, C. 25, as amended, s 23.1 and 270(1)	
13.	Declaration of Internal Conflicts relating to Human Resources, Staff Code of Conduct, and Legal Issues	Chief Administrative Officer		
14.	Approval of all emergency expenditures deemed essential to mitigate the emergency incident.	Chief Administrative Officer; Consultation with Community Emergency Management Co-Ordinator and Treasurer.		
15.	Approve execution of leases and licenses and agreements to lease and license real property provided the value of consideration does not exceed $100,000.00.	Chief Administrative Officer; Town Clerk	*Municipal Act, 2001, S.O. 2001*, C. 25, as amended, s23.1 and 270(1)	Terms and conditions of such agreements and related documents must be acceptable to Town Solicitor
16.	Approve execution of Agreements and Amending	Chief Administrative	Municipal Act, 2001, S.O.	Terms and conditions of such

	Agreements for the acquisition of goods and services or other Town activities, works or services that are ordinary to the business of the Town provided the value of consideration does not exceed $100,000.00.	Officer; Town Clerk	2001, C. 25, as amended, s23.1 and 270(1)	agreements and related documents must be acceptable to Town Solicitor
17.	Reject bids / tenders based on criteria as stipulated in the Procurement Policy – Purchasing Goods and Services S402-00, as amended and on supplier's past performance	Chief Administrative Officer		Pursuant and based on criteria as stipulated in the Procurement Policy – Purchasing Goods and Services S402-00, as amended and on suppliers past performance

Schedule B – Delegation of Powers and Duties

Town Clerk

#	Delegation	Delegate(s)	Legislative Authority	Conditions/ Restrictions
1.	Signing Authority for Agreements Under By-law and/or Pursuant to Tender Awards	Mayor Town Clerk		All Agreements Authorized by Municipal By-law; Affix Corporate Seal; Two Signatures Required Note: Deputy Mayor in Absence of Mayor; Deputy Clerk or Chief Administrative Officer in Absence of Clerk.
2.	Returning Officer, Responsible for Administration of all Municipal General Elections and All By-Elections for the Town of Pelham	Town Clerk	*Municipal Elections Act,* 1996, S.O. 1996, c. 32	Prepare and update forms and written procedures for all components of conducting an election.
3.	Designate an event as event of municipal significance for purpose of prescribing it as a special event occasion where an application has been made.	Town Clerk	*Liquor Licence Act* R.S.O. 1990, c. L. 19	Compliance with all applicable AGCO Regulations; Consultation with applicable Town and/or Regional approvals for licensing.
4.	Issuance of "Letters of No Objection" for temporary liquor licence extensions.	Town Clerk	*Liquor Licence Act* R.S.O. 1990, c. L. 19	Consultation with applicable Town Departments.
5.	Liquor Licence Municipal Clearance (Wet/Dry Status)	Town Clerk	*Liquor Licence Act* R.S.O. 1990, c. L. 19	Issue subject to municipal clearance by all Agencies/ Departments as per AGCO Regulations
6.	Issuance of "Tag Day" approvals for non-profit organizations.	Town Clerk		Repeals Policy S203-17
7.	Issuance of Lottery Licenses	Town Clerk; Deputy Clerk	*Criminal Code* (Canada) Order-in-Council 1413/08 *Gaming Control Act*, 1992	Compliance with all applicable AGCO Regulations. Associated Policy Defines Criteria, S203-05.
8.	Records Management Oversight	Town Clerk	*Municipal Act, 2001*, S.O. 2001, C. 25, as amended, s. 254	By-law #3900(2017) or successor and associated Retention Schedule
9.	Freedom of Information and MFIPPA Co-ordinator; All powers and duties under said Act	Town Clerk; Deputy Clerk; Chief Administrative Officer and Town Solicitor	*Municipal Freedom of Information and Protection of Privacy Act,* R.S.O. 1990 as amended.	Associated Policy.
10.	By Virtue of Office: Division Registrar Commissioner of Oaths Marriage Officiant* Licensing of Marriage**	Town Clerk	*Commissioner for Taking Affidavits Act*, R.S.O. 1990, c. C. 17 *Marriage Act*, R.S.O. 1990, c. M. 3	Marriage Officiant as Authorized by By-law 14-2023 Licensing of Marriage Authorized by By-law 3577(2015)

