

## REGULAR COUNCIL AGENDA

**C-03/2024**

**Wednesday, February 7, 2024**

**9:00 AM**

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

**20 Pelham Town Square, Fonthill**

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](http://www.youtube.com/townofpelham/live) and subsequent publication to the Town's website at [www.pelham.ca](http://www.pelham.ca).

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### Pages

- 1. Call to Order and Declaration of Quorum**
- 2. National Anthem**
- 3. 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.

- 4. Approval of the Agenda**
- 5. Disclosure of Pecuniary Interests and General Nature Thereof**

<b>6.</b>	<b>Hearing of Presentation, Delegations, Regional Report</b>	
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from Vinemount Drive to Effingham Street, 2024-  
0025-Public Works

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- 21. Adjournment



# TOWN OF PELHAM

## Council Composition, Ward Boundary Review and Deputy Mayor Selection Study

Presentation of Preliminary Report  
Andrew Sancton & Timothy Cobban  
February 7, 2024

# Regulatory framework

- Ontario municipalities have wide decision-making authority over council composition
- Decisions (or non-decisions) can be appealed to Ontario Land Tribunal (OLT)
- OLT has generally adopted “effective representation” as its standard; includes consideration of voter parity (+ or - 25% of average population), communities of interest; representation of minorities

# Council size

- We researched municipalities of similar size in Ontario and rest of Canada
- 7 is the most common number, especially for municipalities (like Pelham) that are not the result of amalgamations in the 1990s and 2000s

# At-large elections

- Absence of wards is quite common among municipalities with similar populations to Pelham
- If 5 councillors are elected at-large, voters have 5 votes (in addition to mayor)
- We review arguments for and against in the report
- Wards and at-large elections can be combined

# Selecting a Deputy Mayor

- Position is not referred to in the Ontario Municipal Act
- Some councils rotate the position among council members for varying periods of time
- Others provide for the direct election of a deputy mayor by all voters, in the same way as a mayor is elected

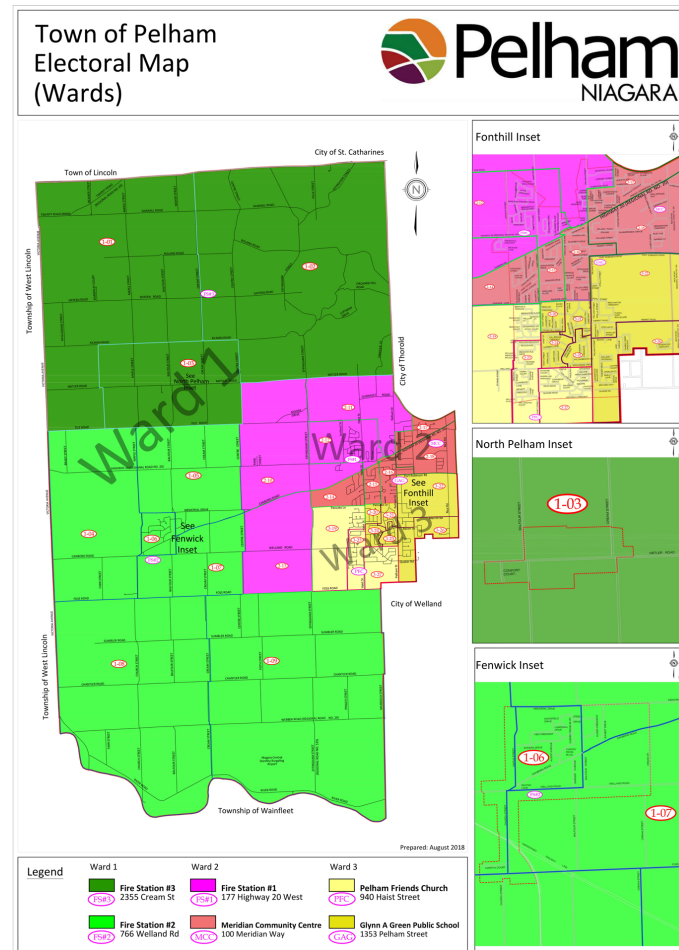
# 3 reasons for direct election

- Where councillors are elected by wards, adds a council member dependent on votes from throughout the municipality
- Provides for a mayoral substitute or helper who has enhanced democratic legitimacy
- Can serve as a delegate to an upper-tier regional or county government

# A deputy mayor for Pelham?

- First two reasons could well be relevant for Pelham; we want to find out people's views
- Third reason is not relevant because in Niagara and Waterloo regions, regional councillors are directly elected from each municipality to serve only at the regional level
- No municipalities in Niagara or Waterloo have a deputy mayor
- But this option remains open for Pelham

# Current wards in Pelham





# Determining populations

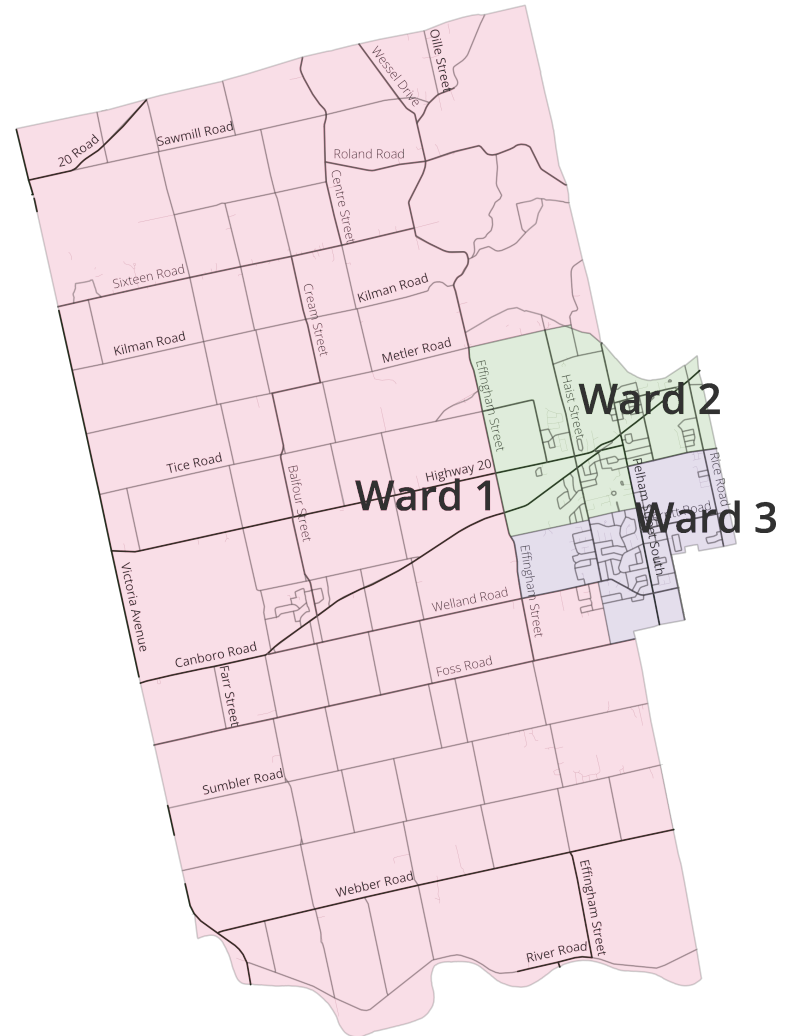
- Use latest census (2021) at the dissemination block level (smallest geographic unit)
- Incorporate information from Pelham planning department on housing developments in various stages of the approval process
- Develop population estimates for 2023 and forecasts for municipal election years 2024, 2026, and 2030

# Current 3 ward model

**Figure 1. Current 3 Ward Model**

	2023		2026		2030		2034	
Ward No.	Population	% above or below	Population	% above or below	Population	% above or below	Population	% above or below
1. Rural/Fenwick	5650	-10.8%	5785	-16.9%	5918	-21.6%	6031	-25.1%
2. Northwest Fonthill	6769	6.9%	7570	8.7%	8275	9.6%	8930	10.9%
3. Southeast Fonthill	6586	4.0%	7542	8.3%	8455	12.0%	9201	14.2%
<i>Total</i>	19005		20897		22648		24162	
<i>Average</i>	6335		6966		7549		8054	

# Revised 3 ward model

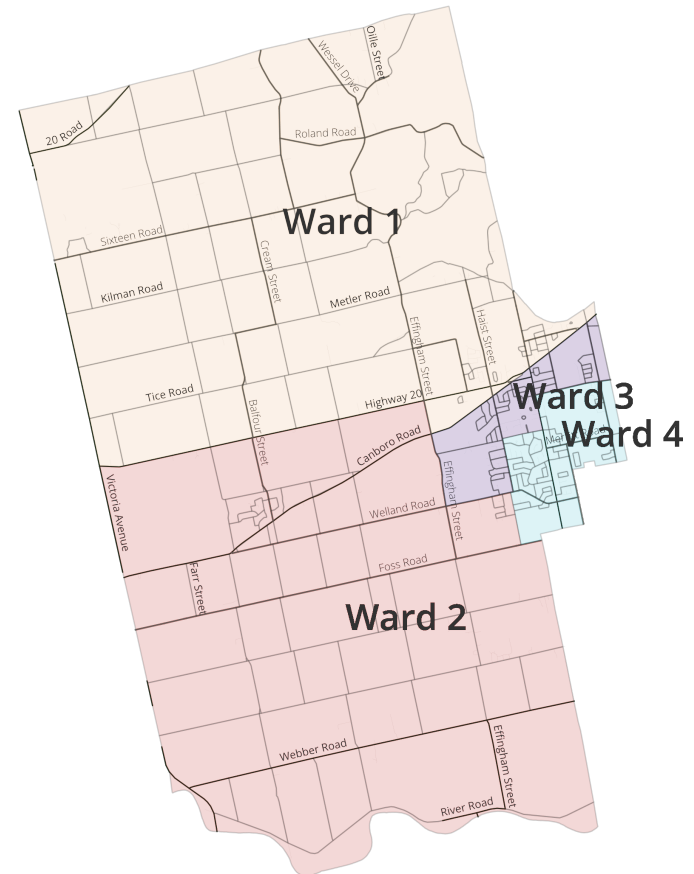


**Figure 2. Revised 3 Ward Model**

	2023		2026		2030		2034	
Ward No.	Population	% above or below	Population	% above or below	Population	% above or below	Population	% above or below
1. Rural	6817	7.6%	6952	-0.2%	7085	-6.2%	7198	-10.6%
2. Northwest Fonhill	6166	-2.7%	6967	0.0%	7672	1.6%	8327	3.4%
3. Southeast Fonhill	6022	-4.9%	6978	0.2%	7891	4.5%	8637	7.2%
<i>Total</i>	19005		20897		22648		24162	
<i>Average</i>	6335		6966		7549		8054	

Revised 3 ward model

# 4 ward model

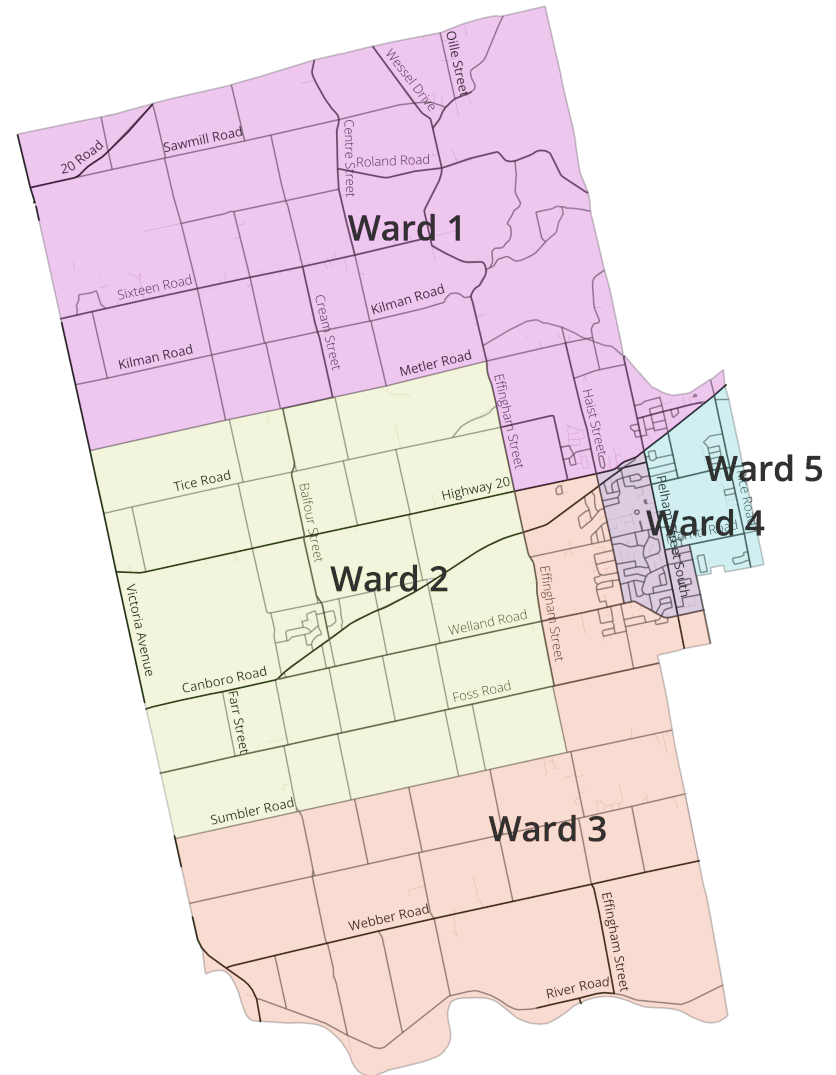


**Figure 3. Four Ward Model**

	2023		2026		2030		2034	
Ward No.	Population	% above or below	Population	% above or below	Population	% above or below	Population	% above or below
1. North	5104	7.4%	5144	-1.5%	5167	-8.7%	5183	-14.2%
2. South	4838	1.8%	4973	-4.8%	5106	-9.8%	5219	-13.6%
3. Northwest Fonthill	4008	-15.6%	4833	-7.5%	5554	-1.9%	6219	3.0%
4. Southeast Fonthill	5055	6.4%	5947	13.8%	6821	20.5%	7541	24.8%
<i>Total</i>	19005		20897		22648		24162	
<i>Average</i>	4751		5224		5662		6041	

4 ward model

# 5 ward model



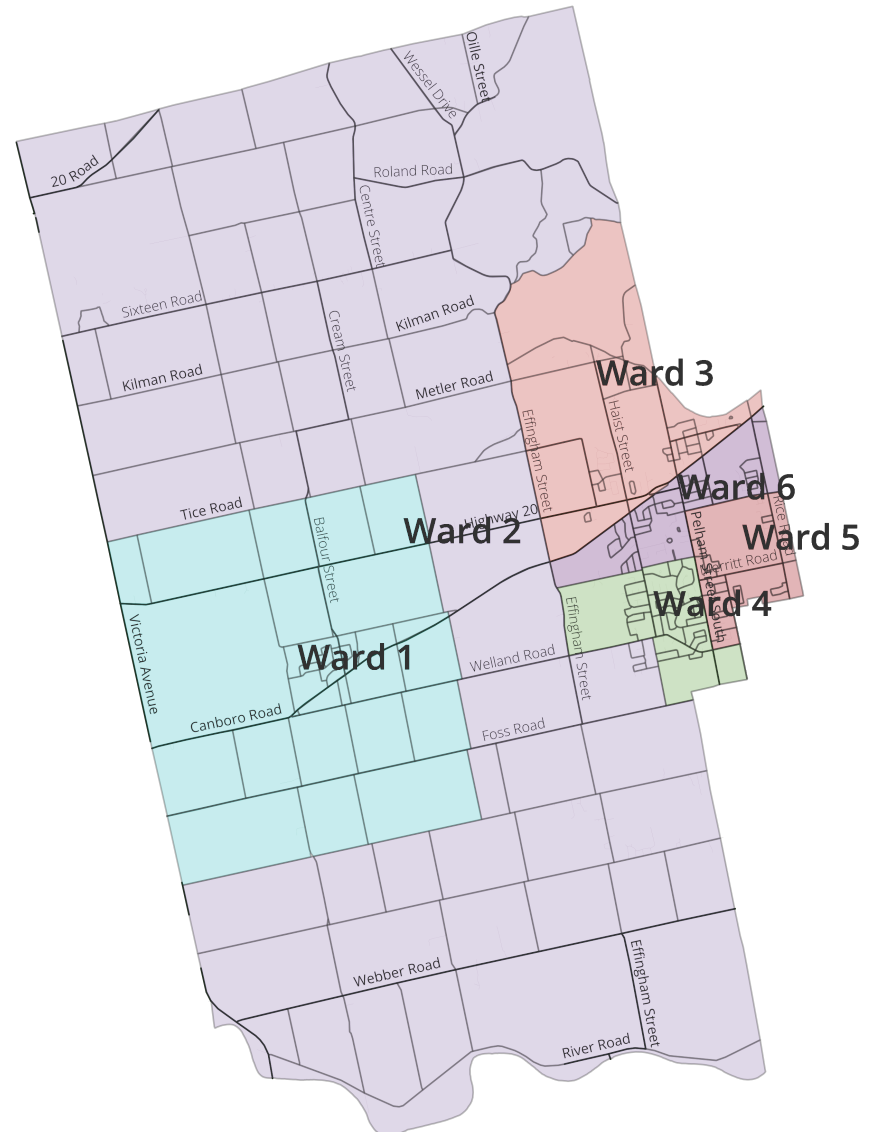
**Figure 4. Five Ward Model**

	2023		2026		2030		2034	
Ward No.	Population	% above or below	Population	% above or below	Population	% above or below	Population	% above or below
1. North	4029	6.0%	4069	-2.6%	4092	-9.7%	4108	-15.0%
2. Fenwick	3895	2.5%	4030	-3.6%	4163	-8.1%	4276	-11.5%
3. South	4214	10.9%	4315	3.2%	4376	-3.4%	4414	-8.7%
4. Centre Fonthill	4198	10.4%	4364	4.4%	4523	-0.1%	4658	-3.6%
5. East Fonthill	2669	-29.8%	4119	-1.4%	5494	21.3%	6705	38.8%
<i>Total</i>	19005		20897		22648		24161	
<i>Average</i>	3801		4179		4530		4832	

5 ward model



# 6 ward model



**Figure 5. Six Ward Model**

	2023		2026		2030		2034	
Ward No.	Population	% above or below	Population	% above or below	Population	% above or below	Population	% above or below
1. Fenwick	3025	-4.5%	3160	-9.3%	3293	-12.8%	3406	-15.4%
2. Rural	3698	16.7%	3698	6.2%	3698	-2.0%	3698	-8.2%
3. North Fonthill	3219	1.6%	3259	-6.4%	3282	-13.1%	3298	-18.1%
4. West Fonthill	3629	14.6%	3831	10.0%	3951	4.7%	4030	0.1%
5. Southeast Fonthill	2393	-24.5%	3147	-9.6%	3940	4.4%	4607	14.4%
6. Centre Fonthill	3042	-4.0%	3802	9.2%	4484	18.8%	5123	27.2%
<i>Total</i>	19006		20897		22648		24162	
<i>Average</i>	3168		3483		3775		4027	

6 ward model



# Next steps

- Interviews with councillors, mayor, senior leadership team
- 2 public meetings:
  - Feb. 12th 6:00 - 8:00 pm at Pelham Fire Station #2
  - Feb. 27th 6:00 – 8:00 pm at Meridian Community Centre
- We are open to any proposals that we think could be defended at OLT
- Visit the project webpage at EngagingPelham or communicate with us by email: [asancton@uwo.ca](mailto:asancton@uwo.ca)

TOWN OF PELHAM  
Council Composition, Ward Boundary Review  
and Deputy Mayor Selection Study

# **PRELIMINARY REPORT**

Prepared by:  
Dr. Andrew Sancton  
Dr. Timothy Cobban  
January, 2024

## Executive Summary

Municipal councils in Ontario have considerable freedom to make their own decisions about their own structures and about possible ward boundaries. However, their actions or inaction on these matters can be appealed to the Ontario Land Tribunal. Its predecessor, the Ontario Municipal Board, has made a number of decisions that shape the regulatory framework in which this review is taking place. There are four inter-related issues addressed in this report: council size; the method of electing or selecting a deputy mayor; at-large vs. ward elections; and the drawing of possible ward boundaries. Because of the need to address “voter parity”, this last issue requires data about where people live in Pelham and where they are projected to live over the next decade. Using such data, the report outlines possible boundaries for three wards, four wards, five wards, and six wards. During the consultation period following the release of this preliminary report, each of these options will be discussed and evaluated, and various boundary modifications can be proposed. After the consultation process is complete, the consultants will provide a final report to the Pelham Town Council.

### 1. Introduction

Since its creation in its current form in 1970, the Town of Pelham has been governed by a council comprising a mayor and six councilors elected from three wards. The ward boundaries were changed slightly in 1978 and more significantly prior to the 2014 municipal election. After three elections with the current boundaries, it is appropriate that they be reviewed again so as to ensure that everyone’s votes for council seats are roughly equal in weight.

Unlike many municipalities in Ontario, Pelham has never had a directly elected deputy mayor. In accordance with the specifications for this project issued by the Pelham Town Council, the possibility of adding a directly elected deputy mayor to the council will also be explored in this report.