			Vital Statistics Act, R.S.O. 1990, c. V.4	
11.	Municipal Licensing	Town Clerk, Deputy Clerk	Municipal By-laws Authorizing Licensing	Subject to all applicable By-laws and policies; consultation with applicable departmental authorities.
12.	Approval of Proclamations	Town Clerk*	Policy S201-17	*Initial Proclamation or Flag Raising Subject to Council Approval; Subsequent in accordance with Policy S201-17 Proclamations S203-14 – Flag Raising
13.	Approval of Flag Raisings	Town Clerk*	Policy S203-14	*Initial Proclamation or Flag Raising Subject to Council Approval; Subsequent in accordance with Policy S203-14 – Flag Raising
14.	Maintenance of Policy Manual	Town Clerk	*Municipal Act, 2001*, S.O. 2001, C. 25, as amended, s. 270	Update and maintain Policy Manual upon Council adoption; maintain supporting Procedural Manual
15.	Signing Authority for Transfer Payment Agreements (for grants and other funding being received by the municipality)	Mayor; Town Clerk; Treasurer		Application of Grant and / or Funding having been approved by Council resolution; Two Signatures Required Note: Deputy Mayor in Absence of Mayor; Deputy Clerk or Chief Administrative Officer in Absence of Clerk.
16.	Appoint Non-Statutory Positions (example - By-Law Officer, Weed Inspector, AMPS and Non-AMPS Appeal Officer and AMPS and Non-AMPS Hearing Officer)	Town Clerk		Subject to the approval of the Chief Administrative Officer Note: Deputy Clerk in Absence of Clerk.
17.	Execute Consent to Release Interest in Land, Transfer Release and Abandonment of Easements and Agreements, Inhibiting Orders and associated documents related to the Inhibiting Order and other nominal and routine title documents	Town Clerk; Chief Administrative Officer; Town Solicitor; Mayor		Subject to approval of applicable internal client department (Director of Public Works and/or Director of Community Planning and Development)
18.	Approval of 'Apple Days' and other such minimal fundraising events	Town Clerk; Deputy Clerk		
19.	Apply for special occasions permit on behalf of the Town of Pelham	Town Clerk		
20.	Approval of Special Event Permit Applications	Town Clerk; Deputy Clerk		Subject to approval of applicable internal client departments (Director of Public Works, Director of Community Planning and Development, Fire Chief

				and Director of By-Law Services) and applicable external agencies Note: Events expecting to receive 1,000 or more attendees requires Council approval
21.	Issuance of Temporary Patio Permits	Town Clerk; Deputy Clerk	Policy 201-04	Subject to all applicable By-laws and policies; consultation with applicable departmental authorities.
22.	Issuance of Itinerant Sellers Licences	Town Clerk; Deputy Clerk		Subject to all applicable By-laws and policies; consultation with applicable departmental authorities.

Schedule C – Delegation of Powers and Duties

Director, Corporate Services (Treasurer)

#	Delegation	Delegate(s)	Legislative Authority	Conditions/ Restrictions
General Finance				
1.	Disposition of Land Proceeds Where Not Council Specified for Use of Funds	Treasurer		
2.	Mediate and settle proceedings at the Assessment Review Board and Execute Minutes of Settlement of Assessment Review Board	Treasurer; Consultation with Tax Clerk		MoS must be in best interest of the Town, in opinion of signing officer
3.	Approval of Tax and/or Water Write-Offs and Increases relating to gross manifest errors	Treasurer		
4.	Authority to enter into agreements with the Municipal Property Assessment Corporation (MPAC) for electronic download of property assessment information.	Treasurer Consultation with Town Solicitor for Agreement		
5.	Authority to approve agreements entered into pursuant to the Town of Pelham Development Charge By-law	Treasurer; Consultation with Director of Planning and/or Public Works		
6.	Transfer funds to the appropriate reserves and reserve funds above what is listed in the Reserve and Reserve Fund Policy when funds are available	Treasurer		
Purchasing/Procurement				
1.	Oversight of Procurement of Goods and Services	Treasurer; Purchasing Co-Ordinator	Policy S402-00	
Information Technology				
1.	Authority to enter into recurring annual agreements with respect to continuance of technical software support services, and or data licence agreements, subject to annual review and budget approval.	Information Technology Manager		Review with Treasurer for budget compliance
2.	Authority to enter into OECM Client/Supplier agreements for IT professional services or technical support, as required, subject to project requirements, budget availability and review by and in a form satisfactory to Town Solicitor; and authority to review, approve and release future software source code developed and owned by the Town to the Open Source community under	Information Technology Manager		Review with Treasurer for budget compliance

	appropriate licensing terms, where there is likely to be benefit to the corporation, partners and/or the community.			

Schedule D – Delegation of Powers and Duties

Director, Community Planning and Development

#	Delegation	Delegate(s)	Legislative Authority	Conditions/ Restrictions
Planning Division				
1.	Condominium Approval and Part Lot Control –	Director of Community Planning & Development	By-law 4274(2020) Or successor thereto	By-law enacted August 24, 2020
2.	Approve Site Plan Control Agreements	Director of Community Planning & Development	*Planning Act, R.S.O*. 1990, c. P. 13, s. 41(4.0.1)	
3.	Amendments to Site Plan Agreements	Director of Community Planning & Development	*Planning Act, R.S.O*. 1990, c. P. 13, s. 41(4.01)	
4.	Final Subdivision Approval and Subdivision Agreements and amendments to Subdivision Agreements	Director of Community Planning & Development	*Planning Act, R.S.O*. 1990, c. P. 13, s. 51.2(4)	Technical clearances of draft plan conditions have been received from all agencies/departments
5.	Extension of Draft Plan Approval	Director of Community Planning & Development	*Planning Act,* R.S.O. 1990, c. P. 13, s. 51.2	Extensions required when all draft plan conditions have not been fulfilled
6.	Authority for Development Agreements for Temporary Second Dwelling Units	Director of Community Planning & Development	By-law 3614(2015)	Agreements acceptable to Town Solicitor
7.	Removal or Lifting of Holding Zone when conditions have been fulfilled	Director of Community Planning & Development	*Planning Act, R.S.O*. 1990, c. P. 13, s. 5(1)	Subsequent By-law to Council for Adoption to Repeal Holding Provision
8.	Authority to approve Heritage Permits for alternations, additions or changes to Designated heritage structure	Director of community Planning & Development	*Ontario Heritage Act,* R.S.O. 1990, c. O.18	
9.	Approve minor alternations to Designated properties without a Heritage Permit	Director of Community Planning & Development	*Ontario Heritage Act,* R.S.O. 1990, c. O.18	
10.	Authority to approve Development Agreements that are a condition of Committee of Adjustment decision	Director of Community Planning & Development	*Planning Act,* R.S.O. 1990, c. P. 13, s. 51.2(4)	Agreements acceptable to Town Solicitor
11.	Minor Zoning By-law Amendments	Director of Community Planning & Development	*Planning Act,* R.S.O. 1990, c. P. 13, s. 39(2) and Town Official Plan Policy Part E – Plan Implementation and Administration	Subsequent By-law to Council for Adoption to Repeal Holding Provision
Building Division				
1.	Authority to enter into Limiting Distance Agreements	Chief Building Official	*Building Code Act*, 1992, S.O 1992, c. 23	Agreements acceptable to Town Solicitor

2.	Authority to enter into Conditional Building Permit Agreements	Chief Building Official	*Building Code Act*, 1992, S.O 1992, c. 23	Agreements acceptable to Town Solicitor