### 2. The Regulatory Framework

Ontario municipalities have broad authority to determine their own electoral systems. Section 222 (1) of the Ontario *Municipal Act* authorizes municipalities to divide or redive their municipality into wards or to dissolve existing wards. Similarly, Section 217 (1) authorizes municipalities to determine the composition of their own councils. There are some constraints, of which the most important is that councils must have a minimum of five members. There are additional rules for upper-tier municipalities. But municipal councils can change both their electoral system and council compositions through normal by-laws.<sup>1</sup>

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<sup>1</sup>Municipal Act, 2001, S.O. 2001, c. 25

From a strictly legal perspective, only municipal by-laws that affect ward boundaries can be directly appealed to the Ontario Land Tribunal (OLT).<sup>2</sup> A by-law changing the number of councillors elected at-large, for example, could not be appealed, nor could one that changed the number of councillors elected in each ward. In practical terms, however, all aspects of a municipal electoral system can become the subject of a hearing at the OLT. This is because Section 223 of the *Municipal Act* outlines a procedure whereby citizens can petition their municipalities to have ward boundaries drawn, redrawn, or dissolved altogether. If the municipality does not act upon the request, the petitioners can then appeal to OLT, whose authority in such appeals is limited to the determination of ward boundaries. But, for obvious reasons, increasing or decreasing the number of wards can leave municipalities with little choice over the size of council.<sup>3</sup>

Just as there are no provincial criteria or regulations that municipalities must follow when they make changes to their electoral systems, there are none to guide OLT in hearing appeals of such decisions. In the absence any such criteria, the Board has come to rely heavily upon the 1991 decision by the Supreme Court of Canada in the Carter case.<sup>4</sup> The case is important because in its decision the Court articulated a requirement for “effective representation” in the House of Commons and provincial legislatures. The Court recognized the importance of “relative parity of voting power,” but it also ruled that other considerations, including “community history, community interests and minority representation” are factors which “may need” to be weighed to ensure that elected bodies are effectively representative.

Even though the Supreme Court decision does not apply to Canadian municipalities, the OLT has adopted “effective representation” as its guiding principle with respect to electoral systems. It would be misleading, however, to claim that the OLT has developed a clear or coherent definition of “effective representation,” as it applies to municipalities. The OLT is a quasi-judicial body, and is not bound by the precedents set in previous cases, as Ontario municipalities know all too well. Board members are free to develop and apply their own criteria on a case-by-case basis. It should not be surprising, then, to find that there is considerable variation among Board members in the firmness with which they have embraced the doctrine of effective representation.

For some members, there is no ambiguity: “The issue before the [Ontario Municipal] Board is whether the By-law provides for effective representation within the context of Tay Township as prescribed in The Supreme Court of Canada in Reference re: Provincial Boundaries.”<sup>5</sup> In *McPherson v. Prince Edward* (2005), a case involving a petition to reduce the number of wards, the Board instructed the appellant to “present evidence on

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<sup>2</sup> OLT is the successor to the Ontario Municipal Board (OMB) and the Local Planning Appeals Tribunal (LPAT). The term “OLT” or “Board” will be used in this document in referring to cases that might actually have been determined by the OMB or by the LPAT.

<sup>3</sup> For example, see *Wagar v. London (City)* (2005) O.M.B.D. No. 1329.

<sup>4</sup> Supreme Court of Canada, Reference Re. Prov. Electoral Boundaries (Sask), [1991] 2 S.C.R. 158.

<sup>5</sup> *Pearson v. Tay (Township)* (2012) MM120006.

how their proposal would achieve effective representation and in doing so, specifically address the criteria enunciated by the Supreme Court of Canada.”<sup>6</sup> On this view, the Carter decision described above and “effective representation” are to be straightforwardly applied, as most forcefully expressed by the Board in *Teno v. Lakeshore* (2005):

The Board agrees that this Board does prefer local solutions. However, the Board must assume that there is a reason the legislation provides for an application to this Board when a petition to redivide electoral boundaries is not acted on by the municipality. The legislation anticipates that the various positions of the interested parties can be presented to the Board and that the Board can make a decision that ensures that any decision on electoral boundaries that is made, is made in accordance with the principles set down by the Supreme Court, in interpreting the Charter of Rights. Anything else would be a derogation of the Board's duties in this regard.<sup>7</sup>

In other cases, however, Board members have articulated a more nuanced position, recognizing that the principle of effective representation must be adapted to apply to the case of municipal electoral systems. In *Savage, Murphy, and Ross v. Niagara Falls* (2002), the Board heard the appeal of a by-law replacing an electoral system based on ten wards with one comprising eight members elected at-large. In denying the appeal, the Board sought to explain the relevance of the Carter decision to local choices about municipal electoral systems:

Adopting the Court’s reasoning, in the context of this appeal, the Board must be satisfied that the decisions of council to deviate from the ward system will not deprive the citizens of Niagara Falls of fair and effective representation and will not dilute the current form of governance they already have.<sup>8</sup>

In *Lauer v. Oshawa* (2005), the Board presented what is perhaps the clearest statement about the applicability of the Carter decision and the doctrine of “effective representation” to municipalities in Ontario:

It is important to understand that the Saskatchewan [Carter] decision is based upon provincial electoral districts, provincial legislation in Saskatchewan and Section 3 of the Charter – “Every citizen of Canada has the right to vote in an election of members of the House of Commons or of a legislative assembly and to be qualified for membership therein” – does not speak directly to municipal councils. Nonetheless the case is relevant in the absence of a regulation permitted under Section 222 (2b) of the Ontario *Municipal Act* to prescribe standards.”<sup>9</sup>

In a 2021 decision, the OLT stated: “The guiding principle is the *Charter*-protected right to vote and, thus, providing “effective representation” is the goal of ward boundary reviews. This principle is meant to apply flexibly to ensure that local government is

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<sup>6</sup> *McPherson v. Prince Edward (County)* (2009) O.M.B.D. No. 989.

<sup>7</sup> *Teno v. Lakeshore (Town)* [2005], O.M.B.D. No. 1245

<sup>8</sup> *Savage, Murphy, and Ross v. Niagara Falls (City)* (2002) O.M.B.D. No. 1698.

<sup>9</sup> *Lauer v. Oshawa (City)* (2005) O.M.B.D. No. 3253.

reflective of the population it serves.”<sup>10</sup> Finally, some Board decisions about municipal electoral systems contain no reference to the Carter decision or to the principle of effective representation. In *Diemart and Letteau v. South Bruce* (2009), a case involving the appeal of a by-law replacing wards with an at-large system, the Board similarly noted the absence of any guiding criteria or standards of review. In allowing the appeal, the Board preferred its own standard: “I am not satisfied that the proposed By-law is in the interest of the Municipality, moves it forward or is an improvement to the existing system.”<sup>11</sup>

In cases where the Board has relied on effective representation as its guiding principle, it has been invoked to justify changes to nearly every conceivable electoral arrangement. In *Dingwall v. Kearney* (2005), the Board granted a petition to dissolve existing wards in favour of an at-large system, because the wards—still wedded to old municipal boundaries—unjustifiably violated voter parity.<sup>12</sup> In *Osgoode v. Ottawa* (2003), the Board granted the appeal of a city by-law redrawing ward boundaries on the grounds that the redrawn boundaries placed too much emphasis on voter parity, and therefore deprived rural residents of effective representation.<sup>13</sup> However, in 2017, it appeared that the Board’s position on rural representation was evolving. Faced with a council decision that maintained rural wards with low population in the amalgamated city of Hamilton, the OMB overturned the council’s choice by stating that in the past there had been

... an over-arching emphasis on the protection of an exclusively rural ward as a means of protecting a rural voice on council. While such protections may have been appropriate in the unique circumstances of Ottawa in 2003, it is open to review and reconsideration years after amalgamation. Similarly, the maintenance of a founding compromise that favoured rural representation on council in order to make amalgamation acceptable to those opposing it at the time, should not be considered a permanent solution, especially in the face of ongoing changes in population numbers and the character of the population.<sup>14</sup>

In the same OLT 2021 case cited previously, the Tribunal overturned the Municipality of Nation’s decision to preserve a perceived community of interest because the overriding principle of voter parity was violated. In its ruling, the OLT stated that one of two options provided by the consultants and the one adopted by council

...has a deviation from voter parity of 42% in 2020, and in 2030 this deviation is estimated to increase to 56%. This goes well beyond the “acceptable range” set out in the [consultant’s] Report and goes beyond any range ordinarily deemed tolerable by the Tribunal. In circumstances where the other Carter Principles, such as maintaining a community of interest, are significantly advanced by permitting excessive voter dilution such excesses may be permissible. The Tribunal finds no

<sup>10</sup> *Mushing v. Nation (Municipality)* (2021) MM210002, p.11.

<sup>11</sup> *Diemart and Letteau v. South Bruce (Municipality)* (2009)MM090003.

<sup>12</sup> *Dingwall and Sainsbury v. Parry Sound/Kearney (Municipality)* 2009 MM080065.

<sup>13</sup> *Osgoode Rural Community Association, the Rideau Rural Community Association Inc., and the West Carleton Association Inc. v. Ottawa (City)* 2003 O.M.B.D. 0605.

<sup>14</sup> *Dobrucki and Richardson v. Hamilton (City)* 2017 Case # MM170025,p. 378.



such special circumstance in this case.<sup>15</sup>

In *Tiverton v. Kincardine* (2005), the Board granted the appeal of a by-law dissolving a three-ward, seven-councillor electoral system in favour of an at-large council—but only in part. Although the Board conceded that “the council exercised its prerogative and made the choice it thought best” it nevertheless concluded “that the nuclear industry [via Bruce Power] exerts a powerful influence on governments at all levels” and “that without a guaranteed Ward 3 representative on Council there might be no spokesperson for other interests or dissent against the nuclear industry.” The solution, as ordered by the Board, was “to expand the current at-large representation on council and balance the representation by population and still retain the ward system to guarantee area representation.”<sup>16</sup>

For the purposes of this electoral review, there are three important conclusions to draw from this brief review of the regulatory framework governing municipal electoral systems in Ontario. First, there can be no disputing that Pelham, like all Ontario municipalities, has the authority to determine its own electoral system. Second, any decision to change the current electoral system—and, by extension, any decision *not* to change it—can be appealed in one way or another to OLT. Third, in hearing such appeals, OLT members have largely adopted “effective representation” as the guiding principle, although to varying degrees and sometimes to seemingly contradictory ends. This principle has been applied most directly to the issue of ward boundaries, where it has the clearest relevance. In some cases, however, it has also been applied to questions concerning which system should be used to elect members of council (wards or at-large), where it has questionable relevance at best. Generally, though, OLT has deferred to the decisions of municipal councils on such matters.

### 3. Approaching the Issues

We are charged with reviewing both council composition and ward boundaries. In theory, it would be reasonable to expect the process to proceed sequentially with three distinct determinations:

1. Council size
2. Options and methodology for selecting a deputy mayor
3. Whether elections for other council members will be at-large, by wards, or some combination of both
4. The number of councillors to be elected from each ward
5. If there are to be wards, drawing their boundaries.

In this report, we will proceed in accordance with this logic. However, we are open to the

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<sup>15</sup> *Mushing v. Nation (Municipality)* (2021) MM210002, p.13.

<sup>16</sup> *Tiverton and District Ratepayers Association, Dean Ribey, Karen L. Smith et al. v. Kincardine (Municipality)* (2005) O.M.B.D. No. 3326.

following possibilities with respect to Step 4 in the process:

1. We might determine that, once we start exploring ward boundaries, there are a number of natural communities of interest with roughly equal populations that would cause us to revisit the issue of the optimal council size, at least for Pelham;  
OR
2. We might determine that all the possible configurations of ward boundaries are so defective that we should revisit the possibility of the at-large election of council members.

All of this is another way of saying that every issue we are required to consider is closely connected to every other issue. Nevertheless, the discussion that follows is structured by the five issues outlined above.

### 1. Council size

We have already noted that the Ontario Municipal Act requires that all municipalities have a minimum of five members. Pelham currently has seven. Table 1 below shows that this is a common number for Ontario lower-tier municipalities with similar populations. Any reduction in council size is likely to have only a minimal effect on total municipal expenditures because total council costs are relatively small compared to other municipal costs. In Pelham's 2022 operating budget only \$281,440 was allocated for "Members of Council" while the total operating budget was \$20,374,879. A smaller council might lead to shorter meetings and less demand on staff time attending meetings. But remaining councillors might expect higher remuneration and more staff support. There is no empirical evidence that a council of five is more efficient or more effective than a council of seven; nor can there be because there can be no agreement about what constitutes desirable "outputs" from a municipal council. We are assuming that no one in Pelham will be proposing a council larger than seven.

In Ontario most councils have an odd number of members. This is because mayors are entitled to vote in the same way as other council members and do not have a tie-breaking vote. If there is a tie vote in a municipal council, the item on which the vote has taken place is deemed to have been defeated. Having an odd number of council members is no guarantee that there will be no tie votes because one or more members are sometimes absent or unable to vote on particular matters due to a conflict of interest.

In order to address the issue of council size, and some other concerns that are within our mandate, we believe it is desirable for everybody to know about council composition in other comparable municipalities. To this end we have examined the twenty other lower-tier municipalities in Ontario that are within the same population range. By "lower-tier", we mean municipalities that are also governed at the municipal level by counties or regional municipalities. Pelham, for example, is part of the Regional Municipality of Niagara. For population data, we rely on the latest Census of Canada, from 2021; the next census will be in 2026. In 2021, Pelham had a population of 18,192, ranking 95<sup>th</sup> in Ontario. In the Table below we look at the other Ontario municipalities ranking between

85<sup>th</sup> (Essex) and 107<sup>th</sup> (Clearview). We did not include Kenora (106<sup>th</sup>) because it is single-tier and therefore has more municipal functional responsibilities than Pelham.

**Table 1: Council composition in municipalities comparable to Pelham**

Municipality	2021 population	Council size[1]	Elected deputy mayor?[2]	No. of at-large councillors	# of wards	Result of post-1990 amalgamation?
Essex	21216	8	Yes	0	4	Yes
Huntsville	21147	9	No	3	4	No
Cobourg	20519	7	Yes	5	0	No
South Frontenac	20188	9	No	0	4	Yes
Port Colborne	20033	9	No	0	4	No
Russell	19598	5	No	4	0	No
Niagara-on-the-Lake	19088	9	No	8	0	No
Middlesex Centre	18928	7	Yes	0	5	Yes
Selwyn	18653	5	Yes	0	3	Yes
Tillsonburg	18615	7	No	6	0	No
<b>PELHAM</b>	<b>18192</b>	<b>7</b>	<b>No</b>	<b>0</b>	<b>3</b>	<b>No</b>
Petawawa	18160	7	No	6	0	Yes
North Grenville	17964	5	No	5	0	Yes
Loyalist	17943	7	Yes	0	3	Yes
Midland	17817	9	Yes	7	0	No
Bracebridge	17305	9	No	3	5	No
Port Hope	17294	7	No	0	2	Yes
Greater Napanee	16879	7	Yes	0	5	Yes
Saugeen Shores	15908	9	Yes[3]	0	3	Yes
North Perth	15538	10	Yes	0	3	Yes
West Lincoln	15454	7	No	0	3	No

Source: 2021 Census of Canada and websites of listed municipalities

[1]Includes mayor and deputy mayor.

[2]Answer is Yes only if there is a specific at-large election for this position only.

[3]Also a vice-deputy mayor elected at large.

We also examined the council composition of the twenty municipalities in Canada outside Ontario that were closest in population to Pelham according to the 2021 Census of Canada. Fourteen of them were in British Columbia and Quebec, where each province legislates a council size of seven for municipalities in this population range. In BC, the mayor and councillors are elected at-large; in Quebec they are elected from wards (except for the mayor). In both British Columbia and Quebec, all municipalities are included in upper-tier municipal entities (regional districts and municipal regional counties respectively), but they are not nearly as functionally important as regional governments in Ontario. Two of the municipalities (Camrose and Stony Plain) we looked at were in Alberta: one council has seven members: the other nine. Both have at-large elections.. One municipality (Steinbach) in our survey was in Manitoba, where there are seven members of council, all elected at-large. Two were from New Brunswick (Quispamsis and Miramichi) and one from Newfoundland (Corner Brook): two had nine council members; one had eight. In all three cases, councillors were elected at-large, the

candidate with the most votes being declared deputy mayor. In none of the other cases we looked at was there an elected deputy mayor.

Our conclusion is that the size of the Pelham council is quite typical for municipalities having similar population levels. It is unlikely that there will be any pressing reason to significantly change this number.

## 2. Options and methodology for selecting a deputy mayor

Ontario legislation makes no reference to the position of deputy mayor. Many municipalities provide for one in their by-laws. In Pelham's case, council elects a deputy mayor from among its members to serve a two-year term after each municipal election and at the mid-point of the four-year term. Another common mechanism is for the position to be rotated among all council members for a period of a few months.

In some municipalities the deputy mayor is directly elected in the same way as the mayor. We understand that we are expected in our final report to make recommendations as to the desirability of this method compared to others. Because the possible direct election of a deputy mayor would be the most drastic possible change, we believe it deserves more detailed analysis.

There are three possible reasons for the direct election of a deputy mayor:

1. In municipalities in which councillors are elected by wards, a directly elected deputy mayor adds another position (in addition to the mayor) whose general perspective and electoral future is dependent on the entire municipality rather than that of a single ward.
2. In cases where a mayor is overwhelmed by official duties or is unable to perform all of his or her usual tasks, a directly elected deputy mayor has more democratic legitimacy than a deputy mayor chosen by any other method. (The disadvantage, however, is that, if a mayor and directly elected deputy mayor are in conflict with each other, the conflict might be exacerbated by the fact that both can claim similar democratic legitimacy.)
3. In two-tier municipal systems (most counties and regional governments in Ontario), directly elected deputy mayors often join the mayor as the municipality's representative on the upper-tier council. In theory at least, this means that conscientious voters can consider upper-tier issues when making their choice among deputy-mayor candidates.

This third consideration is not relevant within the regional municipalities of Niagara and Waterloo. This is because in these two regional governments constituent municipalities are represented only by their respective mayors and by one or more directly elected regional councillor who serves only at the regional level. This fact might explain why, among the nine municipalities in Niagara and the seven in Waterloo, none has a directly elected deputy mayor.

Not all directly elected deputy mayors in municipalities within two-tier systems sit on the upper-tier council. Consequently, there is no obvious reason why Pelham could not adopt direct election as a means of selecting a deputy mayor. In other words, Reasons 1 and 2 listed above could provide sufficient justification for Pelham adopting this method.

### 3. At-large elections, wards, or a combination

Prior to our public consultations, we do not know if there is any appetite for at-large elections in Pelham. However, given the prevalence of such elections in other Ontario municipalities with the same population level (and even among amalgamated municipalities), we believe that this option should at least be considered.

Arguments about wards vs. at-large municipal elections have reverberated in North America for more than a hundred years. In the late Nineteenth Century “progressive” urban reformers wanted to get rid of ward elections because often-corrupt “ward-healers” were concerned only with delivering benefits to their local electors rather than paying attention to the overall well-being of their respective municipalities. Small councils elected at-large were supposed to be the solution. But, in places where such systems were implemented, they in turn frequently became the subject of criticism because territorially concentrated minority groups often ended up with no representatives. In the United States, the Supreme Court has struck down at-large systems in racially divided cities precisely on these grounds.<sup>17</sup> Recent research, however, shows that the representation of racial and ethnic minorities improves only slightly in ward-based elections, and that the representation of women actually declines.<sup>18</sup>

In recent decades in Ontario, there has been a general trend towards ward-based elections, especially in rural municipalities that amalgamated in the 1990s. Nevertheless, the choice between at-large and ward-based systems remains a local one. The OLT has not expressed a preference in any of its rulings on electoral systems. As the Board stated in a 2002 hearing, “There are very good reasons for both systems of representation. That is why both systems are available to municipalities in Ontario.”<sup>19</sup> Among more populous Ontario municipalities many have maintained at-large systems, with Oshawa, Sarnia, Owen Sound, and Aurora being prime examples. Others have a mix of the two systems. For example, in Thunder Bay the mayor and five councillors are elected at-large and seven more are elected from each of seven wards.

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<sup>17</sup> Bernard Grofman, *Voting Rights, Voting Wrongs: The Legacy of Baker v. Carr* (New York: Priority Press, 1990), p.5

<sup>18</sup> Jessica Trounstein and Melody E. Valdin, “The Context Matters: The Effects of Single-Member versus At-Large Districts on City Council Diversity,” *American Journal of Political Science* 52, no. 3 (2008): 554-69.

<sup>19</sup> *Englishman, Mancell and Gushter v. Brockton (Municipality)* (2002) O.M.B.D. No. 1767.

There can be no empirical evidence that one system is superior to the other. The choice is likely to be dependent on local circumstances and on political preferences and objectives. Wards will be favoured by people who want to promote the representation of territorially concentrated minority groups, build closer ties between local communities and individual councillors, and reduce campaign costs for council candidates. Those wanting to discourage territorial divisions and avoid the inevitable difficulties of creating wards with equal populations will favour at-large systems.

It is doubtful that discussions in Pelham about choices between at-large and ward-based electoral systems will unearth any new arguments. It is significant, of course, that Pelham contains distinct concentrations of population in Fonthill, Fenwick, and North Pelham as well as important rural areas. Some will no doubt claim that such a configuration makes wards a necessity. The problem with this line of argument, however, is that the distinct settlements are of varying population size, meaning that the principle of voter parity (rep-by-pop) will be grossly violated if each settlement automatically gets its own ward. The existence of distinct settlements within the same municipality will cause others to argue that the only way to avoid having councillors focus only on their own wards is to have all of them elected at-large.

#### 4. The number of councillors to be elected from each ward

By looking at the “Council size” and “No. of councillors” columns in Table 1, it becomes obvious that many municipalities that have wards elect two councillors per ward while some (Saugeen Shores and North Perth) elect different numbers of councillors from different wards. In Pelham, two councillors are elected from each of three wards. We anticipate that some will argue that there should be more wards in Pelham, with only one councillor being elected from each ward.

The arguments for and against these different alternatives are quite obvious. With only one councillor per ward, each ward’s position can be made clear by one person who can be held accountable for his or her actions. With one councillor instead of two in each ward, councils can be half the size. However, because the minimum council size in Ontario is five, there would have to be a minimum of four wards if there were only to be one councillor per ward. Some will argue that, other things being equal, citizens’ votes are more powerful the smaller the population of each ward.

With two councillors per ward, a citizen who might find one councillor unresponsive to his or her complaints can always turn to the other councillor for assistance. The opposite of such an argument is that, with two councillors per ward, the councillors could compete with each other in unhealthy ways, possibly by suggesting that the other is claiming too much credit for perceived actions beneficial to the ward or not accepting sufficient blame when things go wrong.

Most of the cases in Ontario in which there are different numbers of councillors elected from different wards are found in municipalities that were amalgamated in the 1990s or

2000s. In such cases a previously independent town could continue to elect a number of councillors from a ward comprising the entire town while rural areas or villages would elect fewer councillors from each of their wards. Given that Pelham has existed with its current boundaries since 1970, we do not anticipate that such a model will be popular here, but we are open to suggestions.

People desiring that all the councillors be elected at-large do not need to worry about ward boundaries. We assume, however, that most will at least be open to the continuation of a ward-based system. As we consider the alternatives, we shall have to bear in mind with each alternative configuration, that we shall have to consider the overall size of the council, the number of wards, how many councillors should be elected from each ward, and whether the mayor and the ward councillors should also be joined by a directly elected deputy mayor. Balancing these different alternatives will not be easy.

## **5. Options for ward boundaries**

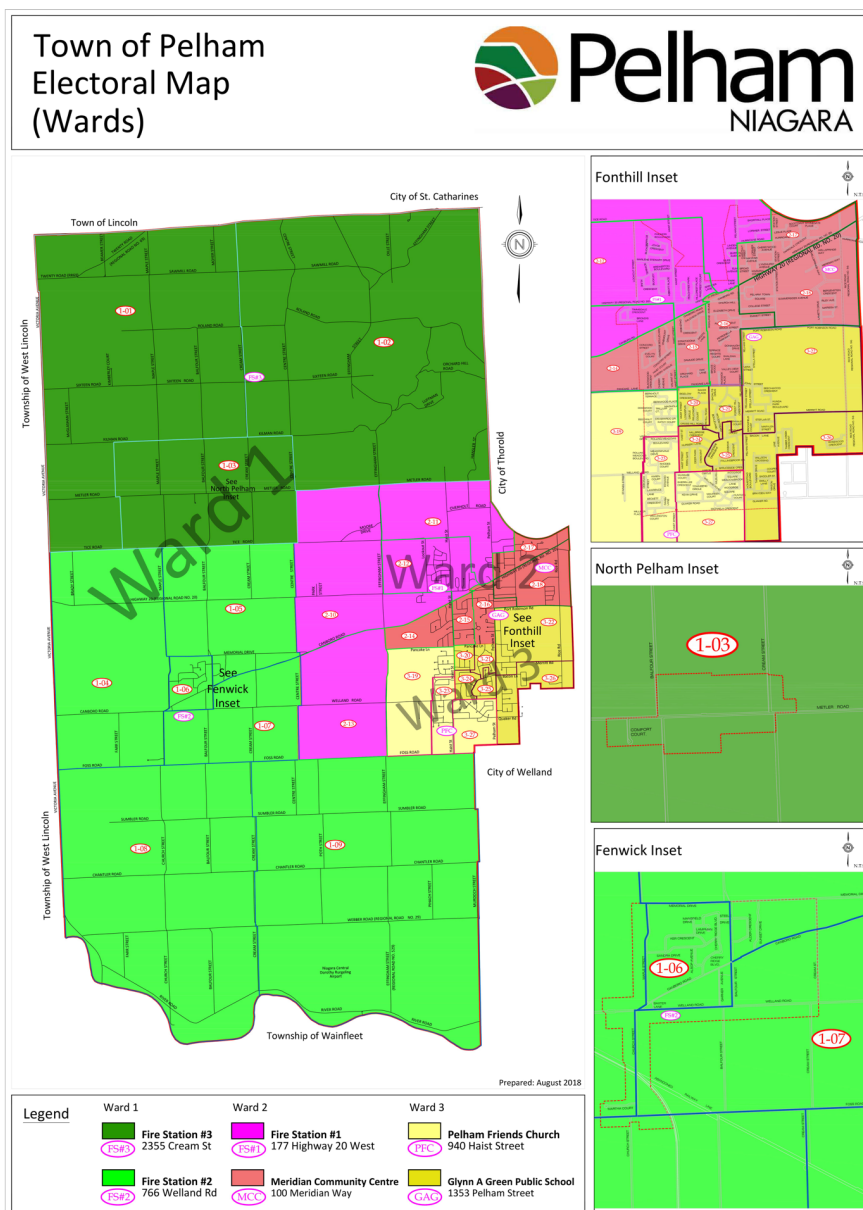
As indicated earlier, during the consultation process we shall be open to any and all suggestions that we believe would be defensible in any hearing held by OLT. We present the following options primarily to focus discussion and debate, and possibly to provide the basis for different options that might combine elements of those that are presented here. After the consultation process is complete, we shall prepare our final report complete with our own recommendation about how the Pelham Council should proceed.

We are mandated by Pelham Council to propose a representation system that could be defensible through a number of elections, ideally through the 2026 and 2030 municipal elections and possibly as far in the future as 2034. Population numbers in Pelham, like much of Niagara Region, are expected to continue to grow steadily over the next decade. In the ward models presented below, we develop population projections using the latest Census population and dwelling data (2021) at the finest geographic level (dissemination block) available, and incorporate information we have received from Pelham's planning department about housing developments in various stages of the approval process. For each of the models, we present forecasted ward populations for the municipal election years 2026, 2030, and 2034, and discuss the implications for voter parity. For at least some of the models, projected population growth indicates that ward boundaries would likely need to be reviewed and redrawn prior to the 2034 municipal election. Of course, if population growth patterns differ sharply from those anticipated here, ward boundaries may need to be reviewed and adjusted even sooner.

Finally, in developing our ward models, we have strived to respect existing communities of interest, particularly the importance of the distinction between urban and rural areas, and the urban settlements of Fenwick, Fonthill, and North Pelham. As outsiders, we are aware that, in drawing boundaries for proposed new wards, we may inadvertently have split important communities of interest that, under alternative boundary arrangements, could be kept together while still maintaining voter parity. Another important purpose of our consultation process is to learn about such communities of interest.

*5.1 Option 1. Maintaining the status quo: 3 wards (current boundaries), two councillors per ward, no at-large deputy mayor.*

For those that think the current council structures are functioning well, the most obvious and compelling option is to do nothing and leave the current ward boundaries and council structures in place. The current ward boundaries were drawn in 2013, and combined most of the rural area and Fenwick into one ward (Ward 1), and divided the growing urban area of Fonthill into two separate wards (Wards 2 and 3).





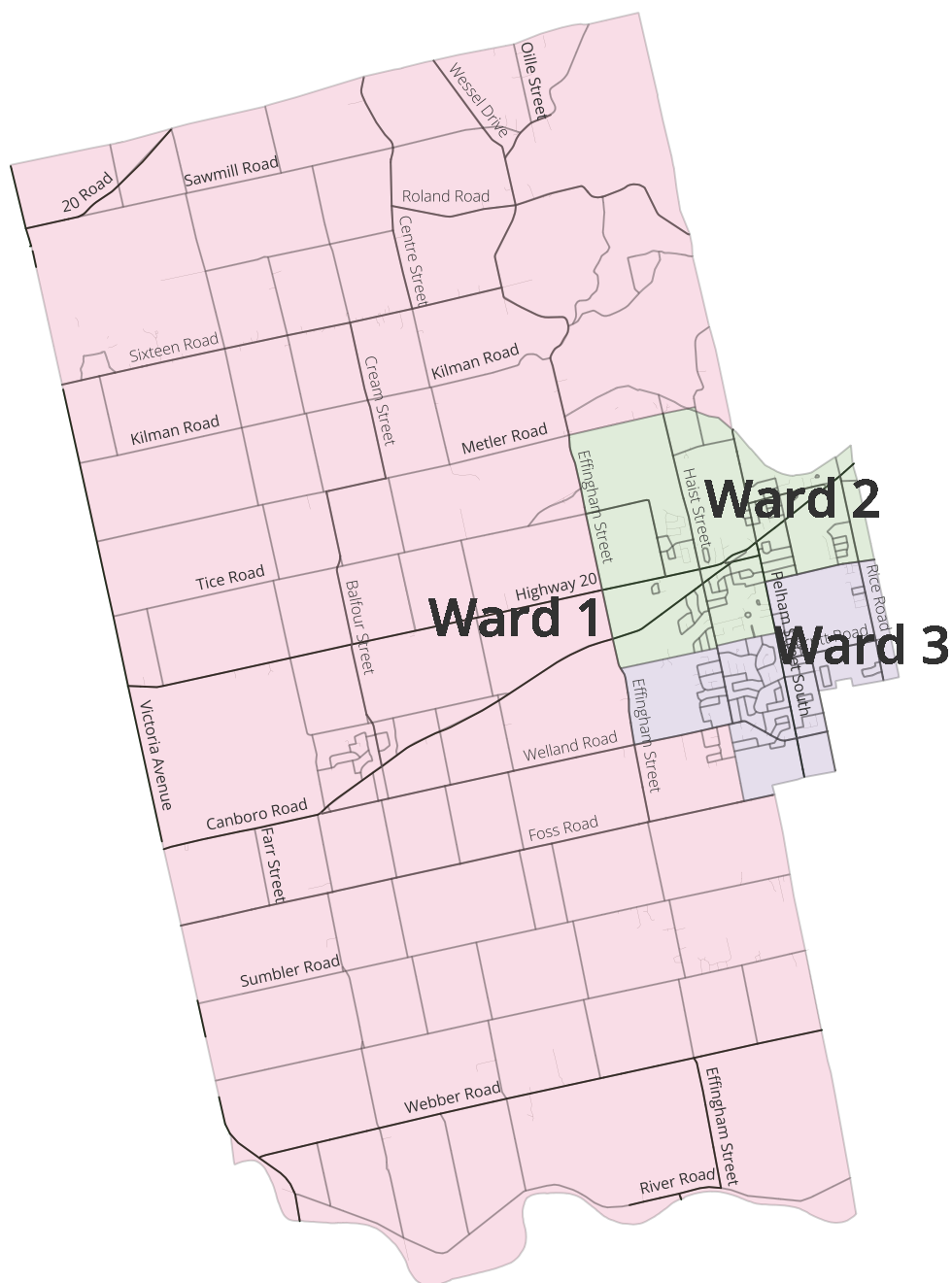
The difficulty with maintaining the status quo is that the urban settlement area of Fonthill has grown significantly in population, while the rural area and Fenwick have not. Information from the Pelham planning department indicates that will continue to be case for the foreseeable future. In the population projections reported below in Figure 1, the result in an increasing inequality in the populations of the urban Wards 2 and 3 on the one hand, and the largely rural Ward 1 on the other. For sake of clarity, projected ward populations that deviate from the optimal (or average) ward population by greater than 15 percent are highlighted in orange. Although not ideal from the perspective of representation-by-population, such cases can be (and have been) justified if the boundaries also reflect other important components of effective representation, particularly communities of interest. Projected ward populations that deviate from average ward size by greater than 25% are highlighted in red. In our view, such cases are generally indefensible. Thus, although maintaining the status quo may not be ideal, it is a defensible option through the 2026 and likely the 2030 municipal elections.

**Figure 1. Current 3 Ward Model**

	2023		2026		2030		2034	
Ward No.	Population	% above or below	Population	% above or below	Population	% above or below	Population	% above or below
1. Rural/Fenwick	5650	-10.8%	5785	-16.9%	5918	-21.6%	6031	-25.1%
2. Northwest Fonhill	6769	6.9%	7570	8.7%	8275	9.6%	8930	10.9%
3. Southeast Fonhill	6586	4.0%	7542	8.3%	8455	12.0%	9201	14.2%
<i>Total</i>	19005		20897		22648		24162	
<i>Average</i>	6335		6966		7549		8054	

## 5.2 Option 2: 3 wards (revised boundaries), two councillors per ward, no at-large deputy mayor

One fairly straightforward solution to the growing inequality in the population of the existing three wards to enlarge the territory of Ward 1, extending its eastern boundary from Centre Street to Effingham Street, while maintaining the existing boundary between Wards 2 and 3.



As Figure 2 demonstrates below, this improves voter parity considerably among the three wards through to 2034, while respecting the important distinction between rural and urban communities. This option should be appealing to those who think the current wards and council structure are functioning well, but are understandably concerned about voter parity.

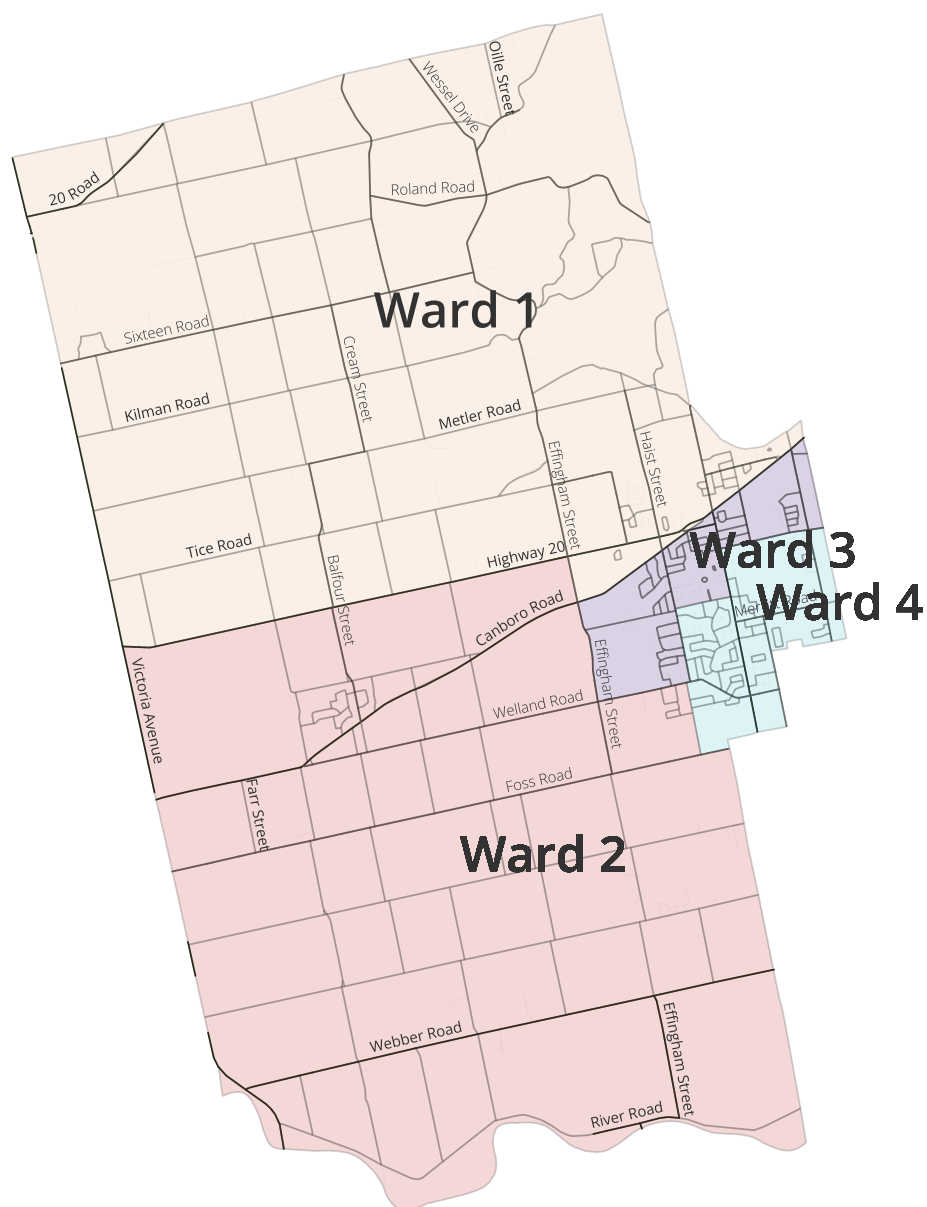
**Figure 2. Revised 3 Ward Model**

Ward No.	2023		2026		2030		2034	
	Population	% above or below	Population	% above or below	Population	% above or below	Population	% above or below
1. Rural	6817	7.6%	6952	-0.2%	7085	-6.2%	7198	-10.6%
2. Northwest Fonthill	6166	-2.7%	6967	0.0%	7672	1.6%	8327	3.4%
3. Southeast Fonthill	6022	-4.9%	6978	0.2%	7891	4.5%	8637	7.2%
<i>Total</i>	19005		20897		22648		24162	
<i>Average</i>	6335		6966		7549		8054	

### 5.3 Option 3:4 wards, one councillor per ward, no at-large deputy mayor

There are likely some who prefer a system whereby only one councillor is elected per ward, rather than two. They may also prefer that the size of council be kept as small as possible, and see no particular reason to directly elect a deputy mayor. For such people, their preferred option would be a system of four wards, each electing one councillor, with only the mayor elected at-large. In the proposed four ward model below, there are two largely rural wards, mainly divided by Highway 20. Each rural ward does contain some urban areas in order to better balance ward populations and to include some areas targeted for future residential development: the northern rural ward (labelled here as Ward 1), contains some neighbourhoods north of Highway 20; the southern rural ward (Ward 2), contains Fenwick and some neighbourhoods in southwest Fonthill. The division between the two urban wards (Wards 3 and 4) follows the current boundary between the existing Wards 2 and 3 in part—Port Robinson Road west to Pelham Street south to Pancake Lane west—but thereafter deviates by following Haist Street south. Although uneven residential development among the four wards will create some population imbalances among the wards (see Figure 3), this model is likely defensible through to the 2034 election.

### Map 2. Proposed Four Ward Model

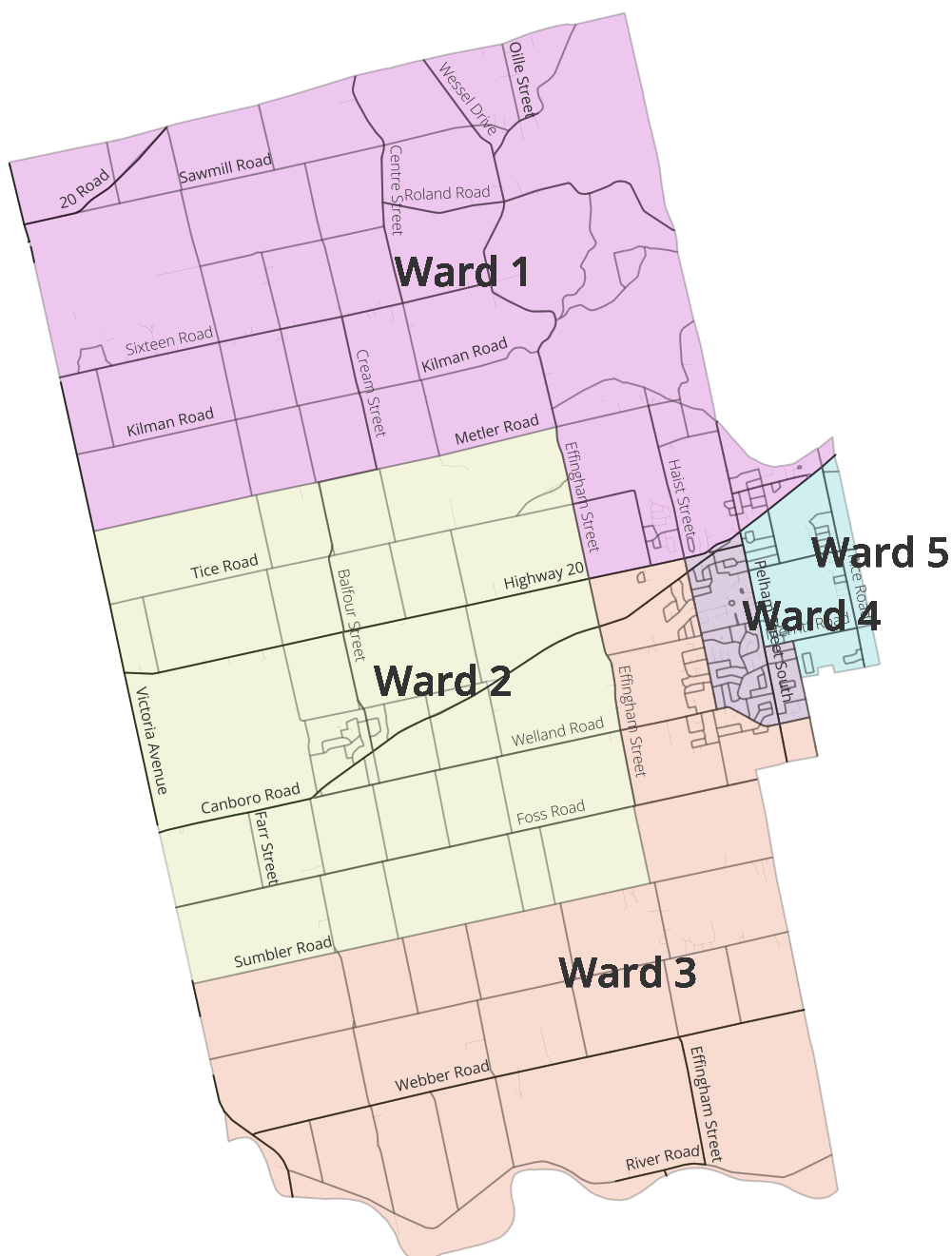


**Figure 3. Four Ward Model**

	2023		2026		2030		2034	
Ward No.	Population	% above or below	Population	% above or below	Population	% above or below	Population	% above or below
1. North	5104	7.4%	5144	-1.5%	5167	-8.7%	5183	-14.2%
2. South	4838	1.8%	4973	-4.8%	5106	-9.8%	5219	-13.6%
3. Northwest Fonthill	4008	-15.6%	4833	-7.5%	5554	-1.9%	6219	3.0%
4. Southeast Fonthill	5055	6.4%	5947	13.8%	6821	20.5%	7541	24.8%
<i>Total</i>	19005		20897		22648		24162	
<i>Average</i>	4751		5224		5662		6041	

#### *5.4 Option 4: 5 wards, one councillor per ward, deputy mayor elected at large*

Those satisfied with the current size of council but favouring the direct election of deputy mayor, will likely be interested in having five wards, with each ward electing one councillor. In this proposed five ward model, Fenwick, along with the surrounding rural area, is given its own ward (Ward 2). The remaining rural area is divided into two wards (Wards 1 and 3), with each of those wards containing some urban areas around Fonhill to better balance current and future populations. The remaining urban areas in Fonhill are divided into Wards 4 and 5, separated mostly by Pelham Street. Such a model is appealing because it does potentially allow for ward boundaries to more closely correspond with existing communities of interest—namely, Fenwick, the rural areas, and Fonhill.