Schedule E – Delegation of Powers and Duties

Fire Chief/Director of Fire and By-law Services/

Community Emergency Management Co-Ordinator

#	Delegation	Delegate	Legislative Authority	Conditions/ Restrictions
Fire and Emergency Services Division				
1.	Enter into Fire Service Agreements for provision of fire protection services to lands located outside Pelham or receive services from a fire department located outside of Pelham	Fire Chief/Director of Fire and By-law Services		Agreement acceptable to Town Solicitor. Provide an information report following execution of agreement to Council.
2.	Activate an emergency plan and implement municipal emergency control group notification	CEMC	Emergency Management Plan By-law #4179(2019) or Successor Thereto	Decision to be made in accordance with Town Emergency Plan. Mayor and CAO advised as soon as possible.
3.	Enter into agreements for mutual or automatic aid management operations or emergency response outside scope of Emergency response such as but not limited to CBRNE, Hazmat, confined space, high angle rescue.	Fire Chief/Director of Fire and By-law Services	Emergency Management Plan By-law #4179(2019) or Successor Thereto	Agreement acceptable to Town Solicitor. Report to Council.
4.	Execute agreements for emergency management and emergency response for services such as Red Cross, Transit, Niagara Region Police, Ontario Provincial Police, etc.	Fire Chief/Director of Fire and By-law Services	Emergency Management Plan By-law #4179(2019) or Successor Thereto	Agreement acceptable to Town Solicitor. Report to Council.
5.	Process and issue permits pertaining to fireworks displays.	Fire Chief/Director of Fire and By-law Services	By-law 2951(2008) or Successor Thereto	Refer to By-law #2951(2008)or Successor Thereto re Sale and Setting Off Fireworks
6.	Designate Fire Routes once satisfied requirements have been complied with and submit By-law for approval.	Fire Chief/Director of Fire and By-law Services	By-law #97-2030, as Amended or Successor Thereto	Council to approve designation by-law. Council pre-approval not required.
7.	Authority to take all proper measures for prevention, control and extinguishment of fires and protection of life and property and shall exercise all powers mandated by legislation.	Fire Chief/Director of Fire and By-law Services	*Fire Protection and Prevention Act*, 1997, S.O. 1997, c. 4	
8.	Approval and signing authority to execute agreements and documents to provide fire and public safety training, facility and equipment rentals, and other related fees for services to external clients.	Fire Chief/Director of Fire and By-law Services		
By-law Enforcement Division				

1.	Approve minor variances to the sign by-law including, but not limited to extensions and minor technical non-compliance.	Fire Chief/Director of Fire and By-law Services; and Manager of By-law Enforcement		Report to Council

Schedule F – Delegation of Powers and Duties

Director of Public Works

#	Delegation	Delegate	Legislative Authority	Conditions/ Restrictions
Beautification				
1.	Authorization to close municipal parks due to seasonal restrictions, inclement weather, and emergencies which could affect the health and well-being of the community	Director of Public Works		
2.	Authorization to manage and perform maintenance, removals, and planting of trees within the Town's right-of-way and property	Manager of Public Works	Policy No. S802-01	
Cemeteries				
1.	Authorization to control and manage each cemetery under the jurisdiction of the Town of Pelham subject to the requirements and regulations set out in the Town's cemetery by-law and the *Cemeteries Act*.	Director of Public Works /Manager of Public Works	By-law 3091 (2010) Cemeteries Act	
2.	Authorization to enter into agreements for the sale of interment rights	Director of Public Works/Manager of Public Works	By-law 3091 (2010) Cemeteries Act	
Engineering Services				
1.	Authority to execute applications for new entrance permits and culvert installations; provide written confirmation to applicant of diameter of culvert required	Manager of Engineering or Manager of Public Works	Municipal Act, By-law and Fee Schedule	
2.	Enter into Front-Ending Agreements	Director of Public Works; Consultation with Director of Community Planning and Development		
3.	Authority to enter into water and waste-water service connection agreements	Manager of Engineering or Manager of Public Works	Municipal Act, By-law and Fee Schedule	
4.	Issuance of Road Occupancy Permits and Municipal Consent for utility maintenance and works within road right-of-way, and/or for Special Event Road Closures	Director of Public Works	Utility Franchise Agreements	
Roads/Transportation Services				
1.	May temporarily close any highway or portion of a highway:	Director of Public Works; Consultation with	By-law #1827(1996) or Successor Thereto	

	a) For construction, repair or improvement of the highway or portion of the highway, or construction or repair of any works, under, over, along, across, or upon the highway or portion of highway; b) Social, recreational, community, athletic or cinematographic purpose, or combination thereof; c) For any request under emergency services; d) For construction purposes when public safety may be impacted	Applicable Directors and/or External Agencies.		
2.	Designate construction zones where municipal permit involves construction or repair of a highway or works near a highway, including authority to designate a lower rate of speed for vehicles traveling in construction zones.	Director of Public Works	*Highway Traffic Act*, R.S.O 1990, c. H.8	
3.	Agreements, including cost sharing agreements between the Town of Pelham, the Niagara Region and Local Area Municipalities in Niagara Region, regarding road construction and/or road maintenance, provided the value of consideration does not exceed $100,000.	Director of Public Works		Agreements acceptable to Town Solicitor
4.	Temporary Reduction or Lifting of Load Limits on Highways, including designation of alternate routes where applicable.	Director of Public Works; Consultation with Fire Chief/Director of Fire and By-law Services	By-law 1272(1989)	
5.	Authority to declare a significant weather event in order to extend the response time to achieve Minimum Maintenance Standards	Director of Public Works	Ontario Regulation 239/02 minimum Maintenance Standards for Municipal Highways	
6.	Enter into Encroachment Agreements on road allowances and over easements	Director of Public Works; Consultation with By-law and Planning		Agreements acceptable to Town Solicitor; Conditional on conditions such as survey, covenants to protect the Town;
7.	Authority to sign agreements with Railway Authorities for cost sharing of warning systems and maintenance at level railway crossings, provided the value of consideration does not exceed $100,000.	Director of Public Works		Agreements acceptable to Town Solicitor.