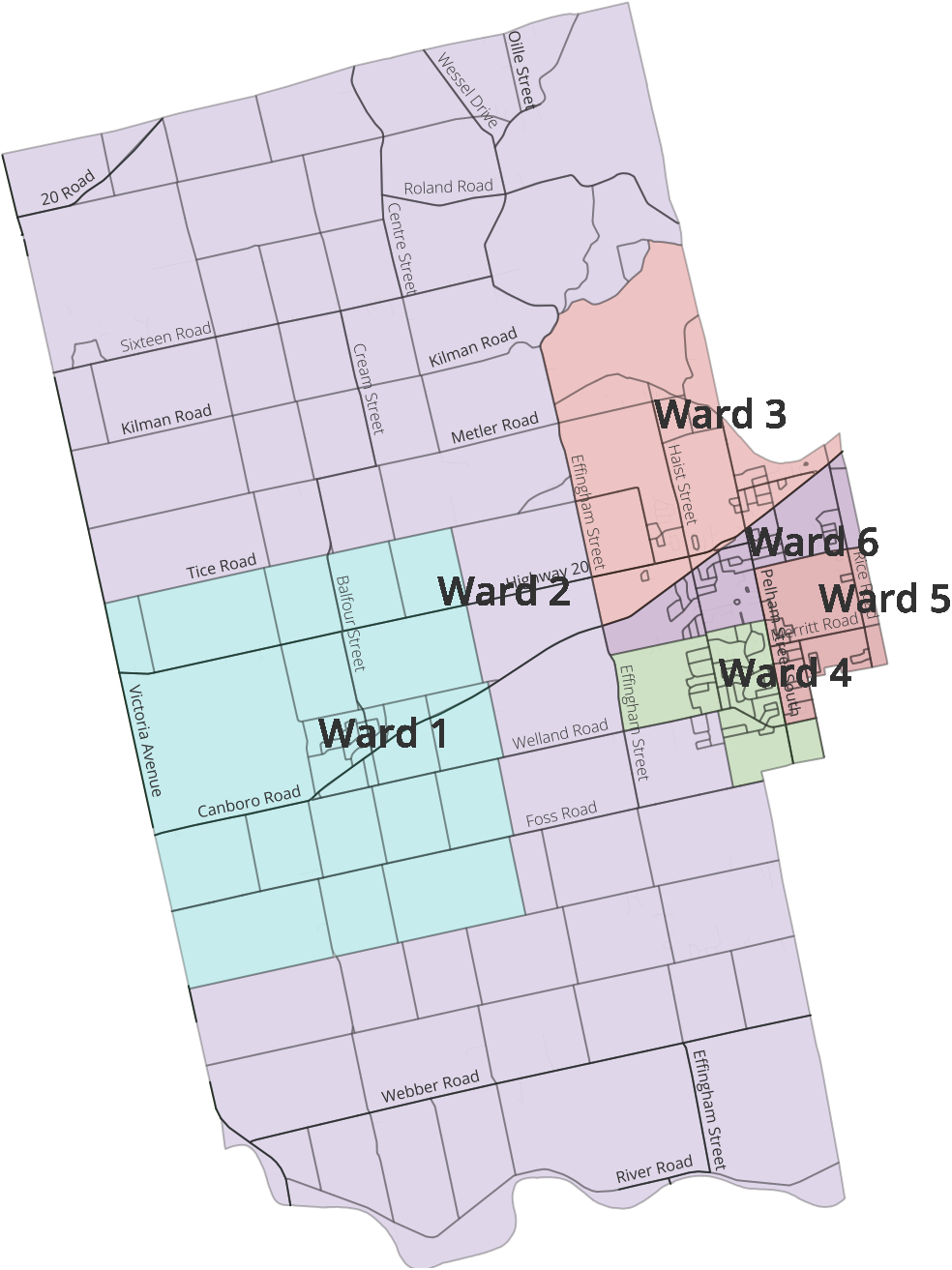
As Figure 4 shows, however, balancing current and future populations among the five wards is challenging because most of the new residential construction is planned to occur in Fonthill, east of Pelham Street. Thus, although the estimated population of Ward 5 (East Fonthill) is currently too low, we do expect the ward populations to be more balanced in time for the 2026 municipal election, and likely remain so through 2030.

**Figure 4. Five Ward Model**

	2023		2026		2030		2034	
Ward No.	Population	% above or below	Population	% above or below	Population	% above or below	Population	% above or below
1. North	4029	6.0%	4069	-2.6%	4092	-9.7%	4108	-15.0%
2. Fenwick	3895	2.5%	4030	-3.6%	4163	-8.1%	4276	-11.5%
3. South	4214	10.9%	4315	3.2%	4376	-3.4%	4414	-8.7%
4. Centre Fonthill	4198	10.4%	4364	4.4%	4523	-0.1%	4658	-3.6%
5. East Fonthill	2669	-29.8%	4119	-1.4%	5494	21.3%	6705	38.8%
<i>Total</i>	19005		20897		22648		24161	
<i>Average</i>	3801		4179		4530		4832	

### 5.5 Option 5:6 wards, one councillor per ward, no directly elected deputy mayor

Our final proposed model involves six wards, each electing its own councillor, with no directly-elected deputy mayor. Fenwick once again forms its own ward, along with the immediately surrounding rural area. Most of the remaining rural area is combined into one contiguous ward. Fonthill and the surrounding area are divided into four wards. Although balancing ward populations in a six ward model is challenging, we expect this configuration to be defensible likely through the 2030 municipal election.





**Figure 5. Six Ward Model**

	2023		2026		2030		2034	
Ward No.	Population	% above or below	Population	% above or below	Population	% above or below	Population	% above or below
1. Fenwick	3025	-4.5%	3160	-9.3%	3293	-12.8%	3406	-15.4%
2. Rural	3698	16.7%	3698	6.2%	3698	-2.0%	3698	-8.2%
3. North Fonthill	3219	1.6%	3259	-6.4%	3282	-13.1%	3298	-18.1%
4. West Fonthill	3629	14.6%	3831	10.0%	3951	4.7%	4030	0.1%
5. Southeast Fonthill	2393	-24.5%	3147	-9.6%	3940	4.4%	4607	14.4%
6. Centre Fonthill	3042	-4.0%	3802	9.2%	4484	18.8%	5123	27.2%
<i>Total</i>	19006		20897		22648		24162	
<i>Average</i>	3168		3483		3775		4027	

## 6. NEXT STEPS

As soon as possible after the presentation of this interim report the consultants will conduct informal interviews with council members and the municipality's senior management team. The object of these interviews will be to obtain their reactions to the options we have presented.

This stage will be followed by two public meetings. The first will be held on February 12<sup>th</sup> at 6:00 - 8:00 pm at Pelham Fire Station #2 (Fenwick); the second will be February 27<sup>th</sup> 6:00 – 8:00 pm at the Meridian Community Centre (Fonthill). For more information about these meetings and about this project, residents can consult the project page at [engagingpelham.ca](http://engagingpelham.ca), the Town of Pelham's online engagement tool.

We will present our Final Report to Council in March/April 2024. This report will contain a recommendation for a particular course of action. Readers are reminded again that we will be pleased to consider proposals that offer variations on one or more of any of the options we have presented. The purpose of these options is to help launch a discussion, not to limit it. The final decision, subject any appeals to OLT, rests with the Council.

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

Roll #	Address	Reason	From	To	# of Days Effective	Property Class	Original Assessment	New Assessment	Increase/ Decrease	Rate	Subtotal	Total Adjustment
<b>2023</b>												
2732 030 004 03400	1395 Station St	Demolition	7/17/2023	12/31/2023	168	CT	76,600	-	(76,600)	0.03130188	(1,103.61)	(1,103.61)
2732 030 004 03400	1395 Station St	Demolition	7/17/2023	12/31/2023	168	RT	346,400	227,000	(119,400)	0.01450014	(796.88)	(796.88)
2732 020 003 05100	5 Mayfair Ave	Damaged by Fire	11/16/2023	12/31/2023	46	RT	280,000	214,000	(66,000)	0.01450014	(120.61)	(120.61)
<b>Total Taxes Written Off Under Section 357/358</b>												<u><u>(2,021.10)</u></u>

## **REGULAR COUNCIL MINUTES**

**Meeting #:** C-02/2024  
**Date:** Wednesday, January 24, 2024  
**Time:** 9:00 AM  
**Location:** Town of Pelham Municipal Office - Council  
Chambers  
20 Pelham Town Square, Fonthill

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

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

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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 9:00 a.m.

**2. National Anthem**

**3. Land Recognition Statement**

The Councillor Ker read the land acknowledgement into the record.

**4. Approval of the Agenda**

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

**BE IT RESOLVED THAT the agenda for the January 24, 2024  
Regular meeting of Council be adopted, as circulated.**

**Carried**

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

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

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

**6.1 Delegations**

**6.1.1 Dr. Jim Jeffs - Dog Walking in Cemeteries**

**Moved By** John Wink

**Seconded By** Brian Eckhardt

**BE IT RESOLVED THAT Council receive the delegation from Dr. Jim Jeffs regarding dog walking in Pelham cemeteries, for information.**

**Carried**

**7. Unfinished Business**

**7.1 Proposed Replacement of Town of Pelham Cemeteries By-law, 2024-0015-Town Solicitor**

Councillor Wink proposed an addition to the motion that if permitted, dogs be restricted to walking on paths and roadways within cemeteries.

**Moved By** Bob Hildebrandt

**Seconded By** Kevin Ker

**BE IT RESOLVED THAT Council receive Report #2024-0015- Proposed Replacement of Cemeteries By-law, for information;**

**AND THAT Council approve, in principle, proposed By-law No. 03-2024, being the Cemeteries By-law, subject to finalization of subsections 9.19 and 9.20 of the proposed By-law pursuant to Council direction;**

**AND THAT Council direct staff to finalize subsections 9.19 and 9.20 of the proposed By-law to permit dogs other than service animals in Town cemeteries;**

**AN THAT Council direct the Chief Administrative Officer to take the necessary steps to amend By-law Enforcement Policy S502-05, so there is a zero tolerance standard for dogs at large off leash and the prompt removal of dog waste in cemeteries;**

**AND THAT the Chief Administrative Officer take the necessary steps to allow enforcement on restrictions**

where dogs remain on travel paths and roadways within cemeteries;

AND THAT Council direct that the proposed By-law as finalized pursuant to Council direction be presented to Council for consideration and approval at a regular meeting of Council;

AND THAT Council direct staff to undertake all necessary steps to have the proposed By-law, as considered and approved by Council, approved by the Registrar appointed under the *Funeral, Burial and Cremation Services Act, 2002, S.O. 2002, c. 33.*

Carried

**8. Adoption of Council Minutes**

**Moved By** John Wink

**Seconded By** Wayne Olson

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

**1. C-01/2024 - Regular Council Meeting - January 10, 2024**

Carried

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

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

**Moved By** Brian Eckhardt

**Seconded By** Bob Hildebrandt

**BE IT RESOLVED THAT** the Consent Agenda items as listed on the January 24, 2024, Council Agenda be received and the recommendations contained therein be approved:

**10. Consent Agenda Items to be Considered in Block -**

**10.1 Staff Reports of a Routine Nature for Information or Action**

**10.1.1 Q4 2023 Clerk's Quarterly Report, 2024-0014-Clerks**

**BE IT RESOLVED THAT** the Q4/2023 Clerk's Report be received for information.

**10.1.2 Q4 2023 Corporate Services Quarterly Report, 2024-0009-Corporate Services**

**BE IT RESOLVED THAT** the Q4/2024-0009 Corporate Services Department Quarterly Report be received for information.

**10.1.3 Q4 2023 Fire and By-Law Quarterly Report, 2024-0022-Fire Dept**

**BE IT RESOLVED THAT the Q4/2024-0022 Fire and By-law Enforcement Department Report be received for information.**

**10.1.4 Q4 2023 RCW Quarterly Report, 2024-0026-Recreation**

**BE IT RESOLVED THAT the Q4/2023-0026 - Recreation, Culture and Wellness Department Report be received for information.**

**10.1.5 Q4-2023 Planning and Development Quarterly Report, 2024-0020-Planning**

**BE IT RESOLVED THAT the Q4/2023 Community Planning and Development Department Report be received for information.**

**10.1.6 Q4 2023 Public Works Quarterly Report, 2024-0032-Public Works**

**BE IT RESOLVED THAT the Q4/2023 Public Works Department Report be received for information.**

**10.1.7 Memo-LED Streetlight Conversion Illumination Concerns, 2024-0033-Public Works**

**BE IT RESOLVED THAT Council receive the Memo LED Streetlight Conversion Illumination Concerns, for information.**

**10.1.8 Update of Centennial Park Washroom Construction, 2024-0027-Public Works**

**BE IT RESOLVED THAT Council receive Report #2024-0027-Update of the Centennial Park Washroom Construction, for information.**

**10.2 Information Correspondence**

**10.2.1 City of Greater Sudbury - Amendment to the Occupational Health and Safety Act to Clarify the definition of Employer**

**BE IT RESOLVED THAT Council receive the motion from the City of Greater Sudbury regarding Amendment to the Occupational Health and Safety Act to Clarify the Definition of Employer, for information.**

**10.2.2 Town of Lincoln - Provincial commitment to provide municipalities with necessary infrastructure funding to support housing as a result of the impacts of Bill 23 and other legislation**

**BE IT RESOLVED THAT Council receive the motion from the Town of Lincoln regarding Provincial commitment to provide municipalities necessary infrastructure funding to support housing as a result of the impacts of Bill 23 and other legislation, for information.**

**10.2.3 Steven Soos re: Mental Health and Addiction**

**BE IT RESOLVED THAT Council receive the PowerPoint presentation from Steven Soos regarding Mental Health and Addiction, for information.**

**10.3 Regional Municipality of Niagara Correspondence for Information or Action**

**10.3.1 Niagara Region - 2024 Approved By-laws - Water and Wastewater Operating Budget, Rate Setting and Requisition**

**BE IT RESOLVED THAT Council receive the Niagara Region's 2024 Approved By-laws regarding Water and Wastewater Operating Budget, Rate Setting, and Requisition, for information.**

**10.3.2 Niagara Region - 2024 Budget - Waste Management Services Operating Budget and Requisition CSD 48-2023**

**BE IT RESOLVED THAT Council receive the Niagara Region's 2024 Budget Waste Management Services Operating Budget and Requisition an report CSD 48-2023, for information.**

**Carried**

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

**12. Presentation and Consideration of Reports**

**12.1 Members of Council Reports**

**12.1.1 Mayor Junkin - Update on Submission to Provincial Standing Committee regarding Region of Niagara Review**

**Moved By** Shellee Niznik

**Seconded By** Kevin Ker

**BE IT RESOLVED THAT Council receive the verbal update from Mayor Junkin on his Submission to the Provincial Standing Committee on Heritage, Infrastructure, and Cultural Policy regarding The Region of Niagara review, for information.**

**Carried**

**12.2 Staff Reports Requiring Action**

**12.2.1 EV ChargeON Grant Application, 2024-0029- Corporate Services**

**Moved By** Brian Eckhardt

**Seconded By** Wayne Olson

**BE IT RESOLVED THAT Council receive the Memo # 2024-0029-Corporate Services entitled Centennial Park EV ChargeON Program Grant, for information;**

**AND THAT Council approve the grant application to Ontario Ministry of Transportation's EV ChargeON Program;**

**AND THAT Council approve \$50,000 or 25% of the total cost of the two level three 50 KW EV Charges in the 2025 Capital Budget for Centennial Park.**

**Carried**

**12.2.2 Cemeteries Marker and Perpetual Care and Maintenance Fees, 2024-0030-Corporate Services**

**Moved By** Wayne Olson

**Seconded By** Kevin Ker

**BE IT RESOLVED THAT Council receive the Memo # 2024-0030-Cemeteries: Marker Perpetual Care and Maintenance Fees, for information;**

**AND THAT Council approve the amendment of By-law # 71-2023 Town of Pelham User Fees and Charges for the Marker Perpetual Care and Maintenance fees to remain the same as the 2023 rate, as per the Bereavement Authority of Ontario (BAO) Fee Calendar.**

**Carried**

**12.2.3 Automated Speed Enforcement Options, 2024-0034-Town Solicitor**

**Moved By** Bob Hildebrandt

**Seconded By** John Wink

**BE IT RESOLVED THAT Council receive Report # 2024-0034 – Automated Speed Enforcement Options for Pelham, for information;**

**AND THAT Council determine if the implementation of automated speed enforcement in the Town of Pelham is desirable;**

**AND THAT if the implementation of automated speed enforcement in the Town of Pelham is desirable, that Council direct staff to investigate the financial and operational requirements of same.**



**Carried**

- 13. New Business**
- 14. Motions and Notices of Motion**
- 15. Resolution to Move In Camera**
- 16. Rise From In Camera**
- 17. Confirming By-Law**

**Moved By** Bob Hildebrandt  
**Seconded By** Shellee Niznik

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

**Being a By-law No. 04-2024 to Adopt, Ratify and Confirm the proceedings of Council of the Town of Pelham at its Regular Meeting held on the 24th day of January, 2024.**

**Carried**

- 18. Adjournment**

**Moved By** Kevin Ker  
**Seconded By** John Wink

**BE IT RESOLVED THAT this Regular Meeting of Council be adjourned until the next regular meeting scheduled for February 7, 2024, at 9:00 a.m.**

**Carried**

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Mayor: Marvin Junkin

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Town Clerk: William Tigert

# Recommendations of the Public Meeting under the *Planning Act* held January 17, 2024 – PCOW-01/2024

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BE IT RESOLVED THAT COUNCIL HEREBY approves the following Recommendations Resulting from the Public Meeting under the *Planning Act* meeting of January 17, 2024:

- 1. THAT the agenda be amended to include item 6.2.1.**
- 2. THAT the agenda for the January 17, 2024, Public Meeting Under the Planning Act, Special Meeting of Committee of the Whole, be adopted as amended.**
- 3. THAT Committee receive Report #2024-18 for information as it pertains to File Nos. OP-AM-02-2023 & AM-05-2023;**

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

- 4. THAT Committee receive the applicant's presentation for information.**
- 5. THAT Committee receive the written correspondence as listed on the agenda;**

**AND THAT Committee receive the verbal presentations made by the public.**

- 6. THAT Committee receive Report #2024-0016 Information Report – Housekeeping Zoning By-law, for information;**

**AND THAT Committee direct Planning staff to prepare the Recommendation Report on the Housekeeping Zoning By-law Amendment to Town of Pelham Comprehensive Zoning By-law 4481(2022) for Council's consideration.**

- 7. THAT Committee receive the written correspondence as listed on the agenda;**

**AND THAT Committee receive the verbal presentations made by the public.**

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

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

Meeting #: PCOW-01/2024  
Date: Wednesday, January 17, 2024  
Time: 5:30 PM  
Location: Town of Pelham Municipal Office - Council Chambers  
20 Pelham Town Square, Fonthill

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

Staff Present: David Cribbs, Barbara Wiens, Shannon Larocque, Sarah  
Leach, Lindsay Richardson, Jodi Legros

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

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

**2. Land Recognition Statement**

Councillor Olson read the land recognition into the record.

**3. Adoption of Agenda**

THAT the agenda for the January 17, 2024, Public Meeting Under the Planning Act, Special Meeting of Committee of the Whole, be adopted as circulated.

**Amendment:**

**Moved By** Councillor Bob Hildebrandt

**THAT the agenda be amended to include item 6.2.1.**

**Carried**

**Motion as Amended:**

**Moved By** Councillor Bob Hildebrandt

**THAT the agenda for the January 17, 2024, Public Meeting Under the Planning Act, Special Meeting of Committee of the Whole, be adopted as amended.**

**Carried**

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

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

## **5. Planning Act Application: OP-AM-02-2023 & AM-05-2023 - 1389 Effingham Street**

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

### **5.1 Planning Report and Presentation**

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

#### **5.1.1 Information Report - Applications for Official Plan and Zoning By-law Amendment - 1389 Effingham Street, 2024-0018-Planning**

### **5.2 Applicant's Presentation**

The Agent, Angela Buonamici, provided an overview of the application before Council. A copy is available through the Clerk.

### **5.3 Public Input**

Steve Mathews expressed concern about the potential use of bird bangers. The Agent indicated the Applicant does not intend to use bird bangers.

Patrick Fuller expressed concern for the potential future expansion of the winery facility, noting the website references a capacity of 150 people. Mr. Fuller objected to the wine-tasting facility and indicated the proposed parking was insufficient.

The Agent, Angela Buonamici, stated the current intent is a wine-tasting facility, not an event space. Ms. Buonamici indicated an event space would require an additional planning application. She stated the information on the website was a placeholder and is not currently permitted or requested. Ms. Buonamici stated that wine production will occur during business hours and will not contravene the Town's Noise By-law.

Gaye Fuller expressed uncertainty as to why the website advertises events if it is not going to happen. Ms. Buonamici responded it was part of a marketing plan which may be a long-term vision.

The Mayor asked for clarity that a special event would require an additional permit. Senior Planner, Shannon Larocque, confirmed. Ms. Larocque stated the Zoning By-law permits an annual event subject to a Special Event Permit, with anything more frequent requiring a zoning by-law amendment.

Mark Engel asked why a portion of the land is to be rezoned to EP3 from EP1. Ms. Larocque stated the property is within the Greenbelt Plan Area and the characterization of features on-site made it more appropriate as an EP3 zone. She stated the intention is to retain environmental protection zoning.

Gayle Savage expressed concern about the view from her property. The Mayor confirmed the building already exists. Ms.

Savage expressed traffic concern, noting the current excessive traffic on Effingham Street. Ms. Savage expressed further concern regarding noise and the potential for music. Ms. Buonamici indicated that noise would be limited to hours of operation. Ms. Buonamici stated the winery is not located on a wine route and therefore it would not be advantageous for buses to travel to the winery. She stated the winery is not huge and is meant to serve the Pelham community. Addressing the noise concern, Ms. Buonamici stated that if music occurred, it would likely be a solo artist or guitarist.

Steve Mathews expressed concern the Town would not adequately respond to future noise complaints if warranted.