8.	Authority to negotiate with the Region of Niagara for the installation and maintenance for traffic control signal and safety systems.	Director of Public Works		
9.	Authority to amend the schedules that regulate stopping prohibition, stop controlled intersections, parking prohibition, limited parking restrictions, parking meter zones, commercial vehicle load permits, loading prohibitions, yield signs, prohibited turns, one-way highways and speed limits on highways under the jurisdiction of the Town of Pelham.	Director of Public Works	By-law 89-2000	
10.	Authority to approve encroachment over easements with private property owners.	Director of Public Works		In consultation with Town Solicitor
11.	Authority to provide reciprocal assistance to Public Works Departments in other Local Area Municipalities	Director of Public Works	Mutual Aid Agreement between Local Area Municipalities in Niagara Region	
Water and Wastewater				
1.	Authority to sign applications to the Ministry of Environment and Climate Change under the Ontario Water Resources Act on behalf of the Town of Pelham	Director of Public Works	Ontario Water Resources Act	
2.	Delegation of authority to provide reciprocal assistance to Public Works Departments in other Local Area Municipalities	Director of Public Works	Memorandum of Understanding between the Region of Niagara and the Town of Pelham for Water and Wastewater servicing.	
3.	Authority to designate the Overall Responsible Operator (ORO) and the Drinking Water Quality Management System Representative for the Town's Water Distribution System	Director of Public Works in consultation with the Manager of Public Works	Town of Pelham DWQMS Operational Plan *Safe Drinking Water Act,* O.Reg. 170-03	

Schedule H – Delegation of Powers and Duties

Town Solicitor

#	Delegation	Delegate(s)	Legislative Authority	Conditions/ Restrictions
1.	Commence any action, application or other legal proceeding on behalf of the Town where monetary value of claim is below $100,000 excluding interest and costs.	Town Solicitor	*Municipal Act, 2001*, S.O. 2001, C.25, as amended, section s 9, 11 and 23.1	Report to Council from time to time on all actions or other legal proceedings, including description of settlement
2.	Where monetary value of a claim is $100,000 or more, excluding interest and costs, commence any action, application or other legal proceeding on behalf of the Town to ensure no limitation period or other time restriction expires before Council instructions can be obtained.	Town Solicitor	*Municipal Act, 2001,* S.O. 2001, C.25, as amended, section s 9, 11 and 23.1	Obtain instructions of Council as soon as practicable thereafter.
3.	Take all steps necessary to defend any action, application or other legal proceeding commenced against the Town.	Town Solicitor	*Municipal Act, 2001*, S.O. 2001, C.25, as amended, section s 9, 11 and 23.1	Report to Council from time to time on all actions or other legal proceedings, including description of settlement.
4.	Commence any counterclaim, cross-claim or third party claim as part of the Town's defense to any action or other legal proceeding	Town Solicitor	*Municipal Act, 2001*, S.O. 2001, C.25, as amended, section s 9, 11 and 23.1	Report to Council from time to time on all actions or other legal proceedings including description of settlement.
5.	Retain external counsel, any expert or other person to assist in an actual or potential action or other legal proceeding or to obtain legal advice on behalf of the Town.	Town Solicitor	*Municipal Act, 2001,* S.O. 2001, C.25, as amended, section s 9, 11 and 23.1	Cost or retainer shall fall within approved Town budget.
6.	Accept service of any legal document on behalf of the Town.	Town Solicitor or Town Clerk or CAO	*Rules of Civil Procedure*; or *Municipal Act, 2001*, S.O. 2001, C.25, as amended, section s 9, 11 and 23.1	
7.	Obtain standing or participate in any administrative proceeding on behalf of the Town.	Town Solicitor	*Municipal Act, 2001,* S.O. 2001, C.25, as amended, section s 9, 11 and 23.1	Obtain instructions of Council as soon as practicable thereafter.
8.	Take all steps necessary to protect or pursue the rights of the Town in its capacity as an owner, occupier, landlord or tenant of property.	Town Solicitor	*Municipal Act, 2001,* S.O. 2001, C.25, as amended, section s 9, 11 and 23.1	Report to Council from time to time on all actions or other legal proceedings, including description of settlement.
9.	Take all steps necessary to collect debts and outstanding accounts, enforce orders, decisions, awards and judgements made in favour of the Town, including commencement of claims or other legal proceedings.	Town Solicitor	Various Acts and Regulations, including *Courts of Justice Act, Rules of Civil Procedure* and *Small Claims Court Rules*.	Report to Council from time to time on all actions or other legal proceedings, including description of settlement.
10.	Enter into settlement with any person or entity on	Town Solicitor	*Municipal Act, 2001,* S.O.	Sufficient funds available within