Ms. Leach, Deputy Clerk, indicated she checked the [clerks@pelham.ca](mailto:clerks@pelham.ca) email address at 6:15 p.m. and confirmed no e-mails have been received with regard to the subject application. Ms. Leach indicated the public comment portion of the application could be closed. The Committee agreed to close the public portion of the meeting and move to Committee input.

#### **5.4 Committee Input**

Councillor Ker introduced his experience in the industry and identified that wine production normally occurs during a six-week window. Aside from this timeframe, the Councillor indicated the noise levels are not drastically different from other agricultural operations. Councillor Ker stated that bird bangers are generally ineffective, and identified other preventive measures that exist. He asked for clarification regarding the numbers that appeared in the agent's presentation.

Ms. Buonamici identified the picnic area is not part of the building. Ms. Larocque stated the requirements in the Official Plan and Zoning By-law relate to floor area which would not encompass the outdoor tasting area.

Councillor Ker stated the site ingress and egress appeared insufficient for large equipment. Ms. Buonamici confirmed site plan requirements would be addressed following the current application and indicated that the driveway width would be increased to allow for two-way traffic.

Councillor Niznik asked how many special event permits can be issued to a business within a given year. Barb Wiens, Director of Community Planning and Development, stated the Official Plan allows rural properties one annual event per year. She stated anything beyond this would require a zoning by-law amendment.

Concerning the written comments provided by Mr. and Mrs. Fuller, Councillor Niznik asked how the applicant plans to secure the property line. The Applicant, Anthony Hall, indicated that he no longer uses the footpath, but will address its use with others. He stated the intention is to have a surveyor mark the property line. Regarding noise concerns, Mr. Hall stated he has four young

children and has no intent to be a bad neighbor or generate noise that would also adversely affect his family. Councillor Niznik emphasized securing the property line to avoid future encroachment.

Councillor Ker identified the importance of sewer capacity at the site plan stage. Councillor Ker expressed the proposal seemed worthwhile and presented a good opportunity for a winery within the Town’s boundary.

Councillor Olson asked if a sewage permit was obtained. The Applicant confirmed.

Mayor Junkin asked if the NPCA request for additional information was fulfilled. Ms. Buonamici confirmed.

**5.5 Presentation of Resolutions**

**Moved By** Councillor Wayne Olson

**THAT Committee receive Report #2024-18 for information as it pertains to File Nos. OP-AM-02-2023 & AM-05-2023; AND THAT Committee direct Planning staff to prepare the Recommendation Report on this topic for Council’s consideration.**

**Carried**

**Moved By** Councillor John Wink

**THAT Committee receive the applicant's presentation for information**

**Carried**

**Moved By** Councillor Bob Hildebrandt

**THAT Committee receive the written correspondence as listed on the agenda; AND THAT Committee receive the verbal presentations made by the public.**

**Carried**

**6. Planning Act Application: AM-08-2023 Housekeeping Zoning By-law Amendment**

**6.1 Planning Report and Presentation**

Lindsay Richardson, Policy Planner provided an overview of the application before Council. A copy is available through the Clerk.

**6.1.1 Information Report – Housekeeping Zoning By-law Amendment, 2024-0016-Planning**

**6.2 Public Input**

Mark Engel provided a brief background on the history of Pelham's Zoning By-law. Mr. Engel indicated he has an issue with the process behind the creation of the EP zoning schedules. Mr. Engel indicated the new schedule designates approximately 604 properties as EP1. He stated the new schedule is out of alignment with the Official Plan and suggested that Council was not adequately informed of this material change before their decision.

Mr. Engel expressed concern and disagreement that homeowners were not directly notified of their zoning change. As a remedy, Mr. Engel requested his property be rezoned back to Agriculture "A". He requested staff work with him to provide a solution that allows development on his property.

Mr. Engel expressed disagreement with the removal of single detached dwellings as a permitted use in EP2 and EP3 zones. He indicated this would put the Zoning By-law out of alignment with the Official Plan. Mr. Engel stated the amendment removes the right for construction without notification to property owners. Mr. Engel suggested a zoning impact study be conducted. To conclude, Mr. Engel requested that single detached dwellings not be removed as a permitted use from EP2 and EP3.

Stephen Kaiser provided a brief overview of his involvement with the Town of Pelham and indicated that staff are effectively working to address his comments. Ms. Kaiser expressed concern about height and bicycle parking, noting the definition is still ambiguous. He expressed disagreement with the proposed changes in the Institutional zone and indicated there should be no coverage restrictions in the Village Commercial zone.

Mr. Kaiser emphasized that Council should consider how to promote intensification as opposed to limiting it.

Don Campbell identified he was appearing on behalf of Pelham Advocates for Trees and Habitat (PATH). Mr. Campbell expressed concern for promoting reasonable development that balances the need for housing and jobs with the protection of heritage and the environment. Mr. Campbell indicated that PATH would submit written comments to the Planning Department in the near future.

Mr. Campbell proposed the Fenwick Urban Area boundary be exempt from setback requirements for EP1 and EP2. Mr. Campbell expressed satisfaction with the addition of significant woodlands to the chart. Mr. Campbell expressed concern about the removal of the site plan control requirement from the Greenbelt Natural Heritage System. Barb Wiens, Director of Community Development and Planning, indicated that staff would be happy to meet with PATH on the suggestions proposed. Mr. Campbell indicated that PATH is supportive of many of the amendments.

Jason Wierenga expressed satisfaction with the reduction of parking spots required for his greenhouse operation. However, Mr. Wierenga stated the parking requirement would still not accurately reflect his business needs and would like to see a further reduction. In addition to greenhouses, Mr. Wierenga stated the parking reduction should be applied to other agricultural purposes. Mr. Wierenga suggested the term “agricultural” be utilized as opposed to “commercial” with respect to greenhouses. To conclude, Mr. Wierenga identified the current lot coverage restrictions for greenhouses.

Ms. Leach, Deputy Clerk, indicated she checked the [clerks@pelham.ca](mailto:clerks@pelham.ca) email address at 7:26 p.m. and confirmed no e-mails have been received with regard to the subject application. Ms. Leach indicated the public comment portion of the application could be closed. The Committee agreed to close the public portion of the meeting and move to Committee input.

### **6.3 Committee Input**

Councillor Wink asked why the new Zoning By-law reduced the greenhouse lot coverage to 30% from 70%. Ms. Wiens clarified the previous zoning by-law permitted a lot coverage of 60% and was reduced to be consistent with the Official Plan. Ms. Wiens assured this restriction would be reviewed with the Official Plan update. Councillor Wink asked the greenhouse lot coverage permitted within other municipalities. Ms. Wiens stated they range; noting 50% in Niagara-on-the-Lake and 70% in Lincoln.

Councillor Wink asked about a lot coverage restriction for hoop houses as they are temporary. Ms. Wiens confirmed there is no lot coverage restriction for hoop houses.

Councillor Niznik expressed concern for the time associated with an official plan amendment related to greenhouse lot coverage. Councillor Niznik asked if there is a process to make a temporary exemption.

Mayor Junkin reminded Council of a previous discussion where Council felt a six-to-eight-month period was reasonable. Mayor Junkin asked Ms. Wiens if this was still feasible. Ms. Wiens indicated she was not aware of a legal process outside of a zoning by-law amendment. She stated the zoning by-law amendment could be brought forward at the same time as the official plan update.

Councillor Ker supported an increase in lot coverage for greenhouses and hoop houses and asked if hoop houses required a building permit. Ms. Wiens confirmed that under the Ontario Building Code hoop houses do require a building permit.

Councillor Ker expressed the greenhouse industry needs support and indicated he would like to see a reasonable measurement imposed as opposed to unlimited lot coverage. Councillor Ker stated that hoop houses are separate from fixed greenhouses.



Councillor Ker acknowledged the request to change "commercial" to "agricultural" but indicated value in the use of the term commercial for control and revenue purposes.

Councillor Olson expressed support for a 70% greenhouse lot coverage. Councillor Olson supported the comment regarding a reduction in parking requirements for agricultural operations. He stated the Town should create a condition for the agricultural industry to succeed.

Councillor Hildebrandt concurred with the comments of Council. Councillor Hildebrandt expressed concern for the greenhouse industry due to the lot coverage restriction.

Councillor Wink asked for the timelines associated with a specific official plan amendment and the overall official plan review. Ms. Wiens responded five to six months for an amendment and six to nine months for the new official plan. Ms. Wiens explained the process for an official plan amendment. Councillor Wink expressed disappointment in the associated timeframe.

Mayor Junkin asked if the timeframe changes if the request is received from an individual or business. Ms. Wiens stated the timeframe would not change.

Councillor Ker expressed a desire to expedite the change. Ms. Wiens stated pursual of a zoning by-law amendment is required to increase the lot coverage of any specific greenhouse. Ms. Wiens indicated there could be situations where 70% is too much.

Councillor Wink emphasized that greenhouse growers can pursue a zoning by-law amendment individually.

David Cribbs, Chief Administrative Officer, stated the zoning by-law and official plan processes are statutory and subject to an appeal to the Ontario Land Tribunal. Mr. Cribbs stated the 30% lot coverage was adopted for a good reason, as 70% may not be appropriate for every property. He further stated Staff is on track to deliver the new Official Plan this calendar year.

Councillor Ker agreed that parking requirements were excessive as automation has reduced staffing requirements.

Councilor Wink asked for a response to Mr. Engel's comments. Ms. Wiens indicated that zoning needs to comply with various policy documents in addition to the Town's Official Plan and identified the complexity of environmental requirements. Ms. Wiens stated the map Mr. Engel referenced was changed because of agency comments. She further stated the revised map was included in the package brought forward to Council and subject to a public meeting.

Concerning notification, Ms. Wiens stated it was a comprehensive zoning by-law review that involved community outreach and open houses, exceeding the legislated

requirements. Ms. Wiens indicated individual notification is not standard and acknowledged it was unfortunate the Engels were not aware. She further indicated the Zoning By-law was not appealed by any agencies which confirms compliance.

Ms. Wiens identified a zoning by-law process for boundary refinement subject to an environmental impact study. Ms. Wiens stated that development has not been permitted in areas of certain environmental features for approximately 20 years, and the Town is catching up to this restriction.

Mayor Junkin thanked Ms. Wiens and Staff for public consultation conducted during the comprehensive zoning by-law process.

Councillor Wink asked for an approximate cost of an environmental impact study. Ms. Wiens responded that it could vary greatly between 10 to 25 thousand dollars depending on environmental features and the proposal itself. Councillor Wink acknowledged the Engel's unfortunate circumstance, as they were able to build at the time of purchase. Ms. Wiens agreed and confirmed that in 2019 at the time of purchase, construction was permitted.

Councillor Niznik asked if homes within EP1 could be demolished and rebuilt. Ms. Wiens indicated it would depend on several variables such as the footprint. Ms. Wiens stated existing uses are permitted to continue.

**6.4 Presentation of Resolutions**

**Moved By** Councillor Kevin Ker

**THAT Committee receive Report #2024-0016 Information Report – Housekeeping Zoning By-law, for information;**

**AND THAT Committee direct Planning staff to prepare the Recommendation Report on the Housekeeping Zoning By-law Amendment to Town of Pelham Comprehensive Zoning By-law 4481(2022) for Council’s consideration.**

**Carried**

**Moved By** Councillor Wayne Olson

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

**AND THAT Committee receive the verbal presentations made by the public.**

**Carried**

**7. Adjournment**

The meeting was adjourned at 8:12 pm.

**Moved By** Councillor Bob Hildebrandt

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

**Carried**

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Mayor: Marvin Junkin

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Deputy Clerk: Sarah Leach

**Subject:** 2024 Ward Boundary Review, Council Composition Update and Selection Process for Deputy Mayor Public Consultation Sessions

**Recommendation:**

**BE IT RESOLVED THAT Council receive Report #2024-0031 – 2024 Ward Boundary Review, Council Composition Update, and Selection Process for Deputy Mayor Public Consultation Sessions, for information.**

**Background:**

As part of the 2023 Operating Budget, Council approved project no. PLN 04-23, "Ward Boundary and Council Composition Update and Selection Process for Deputy Mayor". In July 2023, Andrew Sancton Consulting was selected to spearhead the project.

The culmination of Phase 2 is marked by the inclusion of the Preliminary Report in the agenda package for February 7, 2024.

**Analysis:**

Phase 3 will encompass stakeholder interviews and public consultation, aiming to gather input to create a Final Report tailored specifically to the governance requirements of the Town of Pelham.

Two public consultation sessions are scheduled for this purpose:

Session no. 1: Monday, February 12<sup>th</sup> from 6-8 pm at Pelham Fire Station #2

Session no. 2: Tuesday, February 27<sup>th</sup> from 6-8 pm at the Meridian Community Centre (Accursi Room)

During these sessions, alternative ward boundary maps and governance models will be available for public review and input, with consultants present on-site to provide information and answer questions. Additionally, informal interviews will be held with members of Council and the Senior Leadership Team, aiming to gather insight into the alternatives outlined in the Preliminary Report.

**Financial Considerations:**

None. Two public consultation sessions were included in the RFP.

**Alternatives Reviewed:**

None.

**Strategic Plan Relationship: Community Development and Growth**

Public consultation during a ward boundary review, council composition update, and Deputy Mayor selection review fosters inclusive decision-making. The outcomes of the studies could significantly impact the community, and this engagement process facilitates shared perspectives. The input gathered assists the consultants in understanding community dynamics and identifying communities of interest, which lay the groundwork for recommendation(s) contained in the Final Report.

Stakeholder engagement with members of Council and the Senior Leadership Team ensures that recommendations are forward-thinking, considering future community development, and ensuring that the governance structure aligns with both current and future community needs.

Generally speaking, public consultation is a valuable tool in municipal governance, promoting inclusivity, diversity, and transparent decision-making. Further, it is important that residents feel that Pelham's electoral system can produce responsive local government. This is a rare opportunity to have say into how the political system functions. All residents of Pelham are encouraged to attend and provide input.

**Consultation:**

The Chief Administrative Officer, Town Clerk, Communications and Public Relations Specialist, and Consultants.

**Other Pertinent Reports/Attachments:**

None.

**Prepared and Recommended by:**

Sarah Leach  
Deputy Clerk

**Prepared and Submitted by:**

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

**Subject:** LED Streetlight Replacement Extras

**BE IT RESOLVED THAT Council receive Report #2024-0037– LED Streetlight Replacement Update Extras, for information;**

**AND THAT Council direct staff to pursue Option #\_\_\_\_\_, for the LED Streetlight Conversion project:**

- a) Option 1 – Council APPROVE a budget increase of \$60,000.00 for project RD 04-23, funded from the Road Reserve to complete the installation of the 31 Decorative Fixtures.**
- b) Option 2 - 31 Decorative fixtures be considered as a separate new project in 2025 subject to budget approval.**
- c) Option 3 - Use a portion of the remaining funds to provide a spare fixture inventory.**
- d) Option 4 - Increase the project budget by \$74,000.00 (plus HST) to complete the conversion project and create a spare parts inventory**

**Background:**

On February 6, 2023, Council approved Capital Project RD-04-23 for \$700,000 to undertake Phase 2 of the project. Phase 2 of the LED Streetlight Replacement contract includes the replacement of 574 cobra head lights and 426 Decorative fixtures.

At the time of project award to RealTerm Energy, the total cost of the project was an estimate based on the inventory of fixtures provided during the RFP process.

The total estimated cost to complete the LED conversion project based on the original estimates provided by RealTerm Energy was \$950,000 (plus applicable taxes). Staff included a budget amount of \$250,000 in 2022 and \$700,000 in 2023 for a total project budget of \$950,000.

Based on the information received from the initial IGA the Town is expected to realize approximately 74% in cost savings for utility operating costs (hydro) and

reduced maintenance costs. For 564 fixtures completed in Phase 1, this represents approximately \$62,526 per year resulting in a project payback of 3.8 years on the capital investment.

Concerning the Phase 2 work, the Town should realize approximately 77% in cost savings for utility operating costs (hydro) and reduced maintenance costs. For 1000 fixtures this represents approximately \$126,394 per year resulting in a project payback of 4.7 years on the capital investment.

Overall, the annual cost savings for operation and maintenance are estimated at \$188,920 with an estimated payback period of approximately 5 years.

### **Analysis:**

The contract was originally planned to be completed by the end of 2023. However, the contractor has experienced delays due to installation difficulties and supply chain issues. RealTerm Energy has informed the Town that the contractor is experiencing a higher rate of fuse holder replacements than expected as the crew(s) are having difficulty reusing the existing FH when replacing the fuses. The handholes are smaller than what is normally experienced. The original fuse holders were forced into the poles causing them to be distorted and once removed to install the new fuse can not be reinstalled to make a proper connection. As such the fuse holders must be replaced to make proper contact. This issue with the fuse holder installation has delayed the completion of the project. Realterm has stated that the contractor should remobilize and complete the work by the middle of March.

In addition, Realterm has identified 31 decorative fixtures located in Ridgeville (Canboro Road and Effingham Street), Timmsdale Crescent, and Brondi's Lane areas which are not able to be installed on the existing poles. A Deco assessment was completed for the 31 fixtures in an attempt to use the existing poles/arms for the installation of the new Deco fixtures as a cost-saving measure. RTE's Design Team consulted with the fixture supplier and determined that it was not possible/practical to fit new fixtures to the existing infrastructure.

As such, new arms will be required to accept new Deco fixtures for these 31 streetlights. The cost of the decorative fixtures as well as the installation costs of the fixtures are included in the original estimate. However, as a result of this change, the total cost of the project will increase by approximately \$60,000 (plus applicable taxes).

Staff have provided Council with the following options moving forward with the LED Streetlight Replacement project:

### **Option 1 – Increase the project budget by \$60,000.00 (plus HST)**

There will be 31 Deco fixtures left to install at the end of this project, the cost will be significant as they will need new arms to match the existing poles. The total estimated cost to include the new arms is approximately \$83,225 (plus applicable taxes). A detailed review of the current budget indicates that there is \$26,794.00 remaining of the \$700,000 approved budget. As a result, a budget increase of \$56,431 (plus applicable taxes) will be required to complete the LED conversion project in 2024. Staff recommends increasing the budget by 60,000 to allow a small contingency.

The delivery of these arms, if approved, by would be approximately 8-12 weeks. Installation of these fixtures would be completed within 1-2 weeks following receipt of the equipment.

**Option 2 – Include the conversion of the 31 Decorative Fixtures as a separate project in 2025 subject to council approval.**

Since the budget cannot withstand this expenditure, an option would be to defer the conversion of the 31 decorative fixtures to a future capital budget.

**Option 3 - Use a portion of the remaining funds to provide a spare fixture inventory.**

Instead of completing the full conversion staff could use the remaining budget to create a spare fixture inventory. RealTerm Energy has provided the Town with the pricing for a recommended spare inventory of \$14,000.00. Spare inventory will allow for faster replacements and more efficient maintenance in the future. In addition, it will allow the Town to address future residential expansion/additional lighting requests.

**Option 4 - Increase the project budget by \$74,000.00 (plus HST) to complete the conversion project and create a spare parts inventory**

Proceeding with the completion of full conversion and creating a spare parts inventory is the most expensive option, but accomplishes the work and provides inventory for future replacement and/or expansion.

**Financial Considerations:**

The total estimated cost to complete the LED conversion project based on the original estimates provided by RealTerm Energy was \$950,000 (plus applicable taxes). Staff included a budget amount of \$250,000 in 2022 and \$700,000 in 2023 for a total project budget of \$950,000.



Staff's recommendation is to increase the project budget by \$60,000.00 (plus HST) to complete the full project conversion plus extras. As a result, the total budget project spend will be \$1,010,000.00 for Phase 1 and 2.

Alternatively, Council may authorize an increase of \$74,000.00 (plus HST) to complete the full project conversion plus extras and create the spare parts inventory. The overall budget project spend will be \$1,024,000.00.

### **Alternatives Reviewed:**

The alternative options have been provided in the Analysis section of this report for Council's consideration.

### **Strategic Plan Relationship: Infrastructure Investment and Renewal**

Providing a reliable and efficient street lighting network allows for the safe and efficient transportation of vehicles and pedestrians within the Town. In addition, an LED Streetlight Conversion program is in alignment with the implementation of the Town's Climate Change Adaption Plan helping to reduce energy usage and reduce greenhouse emissions, and also provides an economic benefit to the Town through lower operation and maintenance costs.

### **Consultation:**

Consultation was undertaken with the Manager of Engineering, Manager of Public Works, and RealTerm Energy in the preparation of this report.

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

Council Report #2022-0231 – Update on the LED Streetlight Replacement Project

Council Report #2022-0036 – LED Streetlight Conversion Binding Letter of Engagement between the Town of Pelham and RealTerm Energy Corp

Council Report #2021-0206 - Options for Implementing an LED Streetlight Conversion Program in the Town of Pelham

Council Report #2023-0092 – Update on the LED Streetlight Replacement Project

Council Report #2023-0224 – LED Streetlight Replacement Update and +Smart Technology Options

### **Prepared by:**

Gimuel Ledesma, C.E.T.,rcji  
Engineering Technologist

**Recommended by:**

Jason Marr, P. Eng.  
Director of Public Works

**Prepared and Submitted by:**

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

**Subject:** 2023 Statement of Council and Board Remuneration**Recommendation:**

**BE IT RESOLVED THAT Council receive Report # 2024-0041 –  
Corporate Services - 2023 Statement of Council and Board  
Remuneration, for information**

**Background:**

Section 284(1) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, requires that the Treasurer shall in each year on or before March 31 provide to Council an itemized statement on remuneration and expenses paid in the previous year to

(a) each member of council in respect of his or her services as a member of the council or any other body, including a local board, to which the member has been appointed by council or on which the member holds office by virtue of being a member of council;

(b) each member of council in respect of his or her services as an officer or employee of the municipality or other body described in clause (a); and

(c) each person, other than a member of council, appointed by the municipality to serve as a member of any body, including a local board, in respect of his or her services as a member of the body.

**Analysis:**

Appendix 1 and Appendix 2 to this report contains the 2023 Statement of Council and Board Remuneration.

Council remuneration may be defined in different ways depending upon the purpose of the information. Remuneration for the purposes of this report is based on payments made to members of Council and is derived from the elected official's T4, excluding taxable benefits. Benefits paid by the employer, which are not paid to the official, have been excluded. The cost of benefits for all of Council in 2023 totaled \$53,887.

For the purposes of reporting remuneration and expenses in accordance with

Section 284 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, expenses include payments made on behalf of members of Council from public funds which were paid for conference registration, accommodations, and other expenses.

The Town has no information about the remuneration or expenses, if any, paid to Members of Council by any local board or body other than the Town. The Town has no information about the remuneration or expenses, if any, paid to local board members appointed by the Town by any local board or body other than the Town.

**Financial Considerations:**

The reported costs were budgeted.

**Alternatives Reviewed:**

Not applicable.

**Strategic Plan Relationship: Strong Organization**

The presentation of the 2023 Statement of Council and Board Remuneration is a legislated requirement.

**Consultation:**

Not applicable.

**Other Pertinent Reports/Attachments:**

Appendix 1 – Statement of Council Remuneration and Expenditures for 2023

Appendix 2 – Statement of Committee of Adjustment Remuneration and Expenses for 2023

**Prepared and Recommended by:**

Jonathan Witzke, BBA, PCP  
Staff Accountant and Payroll Clerk

Teresa Quinlin-Murphy, FCPA, FCA, MBA  
Director of Corporate Services/Treasurer

**Prepared and Submitted by:**

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

**STATEMENT OF COUNCIL REMUNERATION AND EXPENDITURES  
FOR THE YEAR ENDED DECEMBER 31, 2023**

	<b>Conferences Attended</b>	<b>Remuneration</b>	<b>Car Allowance</b>	<b>Conference Registration</b>	<b>Conference Expenses</b>	<b>Cell &amp; Data Expenses</b>	<b>Other Meals and Expenses</b>	<b>Total</b>
<b>MAYOR</b>								
Junkin, Marvin	#2, #3, #5	\$ 39,936.48	\$ 2,500.00	\$ 1,649.34	\$ 1,876.13	\$ 878.34	\$ 91.52	<b>\$ 46,931.81</b>
<b>COUNCILLORS</b>								
Eckhardt, Brian	#3	18,303.83	-	66.97	-	326.56	-	<b>18,697.36</b>
Hildebrandt, Bob	#3, #4, #5	18,303.83	-	1,201.60	719.82	289.55	-	<b>20,514.80</b>
Ker, Kevin	#3	18,303.83	-	-	-	301.46	-	<b>18,605.29</b>
Niznik, Shellee		18,303.83	-	-	-	314.67	44.95	<b>18,663.45</b>
Olson, Wayne	#1, #3, #5	18,303.83	-	691.92	385.25	301.44	262.85	<b>19,945.29</b>
Wink, John	#3, #5	18,303.83	-	641.92	454.32	301.44	-	<b>19,701.51</b>
<b>Total</b>		<b>\$ 149,759.46</b>	<b>\$ 2,500.00</b>	<b>\$ 4,251.75</b>	<b>\$ 3,435.52</b>	<b>\$ 2,713.46</b>	<b>\$ 307.80</b>	<b>\$ 163,059.51</b>

The remuneration paid to all members of Council was paid pursuant to by-law #4226(2020) under section 284 of the *Municipal Act*, 2001, as amended. The Town has no information about the remuneration or expenses, if any, paid to Members of Council by any local board or body other than the Town. The Town has no information about the remuneration or expenses, if any, paid to local board members appointed by the Town by any local board or body other than the Town.

**Conference Details**

- #1 OFT - 2023 Forum
- #2 FCM - Annual Conference for 2023
- #3 GNCC - Annual State of the Region
- #4 AMO - Municipal Energy Symposium
- #5 ROMA - Annual Conference for 2023

**APPENDIX 2**

**STATEMENT OF COMMITTEE OF ADJUSTMENT REMUNERATION & EXPENSES  
FOR THE YEAR ENDED DECEMBER 31, 2023**

<b>Committee Member</b>	<b>Remuneration</b>	<b>Mileage &amp; Travel (OACA &amp; Meetings)</b>	<b>Conference Registration (OACA)</b>	<b>Accommodations (OACA)</b>	<b>Total</b>
Banach, Isaiah	\$ 688.91	\$ -	\$ -	\$ -	<b>\$ 688.91</b>
Cappa, John	772.04	-	-	-	<b>772.04</b>
Cook, Don	99.18	-	-	-	<b>99.18</b>
Klassen, John	99.18	-	-	-	<b>99.18</b>
Law, Bernie	187.66	8.46	-	-	<b>196.12</b>
Marsh, Sandra	93.83	-	-	-	<b>93.83</b>
McCann, Colin	656.81	70.87	-	-	<b>727.68</b>
Robard, Donald	562.98	-	-	-	<b>562.98</b>
Stan, Brenda	750.64	70.87	-	-	<b>821.51</b>
<b>Total</b>	<b>\$ 3,911.23</b>	<b>\$ 150.20</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 4,061.43</b>

The remuneration paid to all committee members was paid pursuant to by-law #2441(2002) under section 284(1) subsection 2 of the *Municipal Act*, 2001, as amended.

**Subject:** Status Update on the Results of the Ontario Land Tribunal Case Management Conference Hearing Re: Cannabis

**Recommendation:**

**BE IT RESOLVED THAT Council receive Report #2024-0036 – Status Update on the Results of the Ontario Land Tribunal Case Management Conference Hearing Re: Cannabis, for information.**

**Background:**

On August 23, 2022, the Ontario Land Tribunal (OLT) issued an interim order/decision with regards to the appeals filed by Redecan and Redecan Pharm (Redecan), Woodstock Biomed Inc. and CannTrust Inc. (Phoena) against the adoption of Town Official Plan Amendment No. 9 and Zoning By-law Amendment 4252(2020). The Official Plan and Zoning By-law Amendments provide the policy and regulatory requirements for the growing of cannabis in Pelham. The OLT dismissed the appeal of Woodstock Biomed Inc. and acknowledged the withdrawal of the appeal of Phoena and allowed the appeal of Redecan in part. The OLT approved Official Plan Amendment No. 9, as amended during the hearing, and it is in force and in effect. However, the OLT held final approval of Zoning By-law Amendment 4252(2020), as amended, until such time as Redecan provides the following information to the Town satisfaction:

- A description of the current odour control management systems being employed by Redecan;
- A contingency odour management plan; and
- A site plan drawing showing the location of all buildings, building heights and emission sources including identification.

Redecan did provide information to the Town in October, 2023 as it relates to the above items, however the information did not meet the requirements of the Minutes of Settlement agreed to between the Town and Redecan, and the material was not to the Town's satisfaction. It is noted that a considerable amount of time has lapsed since the interim OLT order was issued and to date, Redecan has not fulfilled its obligations. This report provides an update on the status of the results of a recent

OLT Case Management Conference (CMC) regarding the outstanding matters related to the OLT interim order.

**Analysis:**

At the request of the Town, the OLT held a CMC on January 17, 2024. Attending the CMC was external legal counsel for the Town and for Redecan, Town staff including the Town Solicitor and Director of Community Planning and Development, the Town's odour consultant and a number of residents. It is important to note that a CMC is not a hearing and no evidence is given at a CMC, rather the purpose of a CMC is to obtain direction from the OLT on procedural matters.

The Town, through its external legal counsel, requested the OLT impose a deadline on Redecan to provide the required information to the Town and if the deadline is not met, the OLT revoke the site-specific exceptions that were provided to Redecan in the proposed amendments to Zoning By-law Amendment 4252(2020) identified in the OLT interim order and, then the OLT issue their final order.

Redecan did not object to the imposition of a deadline and requested that they be provided 125 days to provide the information to the Town primarily due to the limited availability of their odour expert to complete the work in a timely manner. The Town requested the deadline be 60 days noting the length of time that has already lapsed since the interim order was issued.

The OLT issued a verbal decision, which will be confirmed in writing, directing Redecan to submit the required documentation to the Town by April 30, 2024. The Town was given 15 days or until May 15, 2024 to review the submission and determine if it is satisfactory. If the submission is not satisfactory, Redecan has an additional 15 days, or until May 30, 2024 to address any outstanding items. If the Town is not satisfied by June 17, 2024 that Redecan has met the conditions of the interim order, then the Town may request that the OLT remove the site-specific zoning exemptions for Redecan. If the information is satisfactory, then the Town would notify the OLT that it is satisfied, and the OLT can issue their final order with the site-specific approvals for Redecan.

**Financial Considerations:**

There are no financial considerations with regards to this status report.

**Alternatives Reviewed:**

n/a

**Strategic Plan Relationship: Community Development and Growth**



This report is a status report regarding the outcome of the CMC held on January 17, 2024, the results being the imposition of deadlines that, would ultimately result in final approval of Zoning By-law Amendment 4252(2020), as amended.

**Consultation:**

The CAO and Fire Chief, Director of Fire and By-law Services was consulted.

**Other Pertinent Reports/Attachments:**

OLT Interim Order dated August 23, 2022.

**Prepared and Recommended by:**

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

**Prepared and Submitted by:**

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

Fonthill Scouting is part of Scouts Canada. Our part of the larger organization includes 20 volunteer leaders and 56 youth aged 5-26.

Scouts Canada is the country's leading co-ed youth organization, offering programming for children and youth aged 5-26. With over 50,000 youth participating across the country, in multiple languages and reflecting Canada's multicultural landscape, kids and youth in Scouts chart their own path of discovery. Through a variety of fun experiences, outdoor adventures and contributions to their community, Scouts builds resilience and skills that set them up for life.

Youth in Scouts are supported by a dedicated team of over 12,000 volunteers who collectively donate over two million hours of their time, providing youth with the opportunity to grow, to challenge themselves and to experience countless firsts. Our volunteers help us bring our vision of youth making meaningful contributions to creating a better world to life by lifting people, communities and neighbourhoods.

Scouts Canada is part of the World Organization of the Scout Movement (WOSM) which has over 40 million members in 167 National Scout Organizations around the world.

Our Mission:

To help develop well-rounded youth, better prepared for success in the world.

Our Vision:

Canadian youth making a meaningful contribution to creating a better world.

## **Scout Guide Week February 19-25, 2024**

**WHEREAS** Scouts Canada has been leading the country in co-ed youth programming since 1908 and is recognized in the community as providing adventure, character building, and the teaching of essential skills to youth that help prepare them for life;

**WHEREAS** youth members in the Town of Pelham benefit from the variety of fun experiences, outdoor adventures and have made meaningful contributions to their community as an essential part of making the Scout Promise and;

**WHEREAS** members along with a dedicated team of nearly 14,000 volunteers are encouraged to lead the charge in creating a better world by lifting the people, communities and neighbourhoods in which they reside; and

**WHEREAS** Scout-Guide Week is a celebration of the accomplishments that youth members and volunteers have succeeded in, as well as a commitment to the community in achieving their mission through programs, community service, and inclusivity.

**THEREFORE, BE IT RESOLVED THAT** the Corporation of the Town of Pelham does hereby proclaim the week of February 19 to February 25 2024 as Scout Guide Week.

**DATED AT** the Town of Pelham this 7<sup>th</sup> day of February, 2024.

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Mayor Marvin Junkin  
Town of Pelham

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

**Meeting #:** CofA 11/2023  
**Date:** Monday, November 6, 2023  
**Time:** 4:00 pm  
**Location:** Town of Pelham Municipal Office - Council Chambers  
20 Pelham Town Square, Fonthill

Members Present Don Rodbard  
Isaiah Banach  
John Cappa

Members Absent Brenda Stan  
Colin McCann

Staff Present Sarah Leach  
Andrew Edwards  
Jodi Legros

**1. Attendance**

Applicants, Agents and viewing members of the public via hybrid in-person and live-stream through the Town of Pelham YouTube Channel.

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

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

**3. Land Recognition Statement**

Ms. Sarah Leach, Secretary-Treasurer, recited the land recognition statement.

**4. Approval of Agenda**

**Moved By** Don Rodbard  
**Seconded By** John Cappa

**THAT the agenda for the November 6, 2023 Committee of Adjustment meeting be adopted, as circulated.**

**Carried**

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

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

**6. Requests for Withdrawal or Adjournment**

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

**7. Applications for Minor Variance**

**7.1 A23/2023P - 442 Chantler Road**

**Purpose of the Application**

The subject land is zoned Agricultural ("A") in accordance with Pelham Zoning By-law 4481(2022), as amended. Application for relief is made to facilitate the construction of a detached garage. The applicant seeks relief from the following section(s) of the Zoning By-law: Section 4.1.4.3(a) "Driveways" – to permit a maximum driveway width of 10.4m whereas the By-law permits a maximum driveway width of 6.0m; and Section 5.1.4 "Structures Accessory to a Single Detached Dwelling on an Existing Vacant Lot" – to permit a front yard setback of 6.1m whereas accessory structures are not permitted in the front yard; and Section 5.1.4 "Structures Accessory to a Single Detached Dwelling on an Existing Vacant Lot" – to permit an accessory structure lot coverage 1.06% whereas the By-law permits a maximum lot coverage of 1%.

**Representation**

Representation was not present.

**Correspondence Received**

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

#### 4. Niagara Region

##### **Applicants Comments**

No comments were provided.

##### **Public Comments**

Ms. Leach, Secretary-Treasurer indicated she checked the [clerks@pelham.ca](mailto:clerks@pelham.ca) email address at 4:12 pm and confirmed no e-mails have been received with regard to the subject application. Ms. Leach indicated the public comment portion of the application could be closed. The Committee agreed to close the public portion of the meeting and deliberate.

**Moved By** John Cappa

**Seconded By** Don Rodbard

**THAT the public portion of the meeting be closed.**

##### **Carried Member Comments**

The Members provided no comments or concerns.

**Moved By** John Cappa

**Seconded By** Isaiah Banach

**THAT Application A23/2023P for relief of Section 4.1.4.3(a) “Driveways” – to permit a maximum driveway width of 10.4m whereas the By-law permits a maximum driveway width of 6.0m is hereby: GRANTED;**

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

- 1. The variance is minor in nature as the driveway width at the entrance from the street is not proposed to change. As well, the streetscape will not be altered in a significant way.**
- 2. The general purpose and intent of the Zoning By-Law is maintained.**
- 3. The intent of the Official Plan is maintained.**

4. The proposal is desirable for the appropriate development and/or use of the land because the driveway width at the entrance from the street is not proposed to change and the streetscape will not be altered in a significant way.
5. This application is granted without prejudice to any other application in the Town of Pelham.
6. The Committee of Adjustment considered the written and oral comments and agrees with the minor variance report analysis and recommendation that this application meets the Planning Act tests for minor variance.

**Section 5.1.4 “Structures Accessory to a Single Detached Dwelling on an Existing Vacant Lot” – to permit a front yard setback of 6.1m whereas accessory structures are not permitted in the front yard is hereby: GRANTED;**

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

1. The variance is minor in nature as the agricultural character of the neighbourhood is not anticipated to be impacted and the lot area remains available to handle stormwater runoff, the existing septic system, and the preserve amenity area.
2. The general purpose and intent of the Zoning By-Law is maintained.
3. The intent of the Official Plan is maintained.
4. The proposal is desirable for the appropriate development and/or use of the land because the setback will enable the proposed accessory structure to be setback further from the hydrologic feature.
5. This application is granted without prejudice to any other application in the Town of Pelham.
6. The Committee of Adjustment considered the written and oral comments and agrees with the minor variance report analysis and recommendation that this application meets the Planning Act tests for minor variance.

**Section 5.1.4 “Structures Accessory to a Single Detached Dwelling on an Existing Vacant Lot” – to permit an accessory structure lot**

**coverage 1.06% whereas the By-law permits a maximum lot coverage of 1%, is hereby: GRANTED;**

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

- 1. The variance is minor in nature as no negative impacts are anticipated on the adjacent properties as adequate distance separates the nearest residential neighbour from the location of the addition to the accessory structure.**
- 2. The general purpose and intent of the Zoning By-Law is maintained.**
- 3. The intent of the Official Plan is maintained.**
- 4. The proposal is desirable for the appropriate development and/or use of the land because it will permit design flexibility while maintaining adequate amenity area.**
- 5. This application is granted without prejudice to any other application in the Town of Pelham.**
- 6. The Committee of Adjustment considered the written and oral comments and agrees with the minor variance report analysis and recommendation that this application meets the Planning Act tests for minor variance.**

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

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

**Prior to Building Permit:**

- 1. To the Satisfaction of the Director of Community Planning and Development**
  - 1. Conduct a Stage 1-2 Archaeological Assessment prepared by a licensed archaeologist and receive clearance from the Ministry of Citizenship and Multiculturalism. At a minimum, the Assessment must cover the building envelope of the proposed accessory structure, and be accepted by the Ministry prior to clearance of this condition. The licensed archaeologist may recommend further archaeological analysis or preservation steps be taken. No construction,**



demolition, grading or other soil disturbances shall take place on the subject land prior to the issuance of a Ministry letter confirming that all archaeological resource concerns have been mitigated and meet licensing and resource conservation requirements.

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

- 1. Obtain approval for a Driveway Entrance & Culvert Permit, as applicable, issued through the Public Works department, to Town standards. The applicant shall bear all costs associated with these works.**

**3. To the Satisfaction of the Region of Niagara**

- 1. That a Landscape Plan be submitted with the required Regional fee, to the satisfaction of Niagara Region, for 30 metre Vegetation Protection Zone plantings to satisfy Growth Plan policy. The plan must include native trees, shrubs and groundcover that compliments the existing vegetation community. Clearance from the Region of Niagara is required on the proposed landscaping plan prior to a building permit being issued.**
- 2. That a written undertaking signed by the Owner be submitted to the Niagara Region whereby the Owner agrees to implement and maintain the approved Landscape Plan required to satisfy the Landscape Plan condition prior to the issuance of building permit and such undertaking be to the satisfaction of the Region.**
- 3. To the Satisfaction of the Niagara Peninsula Conservation Authority**
  - 1. Obtain permit approval from the Niagara Peninsula Conservation Authority and pay all required fees.**

**Carried**

**8. Minutes for Approval**

**Moved By** Isaiah Banach

**Seconded By** Don Rodbard

**THAT the Committee of Adjustment minutes dated September 5, 2023, and October 3, 2023, be approved.**

**Carried**

**9. Adjournment**

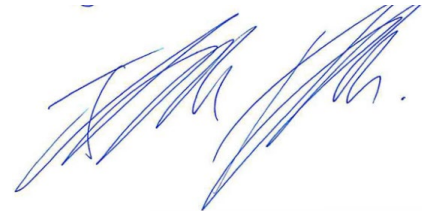
The meeting adjourned at 4:15 pm.

**Moved By** Isaiah Banach

**Seconded By** John Cappa

**BE IT RESOLVED THAT this Meeting of the Committee of Adjustment be adjourned until the next regular meeting scheduled for December 4, 2023, at 4:00 pm.**

**Carried**



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Isaiah Banach, Chair



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Sarah Leach, Secretary-Treasurer

**Joint Accessibility Advisory Committee  
Meeting Agenda  
Thursday, March 9, 2023  
Zoom Meeting**

**6:30 p.m. – 8:00 p.m.**

**Present:** Jennifer Korstanje (Grimsby), Dave Antaya (NOTL), Dianne Rintjema (Lincoln), Sue Langdon (West Lincoln), Joey Hewitt (Thorold), Lauren Bubnic (NOTL)

**Regrets:** Rhys Evans (Pelham)

1. **Call to order.** Donna called the meeting to order at 6:36 pm.
2. **Approval of agenda.** Donna changed the agenda as follows:

5. Port Colborne Beach Parking Plan
6. Work Plan
7. Questions?
8. Next Meeting
9. Adjournment

3. **Introductions.** Introductions were made of all members. Introductions will continue in future meetings.
4. Housekeeping items:

**a. Terms of Reference**

Donna reviewed the Terms of Reference, specifically, the JAAC is responsible for ensuring compliance with the AODA for the municipalities it represents. We serve the larger public as an educational resource on the AODA but do not ensure compliance within the private sector.

**b. AODA Training Module**

Donna thanked everyone for doing the training module and reminded people to complete it if not done so yet.

**c. Resource information – Multi-Year Accessibility Plans**

Donna asked the group if they had questions or concerns about the Multi-Year Accessibility Plan. There were none at this time. Donna will be happy to address any in the future.

**d. Election of Chairperson and Vice-Chairperson**

As Lincoln and Grimsby have yet to appoint their citizen members, the group opted to defer these appointments until the vacancies are filled.

**e. Committee Subcommittees or Committee of the Whole?**

Donna asked the group if they wanted her to share all site plans with the entire group or should the group appoint a subcommittee? Although some members expressed their lack of experience in this matter, others felt seeing plans provides an opportunity for learning and education.

So, Donna will continue to share submissions with the entire committee for feedback and comment. Those who feel most comfortable will provide feedback. Members are asked to respond to emails by “responding all” so that feedback is shared with the entire group.

**f. Meeting schedule**

This meeting date and works best for the group, so the JAAC will meet every second month, on the second Thursday from 6:30-8:00 pm.

**g. Additional resource needs?**

Donna reminded the group that if they require additional background information to reach out to her and she will assist.

**5. Port Colborne Beach Parking Plan**

The proposed parking plan for Nickel beach was reviewed. The group indicated they require more detail to comment effectively, specifically, street names for the area and where the accessible washrooms are in relation to Parking lot B. Donna will follow up with staff and request this information. Once received, she will email it to the group for comment.

## 6. Work Plan – committee and municipal priorities

The following priorities were identified for this term:

- **The Accessibility Award** – Donna will circulate the assessment tool used for the award. Currently, if a business or organization scores 80% or more, they receive the award from the JAAC. The group wishes to continue with this campaign.
- **Chambers of Commerce** – develop relationships with the Chambers in Niagara that are part of our jurisdiction in the hopes of raising awareness of accessibility issues.
- **Changing fonts on street signs in municipalities** – to larger, more accessible font
- **Parking By-law** – ensure the JAAC municipalities have updated their parking by-laws to be in compliance with the AODA's Design of Public Spaces Standard
- **Temporary ramps in Niagara-on-the-Lake** – a campaign to see the use of temporary ramps to increase accessibility within the Town
- **Educational Campaign about Disabilities** – specifically about different types of disability (more than wheelchairs) and the changing nature of disability.