	behalf of the Town where the monetary amount of the settlement is below $100,000 inclusive of interest or costs or below Town deductible pursuant to current Insurance policy.		2001, C.25, as amended, section s 9, 11 and 23.1	approved budget. Report to Council from time to time on all actions or other legal proceedings, including description of settlement.
11.	Execute any agreement or other legal document on behalf of the Town that is necessary to carry out the Town Solicitor's authority as set out herein, including releases, receipts, waivers, indemnities and minutes of settlement.	Town Solicitor or Town Clerk	*Municipal Act, 2001,* S.O. 2001, C.25, as amended, section 23.1	
12.	Support Committee of Adjustment approvals before Ontario Land Tribunal where Town staff have no objections or are in support of the application.	Town Solicitor	*Municipal Act, 2001,* S.O. 2001, C.25, as amended, section 23.1	
13.	Support Committee of Adjustment refusals before the Ontario Land Tribunal where Town staff support refusal of application.	Town Solicitor	*Municipal Act, 2001,* S.O. 2001, C.25, as amended, section 23.1	
14.	Where Committee of Adjustment decisions are contrary to Town staff position, that staff attend before the Ontario Land Tribunal to request conditions, if any, only.	Town Solicitor	*Municipal Act, 2001*, S.O. 2001, C.25, as amended, section 23.1	
15.	Where a Committee of Adjustment decision does not have significant impacts or broader implications, or where the parties are represented by lawyers and/or planners, that staff only attend before the Ontario Land Tribunal to request conditions, if any.	Town Solicitor	*Municipal Act, 2001,* S.O. 2001, C.25, as amended, section 23.1	
16.	Where an appeal of a Committee of Adjustment matter results in a revised proposal or a settlement proposal that is supported by the parties and staff or there are no objections, that the Ontario Land Tribunal be advised that the Town supports the revised or settlement proposal.	Town Solicitor	*Municipal Act, 2001*, S.O. 2001, C.25, as amended, section 23.1	
17.	Decision not to attend appeal hearing from a decision of the Committee of Adjustment where an appeal has been filed with the Ontario Land Tribunal.	Town Solicitor		In consultation with Director, Community Planning and Development; where there is significant inconsistency between C of A decision and staff recommendation, staff will report to Council for direction.
18.	Take all steps necessary to respond to appeals filed with the Ontario Land Tribunal in accordance	Town Solicitor and Director of Community	*Municipal Act, 2001*, S.O. 2001, C.25, as amended,	