## 7. Questions?

Lauren asked if the JAAC could meet the Admin Group. Donna will attempt to organize a meeting of the JAAC and the JAAC Admin Group perhaps for our next meeting in May. She will also attempt to have this meeting in person as opposed to using Zoom.

## 8. Next Meeting – Thursday, May 11, 2023, from 6:30-8:00 pm.

## 9. Adjournment

The meeting adjourned at 7:53 pm.

**Joint Accessibility Advisory Committee of  
Lincoln, West Lincoln, Pelham, Thorold, Niagara-on-the-Lake,  
Grimsby and Port Colborne  
Meeting Minutes  
Thursday, September 14, 2023  
Zoom and In-Person Meeting**

**6:30 p.m. – 8:30 p.m.**

**Present:** Dave Antaya (NOTL), Lauren Bubnic (NOTL), Rebecca Hill (Lincoln), Joey Hewitt (Thorold), Rhys Evans (Pelham), Dan Whipple (Pelham), Jennifer Thiessen (Lincoln)

**Regrets:** Lisa Peso (Grimsby), Laura Slade (Port Colborne), Jennifer Korstanje (Grimsby), Dianne Rintjema (Lincoln), Janice Desroches (Thorold)

1. **Call to order.** Dan called the meeting to order at 6:41 pm.

2. **Approval of the Agenda**

Be it resolved that the agenda is approved as amended. Moved by Rhys Evans, seconded by Dave Antaya. CARRIED.

3. **AccessNow Presentation – Corie Caplan, AccessNow**

Corie was introduced to the group and gave a presentation on the AccessNow App:

- App information is based on crowd sourced information, not professional audits. Information is based on personal/lived experiences and not AODA compliance.
- Pan disability experience – not just wheelchair access
- App has 1 million locations in 107 countries
- Can also do **Map Missions** – add reviews for 7 days
- **AccessNow Verified** – employ people with disabilities to verify accessibility. Indicated by blue checkmark on App. Tracks user engagement and respond to review, creating feedback loop. Allows member presence on App.
- **Access Outdoors** – adds parks, trails and outdoor spaces
- Corie showed the committee how to add locations into the App and answered questions from the group.

#### **4. Approval of the Minutes of July 13, 2023**

Be it resolved that the minutes are approved as presented. Moved by Joey Hewitt, seconded by Jennifer Thiessen. CARRIED.

#### **5. Lincoln Economic Development Newsletter Article**

Donna requested some assistance in getting this article done. Lauren volunteered. Donna will reach out to Lauren to begin the process.

#### **6. Accessibility Award**

Donna would like to establish a working group to discuss the recognition process for accessibility efforts. Rhys, Joey, Dan and Jennifer volunteered. Donna will set up a Zoom meeting for the initial discussions.

Rhys asked if Councillors are welcomed at meetings. Yes, as we represent the Council, we'd be happy to have any Councillors at our meetings. Dan suggested we send a formal invitation to all Council members to attend a JAAC meeting in the future.

#### **7. Audits – Status Update**

Onsite audits are complete. Donna is working on the reports. JAAC members will receive the reports upon completion.

#### **8. Community News**

- Joey suggested that our mandate be printed up and distributed to all JAAC members for reference.
- The Emergency Measures Accessibility Standard as part of the Accessible Canada Act is out for public review. Joey suggested this is an important standard for JAAC members to review. She will circulate the information to JAAC members via email. A JAAC response is an important opportunity for representation in the Accessibility Standard development process. Deadline for feedback is December 13, 2023.
- Port Colborne received a grant from the Niagara Community Foundation for accessibility upgrades. They will use these funds to install handrails in the Lighthouse Theatre. Also, they will be upgrading their service counter at City Hall to be accessible. This will be done by the new year.

9. **Next Meeting – Thursday, November 9, from 6:30-8:30 pm.** Location to be determined. Format to be hybrid (in person/Zoom).
10. Adjournment. Dave motioned to adjourn at 7:51 p.m. Seconded by Rhys.



**Joint Accessibility Advisory Committee of  
Lincoln, West Lincoln, Pelham, Thorold, Niagara-on-the-Lake,  
Grimsby and Port Colborne  
Meeting Minutes  
Thursday, November 9, 2023  
Zoom and In-Person Meeting**

**6:30 p.m. – 8:30 p.m.**

**Present:** Dave Antaya (NOTL), Lauren Bubnic (NOTL), Rebecca Hill (Lincoln), Joey Hewitt (Thorold), Rhys Evans (Pelham), Dan Whipple (Pelham), Jennifer Thiessen (Lincoln), Laura Slade (Port Colborne), Jennifer Korstanje (Grimsby), Dianne Rintjema (Lincoln), Janice Desroches (Thorold)

**Regrets:** Lisa Peso (Grimsby)

**Call to order.** Dan called the meeting to order at 6:32 pm.

**1. Approval of the Agenda**

Be it resolved that the agenda is approved as presented. Moved by Laura Slade seconded by Dave Antaya. CARRIED.

**2. Approval of the Minutes of September 14, 2023**

Be it resolved that the minutes are approved as presented. Moved by Dave Antaya, seconded by Joey Hewitt. CARRIED.

**Business Arising from the Minutes:**

**3. Accessibility Award**

Jennifer Thiessen, as part of the subcommittee, collected several other municipal award processes. All of them had a nomination process and all had a provision that organizations cannot be nominated for completing their compliance requirements. Nominees must have gone “above and beyond” in terms of accessibility. The group agreed that our award needs some sort of public nomination process. The group decided to have nomination categories that reflect requirements of the AODA Standard areas.

Donna will do some research and will draft some nomination questions and criteria for review by the JAAC. She will forward this to the group by the end of November and circulate for review and comment.

## **New Business:**

### **4. Accessibility Advisory Committee Meeting – Spring 2024**

Donna has forwarded the suggested topics for consideration to the Niagara Falls Accessibility Advisory Committee.

### **5. Peach King Centre Renovations Site Plan/ Site Plan Reviews – “How To” session**

This item rolled into the Site Plan review “how to” session. When reviewing site plans, Donna looks at the following:

- Parking – size of spaces (car or van), installation of access aisles
- Exterior path – any obstacles, clear path to entrance
- Entrance - installation of automatic door opener
- Interior path – width of interior paths, installation of automatic doors, visual fire alarms
- Washrooms – turning radius, automatic doors, fixture installation, visual alarms.

Donna will attempt to get a large version of the Peach King Centre architectural plans so that the committee can review as a group at the next meeting.

### **6. Community News**

- Donna is preparing the Annual Progress Report on the Multi-Year Accessibility Plan. She will circulate it to the JAAC by the end of November.
- Dan suggested that we ask the head of the Regional Transit System to come to our next meeting. Donna will arrange.

### **7. Meeting Format** – Everyone finds the hybrid format of the meetings (in person and Zoom) to be very challenging. It is extremely difficult to hear each other and manage comments from Zoom and in-person. Donna will attempt to address this with technology (speaker/microphone) and we will try to do the hybrid option for the next meeting. If it continues to be a challenge, then we will move to in-person meetings only.

8. **Next Meeting – Thursday, January 11, 2024.** Location: Four Points Sheraton, Thorold ON. Format to be hybrid (in person/Zoom).
9. Adjournment. Dan motioned to adjourn at 7:58 p.m. Seconded by Rhys.

**Subject:** CAO Performance Appraisal Template Review

**Recommendation:**

**BE IT RESOLVED THAT Council receive Report #2024-0035 CAO Performance Appraisal Template Review, for information;**

**AND THAT Council endorse Template \_\_\_\_ as the CAO Performance Evaluation Review Form;**

**AND FURTHER THAT Council a) maintain the existing CAO performance evaluation process unchanged or b) Council establish a committee consisting of the Mayor and two (2) Councillors to evaluate the performance of the CAO on an annual basis.**

**Background:**

In 2021 the previous Council endorsed a new policy and form to evaluate the performance of the Chief Administrative Officer on an annual basis. While the policy has achieved the intended goal of establishing a more formal evaluation process, the current template is unnecessarily cumbersome. The form is quite lengthy and includes scoring categories which are difficult for Council to provide in depth feedback upon, or do not relate to the strategic plan. This report is being written so that Council can assess the current model two years after implementation and make any adjustments deemed necessary.

**Analysis:**

After consulting multiple sources, Template 1, endorsed by the Ontario Municipal Administrators' Association (OMAA), was found to be the best formal evaluation tool and was the only template originally proposed to the previous Council. It builds on the foundational steps and core competencies outlined in the OMAA's CAO Employment Guidelines Handbook to support the evaluation process. The tool is much more reasonable in length while still covering all the relevant competencies that any CAO should possess. It has a simple ranking scale and allows for written commentary.

After the previous Council directed staff to provide additional template options for their consideration, Template 2 and Template 3 (the current model) were presented. Template 2 is a modified version of the form used at the Region of Niagara and Template 3 references multiple municipal performance template sources, primarily the International City/Council Management Association (based in the United States).

In order to provide Council with at least one new option, the Manager of People Services has created a fourth template to be considered. It is a hybrid between the current senior leadership team and staff tools. It includes 8 relevant competencies to evaluate the CAO's performance, a simple 4-point ranking scale, and also allows for written commentary.

Lastly, a formal procedure has been created and is attached to this report. The procedure will be used as a guide to ensure a consistent approach to evaluating the CAO's performance is taken each year.

### **Financial Considerations:**

There are no financial considerations with respect to implementing a new evaluation template, other than the staff time spent on this file.

### **Alternatives Reviewed:**

Council has a number of options before it today. While staff still endorse Template 1 as the preferred evaluation tool, Templates 2 through 4 are entirely adequate, albeit lengthier. Council could also opt to revert back to the previous system whereby the CAO's annual self-performance report, based upon the progress being made on the Town's strategic plan, constitutes the core focus of evaluating the CAO's performance and determining compensation adjustments. Continuing with the status quo, while not recommended, is also an option.

The process by which the CAO's performance is evaluated can also be modified if it is the wish of Council. As it stands, each member of Council is provided with the CAO's self-evaluation as well as a performance review form prior to a closed session meeting. All members of Council complete their evaluation and provide the CAO with general feedback during a closed-session performance meeting. The comments in the individual evaluations are then compiled by the Manager of People Services and distributed to Council. Lastly, the Mayor has a one-on-one meeting with the CAO to deliver the final report, relay performance goals for the next calendar year and any approved compensation adjustments. This will continue unless Council directs otherwise.

An alternative process could be to form a committee consisting of the Mayor and

two Councillors. The three committee members would be the only elected officials to evaluate the CAO's performance, provide feedback, determine future performance goals and approve any compensation adjustments. While forming a committee would streamline this process and negate the need for a closed-session meeting, it would mean four Councillors would not play a role in the CAO's annual review and goal planning for the following year.

Regardless which option is chosen, save and except the committee approach, you will all be provided forms in advance of the in-camera meeting in question and there will be a performance conversation that everyone can take part in.

### **Strategic Plan Relationship: Enhancing Capacity and Future Readiness**

Regular performance reviews ensure that the Chief Administrative Officer is provided with accurate and appropriate feedback with the goals of enabling the achievement of corporate objectives, improving municipal performance and allowing for the personal and professional development of the CAO.

### **Consultation:**

The templates of the Ontario Municipal Administrators' Association, the International City/Council Management Association, and the Niagara Region were referenced during the preparation of the proposed templates.

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

Appendix A – Template 1

Appendix B – Template 2

Appendix C – Template 3 (current model)

Appendix D – Template 4

Appendix E – Chief Administrative Officer Performance Review Operating Procedure

### **Prepared and Submitted by:**

Brianna Langohr, BA, CHRL  
Manager of People Services

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



## CAO Performance Review

Evaluator Name: \_\_\_\_\_ Date: \_\_\_\_\_

CAO Name: \_\_\_\_\_

### Table 1: CAO Goals and Key Results Areas

At the beginning of this term-year, the following Goals and Key Results Areas were identified by the CAO and Council for the evaluation year. At the end of this form, there is space to note the new goals and results areas for the coming year.

[illegible]

<b>COMPETENCY RATING</b>	↓ <i>Please indicate your evaluation</i>	
1. Communication with Council, including effective, written and oral presentation and openness to Mayor and Council feedback and/or direction	Exceeds Expectations	3
	Meets Expectations	2
	Fails to Meet Expectations	1
	Unable to Rate	0
2. Implementation of Council policy and assists Council in the development of annual and long-range goals of the Corporate Strategic Plan.	Exceeds Expectations	3
	Meets Expectations	2
	Fails to Meet Expectations	1
	Unable to Rate	0
3. Staff support for Council; anticipates and provides reports and recommendations as required by Council	Exceeds Expectations	3
	Meets Expectations	2
	Fails to Meet Expectations	1
	Unable to Rate	0
4. Council-Staff relations/political acuity; putting information and skills together to better guide choices in order to accomplish goals and objectives	Exceeds Expectations	3
	Meets Expectations	2
	Fails to Meet Expectations	1
	Unable to Rate	0
5. Staff relations; demonstrates leadership and promotes professional staff performance	Exceeds Expectations	3
	Meets Expectations	2
	Fails to Meet Expectations	1
	Unable to Rate	0
6. Demonstrates fiscal responsibility, attempts to operate corporation within budgetary guidelines, holds senior staff accountable for spending	Exceeds Expectations	3
	Meets Expectations	2
	Fails to Meet Expectations	1
	Unable to Rate	0
7. Personal professional development; strives to maintain current knowledge and skill levels	Exceeds Expectations	3
	Meets Expectations	2
	Fails to Meet Expectations	1
	Unable to Rate	0
8. Effective delivery of municipal services and community relations	Exceeds Expectations	3
	Meets Expectations	2
	Fails to Meet Expectations	1
	Unable to Rate	0
<b>ACCOMPLISHMENTS/OBJECTIVES</b>		
9. Has the CAO accomplished or worked toward accomplishing the goals established by Council? Why or why not?		



10. Based upon your overall evaluation of the CAO, what areas would you list as their strengths?

11. Based upon your evaluation what areas would you suggest the CAO work on to improve skills and to be more effective in specific areas or situations?

12. What are the major objectives you believe the CAO needs to focus on for the coming year?

13. Final comments

Employee Name: \_\_\_\_\_

Evaluation Period: \_\_\_\_\_

**Table 1: CAO Goals and Key Results Areas**

At the beginning of this term-year, the following Goals and Key Results Areas were identified by the CAO and Council for the evaluation year. At the end of this form, there is space to note the new goals and results areas for the coming year

Council's Strategic Goal	CAO's Goals for the Evaluation Year	Key Results Area for the CAO	Performance Metric	Target Completion Date
Use this space to identify each of the Council's priorities that align with the CAO's goals	Align each goal with the Council's priorities.	Each result statement should directly support a strategic priority	Measure the success of results achieved against the goal	

## PERFORMANCE ACHIEVEMENTS ASSESSMENT

For the Performance Year, please identify key priorities/accountabilities or goals for the year. Provide commentary and feedback for each item.

### PRIORITY/ACCOUNTABILITY/GOAL

CAO Commentary on Performance Achievement

Elected Officials' Commentary on Performance Achievement

**PRIORITY/ACCOUNTABILITY/GOAL**

CAO Commentary on Performance Achievement

Elected Officials' Commentary on Performance Achievement

**PRIORITY/ACCOUNTABILITY/GOAL**

CAO Commentary on Performance Achievement

Elected Officials' Commentary on Performance Achievement

**SUPPORTING DOCUMENTATION**

List any documentation or links included as a part of this package

**DEVELOPMENT PLAN**

LEARNING GOAL	KEY LEARNING ACTIONS	CAO COMMENTS	COUNCILLOR COMMENTS

**OVERALL EMPLOYEE COMMENTS**

## LEADERSHIP COMPETENCIES

For each competency please select the statement that best describes the person you are evaluating. These are competency ratings and are NOT the final rating\*\*\*.

COMPETENCY	ELECTED OFFICIALS' RATING
<b>STRATEGIST</b> <ul style="list-style-type: none"> <li>• Develops a long range course of action that aligns to Council Strategic Priorities. Has strong knowledge about the strengths and weaknesses of their organization</li> <li>• Understands and acts upon rapidly changing environmental trends, opportunities and threats</li> <li>• Sets the big picture, constantly imagines future scenarios and creates strategies to move organization forward</li> <li>• Is able to clearly and vividly articulate their desired future state in a way that is understood and meaningful to others</li> <li>• Uses financial information and data/information from multi sources to support decision making and planning</li> <li>• Understands risks, and accepts and pursues actions within an acceptable level of risk</li> <li>• Takes a collaborative approach to developing strategy to gather best thinking and ensure input and alignment from key internal and external stakeholders</li> </ul>	<input type="checkbox"/> Applies the competency in exceptionally difficult situations. Serves as a key resource and advises others  <input type="checkbox"/> Applies the competency in considerable difficult situations. Generally requires little or no guidance.  <input type="checkbox"/> Applies the competency in difficult situations. Requires occasional guidance.  <input type="checkbox"/> Applies the competency in somewhat difficult situations. Requires frequent guidance.  <input type="checkbox"/> Applies the competency in the simplest situations. Requires close and extensive guidance.
<b>CHANGE LEADER</b> <ul style="list-style-type: none"> <li>• Always communicates a compelling rationale for change. Makes required adaptive responses for both feasible and desirable to all stakeholders. Creates genuine motivation and commitment from others to act as sponsors of innovation and change, allocating required resources to support change</li> <li>• Serves as catalyst for change. Continuously seeks ways to improve performance and the strategic orientation of the organization</li> <li>• Effectively and consistently communicates messages about the need for change and the vision of the organization after the change</li> <li>• Ensures provisions of adequate resources for change efforts. Includes funding, technology, and human resources</li> <li>• Holds others accountable for cross organization cooperation and collaboration to support change.</li> </ul>	<input type="checkbox"/> Applies the competency in exceptionally difficult situations. Serves as a key resource and advises others  <input type="checkbox"/> Applies the competency in considerable difficult situations. Generally requires little or no guidance.  <input type="checkbox"/> Applies the competency in difficult situations. Requires occasional guidance.  <input type="checkbox"/> Applies the competency in somewhat difficult situations. Requires frequent guidance.  <input type="checkbox"/> Applies the competency in the simplest situations. Requires close and extensive guidance.

<p><b>RELATIONSHIP BUILDER</b></p> <ul style="list-style-type: none"> <li>Establishes relationships with, and influences a complex network of others, whose cooperation is required for organizational success. Stakeholders might include Council members, local area municipalities, provincial or federal representatives/employees, residents, current or future business partners, labour representatives, Town employees and other stakeholders</li> <li>Takes responsibility for the development and the quality of internal and external stakeholder relationships</li> <li>Understands stakeholder needs and concerns over the short term to enable support and cooperation</li> <li>Ability to apply different communication approaches for interacting and communicating to align to the thinking and perception preferences of others</li> </ul>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Applies the competency in exceptionally difficult situations. Serves as a key resource and advises others</li> <li><input type="checkbox"/> Applies the competency in considerable difficult situations. Generally requires little or no guidance.</li> <li><input type="checkbox"/> Applies the competency in difficult situations. Requires occasional guidance.</li> <li><input type="checkbox"/> Applies the competency in somewhat difficult situations. Requires frequent guidance.</li> <li><input type="checkbox"/> Applies the competency in the simplest situations. Requires close and extensive guidance.</li> </ul>
<p><b>ORGANIZATIONAL GUARDIAN</b></p> <ul style="list-style-type: none"> <li>Consistently holds self and others accountable for the continued growth and health of the organization. Makes decisions, often difficult, that are in the best interest of the Town. Continuously promotes the Town both internally and externally.</li> <li>Does everything possible to continuously grow a positive reputation for the Town both internally and externally</li> <li>Ensures accountability for continuous improvement for the purpose of cost effectiveness and quality of service</li> <li>Champions and facilitates cross departmental integration</li> <li>Ensures that innovation, collaboration, and best practices are reflected in products and services provided by the Town.</li> </ul>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Applies the competency in exceptionally difficult situations. Serves as a key resource and advises others</li> <li><input type="checkbox"/> Applies the competency in considerable difficult situations. Generally requires little or no guidance.</li> <li><input type="checkbox"/> Applies the competency in difficult situations. Requires occasional guidance.</li> <li><input type="checkbox"/> Applies the competency in somewhat difficult situations. Requires frequent guidance.</li> <li><input type="checkbox"/> Applies the competency in the simplest situations. Requires close and extensive guidance.</li> </ul>
<p><b>BUSINESS ACUMEN</b></p> <ul style="list-style-type: none"> <li>The ability to manage human, financial and information resources strategically with the purpose of enabling Council's Strategic Plan and health of organizations both over the short and longer term</li> <li>Has a strong understanding of the Town's financial processes. Oversees the development and management of annual budgets</li> <li>Protects physical assets and ensures the fulfillment of all regulatory requirements</li> </ul>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Applies the competency in exceptionally difficult situations. Serves as a key resource and advises others</li> <li><input type="checkbox"/> Applies the competency in considerable difficult situations. Generally requires little or no guidance.</li> <li><input type="checkbox"/> Applies the competency in difficult situations. Requires occasional guidance.</li> <li><input type="checkbox"/> Applies the competency in somewhat difficult situations. Requires frequent guidance.</li> </ul>



<ul style="list-style-type: none"> <li>• Builds and manages workforce based on organizational goals, budget considerations and resourcing requirements. Ensures integrity in all people practices.</li> <li>• Ensures effective use of technology and technology systems to achieve results</li> </ul>	<input type="checkbox"/> Applies the competency in the simplest situations. Requires close and extensive guidance.
<p><b>NAVIGATES COMPLEXITY</b></p> <ul style="list-style-type: none"> <li>• Logically works through complex situations, problems, issues and opportunities with the purpose of creating positive solutions or actions</li> <li>• Breaks down a complex situation into manageable parts in a systematic way.</li> <li>• Seeks to understand root causes of difficult problems</li> <li>• Recognizes several likely causes of events, and/or consequences of actions</li> <li>• Deals constructively with problems that do not have a clear solution or outcome</li> <li>• Evaluates pros and cons, risks and benefits of different solution options</li> </ul>	<input type="checkbox"/> Applies the competency in exceptionally difficult situations. Serves as a key resource and advises others  <input type="checkbox"/> Applies the competency in considerable difficult situations. Generally requires little or no guidance.  <input type="checkbox"/> Applies the competency in difficult situations. Requires occasional guidance.  <input type="checkbox"/> Applies the competency in somewhat difficult situations. Requires frequent guidance.  <input type="checkbox"/> Applies the competency in the simplest situations. Requires close and extensive guidance.
<p><b>DRIVES ENGAGEMENT</b></p> <ul style="list-style-type: none"> <li>• Creates an environment where current and future employees consider the Town to be the employer of choice. Current employees are motivated to do their best to help the organization achieve its objectives</li> <li>• Communicates vision and priorities to employees in a way that generates excitement, enthusiasm and commitment</li> <li>• Models desired behaviour including corporate values</li> <li>• Uses multiple strategies to promote organizational morale and productivity</li> <li>• Consistently keeps employees informed of key organizational information, activities and other elements that have an impact on the collective group</li> <li>• Invites input from others at all levels from across the organization</li> <li>• Makes people feel that their contributions are valued</li> </ul>	<input type="checkbox"/> Applies the competency in exceptionally difficult situations. Serves as a key resource and advises others  <input type="checkbox"/> Applies the competency in considerable difficult situations. Generally requires little or no guidance.  <input type="checkbox"/> Applies the competency in difficult situations. Requires occasional guidance.  <input type="checkbox"/> Applies the competency in somewhat difficult situations. Requires frequent guidance.  <input type="checkbox"/> Applies the competency in the simplest situations. Requires close and extensive guidance.