	with Council Decisions, including retention of external lawyers and experts, as required, and filing or responding to procedural matters as deemed necessary.	Planning and Development	section 23.1	
19.	Where time does not allow for obtaining Council authority, all steps necessary to respond to appeals before the Ontario Land Tribunal prior to expiry of any time restrictions or limitations periods be taken, in accordance with recommendations of CAO and Director of community Planning and Development.	Town Solicitor, CAO and Director of Community Planning and Development	*Municipal Act, 2001,* S.O. 2001, C.25, as amended, section 23.1	
20.	Participate in and/or give notice of intention to use mediation, conciliation or other dispute resolution techniques to all appellants before the Ontario Land Tribunal and to invite participants to dispute resolution process as deemed necessary.	Town Solicitor and Director of Community Planning and Development.	*Municipal Act, 2001,* S.O. 2001, C.25, as amended, section 23.1	
21.	Approve execution of agreements for the acquisition of temporary and permanent easements as required for approved capital projects or other municipal purposes, together with such other documents as may be required in connection with such acquisitions, provided the value of consideration does not exceed $50,000	Town Solicitor	*Municipal Act, 2001,* S.O. 2001, C.25, as amended, section 23.1 and 270(1)	Terms and conditions of agreements and related documents must be acceptable to Town Solicitor.
22.	Approve execution of agreements for the disposition of temporary and permanent easements as required for approved capital projects or other municipal purposes, together with such other documents as may be required in connection with such acquisitions, provided the value of consideration does not exceed $50,000.	Town Solicitor	*Municipal Act, 2001*, S.O. 2001, C.25, as amended, section 23.1 and 270(1)	Terms and conditions of such agreements and related documents must be acceptable to Town Solicitor.
23.	Approve execution of agreements for the amendment, extension, renewal, and/or revival of leases and licenses on substantially the same terms and conditions of the original agreements	Town Solicitor	*Municipal Act, 2001*, S.O. 2001, C. 25, as amended, s 23.1 and 270(1)	Terms and conditions of such agreements and related documents must be acceptable to Town Solicitor.
24.	Commence any legal proceeding or step in a legal proceeding in Small Claims Court, on behalf of the Town	Town Solicitor		

The Corporation of the Town of Pelham

By-law No. 31-2023

Being a By-law to amend By-law No. 4504(2022) to establish 2023 Fees and Charges to be collected by the Corporation of the Town of Pelham;

And to Add Fees and Charges to the Clerk's Department Schedule.

WHEREAS the *Municipal Act, 2001,* S.O. 2001, c. 25 ("*Municipal Act, 2001*" or "the statute") provides that a municipality may pass by-laws imposing fees or charges on any class of persons; and

AND WHEREAS By-law No. 4504(2022) establishes the 2023 Fees and Charges to be collected by the Corporation of the Town of Pelham;

AND WHEREAS the Corporation of the Town of Pelham deems it expedient to add Fees and Charges as they relate to the Temporary Outdoor Patio on Municipal Property for the Town of Pelham;

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

1. **THAT** the Clerk's Department Schedule to By-law #4504(2022) be amended as follows, detailed in the attached schedule and as below listed:

   Add – Temporary Outdoor Patio on Municipal Property Permit - $150.00

2. **Effective Date**

   2.1. This By-law shall come into force on the date that it is enacted.

Read, enacted, signed and sealed this 03rd day of May, 2023.

_____
Marvin Junkin, Mayor

_____
William Tigert, Town Clerk

Clerk's Department

	2023
Marriage Licensing	
License Fee	$130.00
Ceremony Fee – On Site – Business Hours* - $50 Deposit Required Upon Booking, non-refundable if cancelled by wedding couple	$200.00
During COVID-19, Outdoor Weddings at Peace Park are preferred. Rental of Peace Park Bandshell applies (10 people) p/hr, OR:	$14.00
*Rental Fee – Business Hours – MCC Accursi Lounge (25 people) p/hr	$23.00
*Rental Fee – Business Hours – MCC ½ Accursi (50 people) p/hr	$35.00 $51.00
Ceremony Fee – Off Site and After Hours (Plus Expenses)	$300.00
Rehearsal Fee	$75.00
Witness Fee – Municipal Staff – Normal **Business** Hours – Each	$25.00
Cleaning Fees, if required	$100.00
Municipal Property Damage – Billable	Full Cost Recovery
*Note 1: For the duration of the COVID-19 Pandemic, Council Chambers is not available for civil marriage ceremonies. All indoor Weddings must be at MCC with limited attendance, subject to Provincial guidelines which may change from time to time. Minimal rental fees apply and are subject to HST.	
Temporary Outdoor Patio on Municipal Property Permit	$150.00
Freedom of Information	
Application Fee	$5.00
Photocopies – per page	$0.20
Manual search, each 15 minutes	$7.50

The Corporation of the Town of Pelham

By-law No. 32-2023

Being a by-law to adopt, ratify and confirm the actions of the Council at its regular meeting held on the 3rd day of May 2023.

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 3rd day of May, 2023, 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 3rd day of May, 2023.

_____
Marvin Junkin, Mayor

_____
William Tigert, Town Clerk