## OVERALL PERFORMANCE RATING

Please select an overall performance rating from the list below:

### Exceptional Performance

- Significantly and consistently exceeded all or significant goals and expectation(s)
- Results added value beyond the scope of the role consistently benefiting the organization and the Town
- Successfully navigated higher levels of complexity; with successful delivery of desired outcomes
- Demonstrated a high level of leadership with Council, peers, reports and all employees
- Was seen as a model of exceptional behaviour
- Consistently exhibited behaviours that exemplified the values of the organization

### High Performance

- Exceeds or outperformed some established goals and expectation(s)
- Work is above average quality in significant areas of responsibility
- Demonstrated a high level of initiative to achieve Council Strategic Priorities and or Town Requirements
- Demonstrated a high level of leadership with Council, peers, reports and all employees
- Was seen as a model of exceptional behaviour
- Consistently exhibited behaviours that exemplified the values of the organization

### Successful Performance

- Overall consistently performed all core functions of their role as laid out in their job description and/or employment agreement
- Successfully met performance expectations, goals and objectives as outlined in annual objectives and development plans
- Was self-motivated and required an appropriate level of direction
- Provided strong value to the organization through their output, effort and behaviours
- Demonstrated an appropriate level of leadership with Council, peers, reports and all employees
- Was seen as a model of exceptional behaviour
- Consistently exhibited behaviours that exemplified the values of the organization

### Needs Development

- Met some but not all of the expectations of their role as laid out in their job description
- Further development is required to meet all core functions of the job
- Some goals and objectives were met; may have required above average direction

***\*Note: An employee should not receive this rating for greater than one year in the same role***

### Unsatisfactory

- Does not meet the expectations and job requirements of the role.
- Improvement is needed in most aspects of the job
- Did not demonstrate the competence and knowledge required to perform their job functions/duties

Overall performance rating: \_\_\_\_\_

## SIGNATURES

\_\_\_\_\_  
CAO, Town of Pelham

\_\_\_\_\_  
Mayor, Town of Pelham

## CAO Annual Performance Evaluation

CAO Name: \_\_\_\_\_ Date: \_\_\_\_\_

Elected Official Name: \_\_\_\_\_ Evaluation Period: \_\_\_\_\_

This form is to be completed by each member of the CAO Evaluation Committee and returned to People Services. The CAO may also complete the form as self-evaluation.

Due date: \_\_\_\_\_. Evaluations will be consolidated with any other gathered evaluation data and included on the agenda for discussion on \_\_\_\_\_ (date).

\_\_\_\_\_  
Elected Official's Signature

\_\_\_\_\_  
CAO's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

### Instructions for using the Rating Instrument:

This Performance Evaluation contains sixteen performance competency areas. Each competency includes statements about standards of behaviour for that competency. For each statement, use the scale below to show your rating of the CAO's performance. Each elected official will complete this form and all evaluations will be consolidated into a final report, which will be shared with Council and with the CAO. Note that for each statement you leave without a score, a value of "3: Average" will be awarded.

In addition to the ranking sections, there is space for written comments. If using handwriting, please ensure that handwriting is legible.

### Rating Instrument

Rank answers from 1 to 5. Any item left blank will be interpreted as a score of "3 = Average"

**5 = Excellent:** almost always exceeds the performance standard

**4 = Above average:** generally exceeds the performance standard

**3 = Average:** generally meets the performance standard

**2 = Below average:** generally does not meet the performance standard

**1 = Poor:** rarely meets the performance standard

<sup>1</sup> ICMA's City Manager Performance Evaluation Criteria

- 5 = Excellent  
4 = Above average  
3 = Average  
2 = Below average  
1 = Poor

## LINKING COUNCIL'S STRATEGIC GOALS WITH THE CAO'S GOALS

At the beginning of this term-year, the following Goals and Key Results Areas were identified by the CAO and Council for the evaluation year. At the end of this form, there is space to note the new goals and results areas for the coming year.

### Table 1: CAO Goals and Key Results Areas

[illegible]

5 = Excellent  
 4 = Above average  
 3 = Average  
 2 = Below average  
 1 = Poor

## STAFF DEVELOPMENT AND PERFORMANCE

PROMOTES THE DEVELOPMENT AND PERFORMANCE OF STAFF AND EMPLOYEES THROUGHOUT THE ORGANIZATION

_____	<b>Coaching/Mentoring:</b>	Provides direction, support, and feedback to enable others to meet their full potential.
_____	<b>Team Leadership:</b>	Facilitates and leads teamwork by demonstrating ability to direct and coordinate group efforts.
_____	<b>Empowerment:</b>	Creates a work environment that encourages responsibility and decision-making at all organizational levels by sharing authority and removing barriers to creativity.
_____	<b>Delegating:</b>	Assigns responsibility to others by defining expectations, providing direction and support, and evaluating results.

Council's Comments (if required), or examples provided for other than "Achieves Expectations" rating:

Rating: (Add the ratings and enter subtotal \_\_\_\_ ÷ 4 = \_\_\_\_ score for this component.

CAO's Comments:

5 = Excellent  
 4 = Above average  
 3 = Average  
 2 = Below average  
 1 = Poor

## POLICY FACILITATION/ACHIEVING COMMON GOALS

HELPS ELECTED OFFICIALS AND OTHER COMMUNITY ACTORS IDENTIFY, WORK TOWARD, AND ACHIEVE COMMON GOALS

_____	<b>Facilitative Leadership:</b>	Builds cooperation and consensus among and within diverse groups, helping them identify common goals and act effectively to achieve them.
_____	<b>Facilitative Leadership:</b>	Recognizes interdependent relationships and multiple causes of community issues and anticipates the consequences of policy decisions.
_____	<b>Facilitating Council Effectiveness:</b>	Helps elected officials develop a policy agenda that can be implemented effectively and that serves the best interest of the community.
_____	<b>Mediation/Negotiation:</b>	Acts as a neutral party in the resolution of policy disputes (requires knowledge of mediation/negotiation principles; skill in mediation/negotiation techniques).

Council's Comments (if required), or examples provided for other than "Achieves Expectations" rating:

Rating: (Add the ratings and enter subtotal \_\_\_\_ ÷ 4 = \_\_\_\_ score for this component.

CAO's Comments:

5 = Excellent  
 4 = Above average  
 3 = Average  
 2 = Below average  
 1 = Poor

## SERVICE DELIVERY MANAGEMENT

MAINTAINS A CONSISTENTLY HIGH LEVEL OF QUALITY IN STAFF WORK, OPERATIONAL PROCEDURES, AND SERVICE DELIVERY

_____	<b>Citizen Services</b>	Supports Council in developing plans and initiatives to promote and serve community interests.
_____	<b>Performance Measurement</b>	Enhance performance measurement and improve the overall quality and accuracy of performance measures in the business plan.
_____	<b>Performance Management</b>	Develops leaders through regular coaching, career planning and proactive performance management.
_____	<b>Quality Assurance</b>	Ensures actions taken and results achieved are consistent with the values and environment directed by Council.

Council's Comments (if required), or examples provided for other than "Achieves Expectations" rating:

Rating: (Add the ratings and enter subtotal \_\_\_\_\_ ÷ 4 = \_\_\_\_\_ score for this component.

CAO's Comments:

5 = Excellent  
 4 = Above average  
 3 = Average  
 2 = Below average  
 1 = Poor

## STRATEGIC LEADERSHIP

SETS AN EXAMPLE THAT URGES THE ORGANIZATION AND THE COMMUNITY TOWARD EXPERIMENTATION, CHANGE, CREATIVE PROBLEM SOLVING, AND PROMPT ACTION

_____	<b>Initiative/Risk Taking:</b>	Demonstrates a personal orientation toward action and accepting responsibility for the results; resists the status quo and removes stumbling blocks that delay progress toward goals.
_____	<b>Vision:</b>	Conceptualizes an ideal future state and communicates it to the organization and the community.
_____	<b>Creativity:</b>	Applies existing ideas and practices to new situations.
_____	<b>Innovation:</b>	Develops new ideas or practices.
_____	<b>Technological Literacy:</b>	Demonstrates an understanding of information technology and ensures that it is incorporated appropriately to improve service delivery, information sharing, organizational communication, and citizen access.

Council's Comments (if required), or examples provided for other than "Achieves Expectations" rating:

Rating: (Add the ratings and enter subtotal \_\_\_\_\_ ÷ 5 = \_\_\_\_\_ score for this component.

CAO's Comments:



5 = Excellent  
 4 = Above average  
 3 = Average  
 2 = Below average  
 1 = Poor

## DEMOCRATIC ADVOCACY AND CITIZEN PARTICIPATION

DEMONSTRATES A COMMITMENT TO DEMOCRATIC PRINCIPLES BY RESPECTING ELECTED OFFICIALS, COMMUNITY INTEREST GROUPS, AND THE DECISION-MAKING PROCESS

_____	<b>Democratic Advocacy:</b>	Ensures the effective participation of local government in the intergovernmental system (requires knowledge and skill in intergovernmental relations).
_____	<b>Citizen Participation:</b>	Recognizes the right of citizens to influence local decisions and promote active citizen involvement in local governance.
_____	<b>Citizen Participation:</b>	Acquires knowledge of the social, economic, and political history of the community.

Council's Comments (if required), or examples provided for other than "Achieves Expectations" rating:

Rating: (Add the ratings and enter subtotal \_\_\_\_\_ ÷ 3 = \_\_\_\_\_ score for this component.

CAO's Comments:

5 = Excellent  
 4 = Above average  
 3 = Average  
 2 = Below average  
 1 = Poor

## DIVERSITY

UNDERSTANDS AND VALUES THE DIFFERENCES AMONG INDIVIDUALS AND FOSTERS THESE VALUES THROUGHOUT THE ORGANIZATION AND COMMUNITY

_____	<b>Mutual Respect:</b>	Attracts, retains and develops a talented and diverse labour pool
_____	<b>Mutual Respect:</b>	Sustains a respectful workplace
_____	<b>Mutual Respect:</b>	Build alignment and engagement among employees and teams
_____	<b>Adaptability:</b>	Strategically plans and initiates long term goals and changes to ensure the organization is responsive to a diverse range of needs and situations.
_____	<b>Communications:</b>	Effectively exchanges (obtains and transmits) information, in a variety of mediums, for diverse audiences

Council's Comments (if required), or examples provided for other than "Achieves Expectations" rating:

Rating: (Add the ratings and enter subtotal \_\_\_\_\_ ÷ 5 = \_\_\_\_\_ score for this component.

CAO's Comments:

5 = Excellent  
 4 = Above average  
 3 = Average  
 2 = Below average  
 1 = Poor

## FINANCIAL MANAGEMENT

INTERPRETS FINANCIAL INFORMATION TO ASSESS THE SHORT-TERM AND LONG-TERM FISCAL CONDITION OF THE COMMUNITY.

_____	<b>Fiscal Management:</b>	Determines the cost-effectiveness of programs, and compares alternative strategies.
_____	<b>Fiscal Analysis:</b>	Analyzes whether municipal resources are linked, integrated, and appropriated allocated.
_____	<b>Fiscal Analysis:</b>	Uses sound/viable/realistic research and analysis of available financial data in decision-making processes.
_____	<b>Fiscal Discipline:</b>	Promotes fiscal discipline and accountability
_____	<b>Funding Opportunities:</b>	Ensures the municipality is positioned to access all funding programs for which it is eligible from senior levels of government.

Council's Comments (if required), or examples provided for other than "Achieves Expectations" rating:

Rating: (Add the ratings and enter subtotal \_\_\_\_\_ ÷ 5 = \_\_\_\_\_ score for this component.

CAO's Comments:

5 = Excellent  
 4 = Above average  
 3 = Average  
 2 = Below average  
 1 = Poor

## STRATEGIC PLANNING

POSITIONS THE ORGANIZATION AND THE COMMUNITY FOR EVENTS AND CIRCUMSTANCES THAT ARE ANTICIPATED IN THE FUTURE.

_____	<b>Accomplishment of Goals:</b>	Participates in the development of annual priorities with Council and senior management; identifies new initiatives for Council to consider
_____	<b>Adaptability:</b>	Establishes direction based on continual assessment of environment and emerging trends, issues, and opportunities.
_____	<b>Accountable for Results:</b>	Leads the municipality and articulates a clear plan for the municipality that reflects Council's vision, mission and strategic plan, and is well understood, widely supported, consistently applied, and effectively implemented
_____	<b>Anticipates Change:</b>	Anticipates the effects of change and develops plans to manage impacts, and possesses the strategic skills to anticipate opportunities and overcome challenges.
_____	<b>Succession Planning:</b>	Prepares for employees eligible for retirement by focusing on talent management and succession planning.

Council's Comments (if required), or examples provided for other than "Achieves Expectations" rating:

Rating: (Add the ratings and enter subtotal \_\_\_\_\_ ÷ 5 = \_\_\_\_\_ score for this component.

CAO's Comments:

5 = Excellent  
 4 = Above average  
 3 = Average  
 2 = Below average  
 1 = Poor

## ADVOCACY AND INTERPERSONAL COMMUNICATION

FACILITATES THE FLOW OF IDEAS, INFORMATION, AND UNDERSTANDING BETWEEN AND AMONG INDIVIDUALS.

_____	<b>Advocacy:</b>	Advocates effectively in the community interest.
_____	<b>Advocacy:</b>	Communicates personal support for policies, programs, or ideals that serve the best interests of the community.
_____	<b>Interpersonal Communication:</b>	Exchanges verbal and nonverbal messages with others in a way that demonstrates respect for the individual.
_____	<b>Interpersonal Communication:</b>	Exchanges verbal and nonverbal messages in a way that furthers organizational and community objectives
_____	<b>Interpersonal Communication:</b>	Demonstrates skill in selecting the most effective communication method for each interchange.

Council's Comments (if required), or examples provided for other than "Achieves Expectations" rating:

Rating: (Add the ratings and enter subtotal \_\_\_\_\_ ÷ 5 = \_\_\_\_\_ score for this component.

CAO's Comments:

5 = Excellent  
4 = Above average  
3 = Average  
2 = Below average  
1 = Poor

## PRESENTATION SKILLS

### CONVEYS IDEAS OR INFORMATION EFFECTIVELY TO OTHERS

_____	<b>Effective Presentation:</b>	Possesses strong verbal, written and presentation skills demonstrating a clear, concise and positive style
_____	<b>Ethics/Integrity:</b>	Ensures public processes are transparent and accountability is clear when dealing with issues.
_____	<b>Effective Presentation:</b>	Disseminates complete and accurate information equally to all Council members in a timely manner.
_____	<b>Leadership:</b>	Builds trust through presenting ideas clearly and effectively listening to others, even when not in agreement.

Council's Comments (if required), or examples provided for other than "Achieves Expectations" rating:

Rating: (Add the ratings and enter subtotal \_\_\_\_\_ ÷ 4 = \_\_\_\_\_ score for this component.

CAO's Comments:

5 = Excellent  
 4 = Above average  
 3 = Average  
 2 = Below average  
 1 = Poor

## MEDIA RELATIONS

COMMUNICATES INFORMATION TO THE MEDIA IN A WAY THAT INCREASES PUBLIC UNDERSTANDING OF LOCAL GOVERNMENT ISSUES AND ACTIVITIES

_____	<b>Media Relations:</b>	Builds a positive relationship with the press.
_____	<b>Networking:</b>	Maintains a robust network of mutually beneficial professional contacts
_____	<b>Responsiveness:</b>	Actively responds to inquiries and communicates municipal policies, procedures and processes.
_____	<b>Media Relations:</b>	Communicates the strategic direction and priorities of the organization in a clear and compelling manner

Council's Comments (if required), or examples provided for other than "Achieves Expectations" rating:

Rating: (Add the ratings and enter subtotal \_\_\_\_\_ ÷ 4 = \_\_\_\_\_ score for this component.

CAO's Comments:

5 = Excellent  
 4 = Above average  
 3 = Average  
 2 = Below average  
 1 = Poor

## INTEGRITY

DEMONSTRATES FAIRNESS, HONESTY, AND ETHICAL AND LEGAL AWARENESS IN PERSONAL AND PROFESSIONAL RELATIONSHIPS AND ACTIVITIES

_____	<b>Personal Integrity:</b>	Demonstrates accountability for personal actions.
_____	<b>Personal Integrity:</b>	Conducts personal relationships and activities fairly and honestly.
_____	<b>Professional Integrity:</b>	Conducts professional relationships and activities fairly, honestly, legally and with knowledge of administrative ethics.
_____	<b>Organizational Integrity:</b>	Fosters ethical behaviour throughout the organization through personal example, management practices, and training.
_____	<b>Organizational Integrity:</b>	Instills accountability into operations and communicates ethical standards and guidelines to others.

Council's Comments (if required), or examples provided for other than "Achieves Expectations" rating:

Rating: (Add the ratings and enter subtotal \_\_\_\_\_ ÷ 5 = \_\_\_\_\_ score for this component.

CAO's Comments:



## OVERALL RATING AND FINAL NOTES

<b>5 = Excellent:</b> almost always exceeds the performance standard	
<b>4 = Above average:</b> generally exceeds the performance standard	
<b>3 = Average:</b> generally meets the performance standard	
<b>2 = Below average:</b> generally does not meet the performance standard	
<b>1 = Poor:</b> rarely meets the performance standard	

Any item left blank will be interpreted as a score of "3 = Average"

Overall Council Rating:

Overall CAO Comments:

## SETTING GOALS FOR THE COMING PERIOD

Copy any ongoing goals from Table 1 and include any new Goals and Key Results for the coming evaluation cycle in Table 2.

**Table 2: CAO Goals and Key Results Areas for [year]**

<b>Council's Strategic Goal</b>	<b>CAO's Goals for the Evaluation Year</b>	<b>Key Results Area for the CAO</b>	<b>Performance Metric</b>	<b>Target Completion Date</b>

### SOURCES:

Main Source: Based on the International City/Council Management Association (ICMA) Practices for Effective Local Government Management.

Other Sources: City of Mississauga Performance Evaluation: Senior Management 2015

City of Moose Jaw Competency-Based Performance Review

County of Elgin Performance Development and Review Program

International City/Council Management Association City Manager Performance Evaluation

Town of Canmore Annual Performance Review for the Chief Administrative Officer

Town of Essex Chief Administrative Officer Performance Evaluation

Town of Olds Performance Evaluation of the Chief Administrative Officer

Town of Torbay Staff Evaluation: Chief Administrative Officer

Town of White City Town Manager's Performance Evaluation

## CAO Performance Appraisal

CAO Name:

Evaluation Period:

Elected Official Name:

Accomplishments – Core Responsibilities/Goals
Completed during the evaluation period.
In progress/to be completed in the next evaluation period.

## CAO Performance Appraisal

Rate each competency according to your perception of the performance of the CAO during the evaluation period. Please provide comments or examples to illustrate, if possible.

### Rating Criteria:

- 1 = Below Standard
- 2 = Standard
- 3 = Above Standard
- 4 = Outstanding

Competency	Rating	Behavioural Examples
<b>STAFF EFFECTIVENESS</b> <ul style="list-style-type: none"> <li>Recruits and retains competent staff.</li> <li>Applies an appropriate level of supervision to improve areas of substandard performance.</li> <li>Encourages heads of departments to make decisions within their jurisdictions.</li> <li>Stays accurately informed and appropriately concerned about employee relations.</li> <li>Promotes training and development opportunities at all levels of the organization.</li> </ul>		
<b>FISCAL MANAGEMENT</b> <ul style="list-style-type: none"> <li>Ensures the development of a comprehensive, inclusive, and transparent process of business planning and budgeting.</li> <li>Ensures the Town meets or exceeds the financial and operating performance goals as set out in the annual plans.</li> <li>Uses sound risk management strategies and engages legal counsel as appropriate.</li> <li>Provides Council with accurate, comprehensive advice on the current status of the fiscal condition of the Town.</li> <li>Monitors organizational budgets, ensuring compliance, offering feedback and cost saving alternatives.</li> </ul>		
<b>POLITICAL ACUMEN</b> <ul style="list-style-type: none"> <li>Offers workable alternatives for changes in policy when an existing policy ordinance is no longer practical.</li> <li>Appropriately represents Council's direction and guides the work of the senior leaders in support of Council direction.</li> <li>Anticipates the possible impacts of decisions on the political environment and coaches others to do the same.</li> <li>Communicates key issues and/or influencing factors and explains the impact with the organization.</li> </ul>		

## CAO Performance Appraisal

<b>STRATEGIC PLANNING</b> <ul style="list-style-type: none"> <li>Leads the Town and articulates a clear plan that reflects Council's vision, mission and strategic plan.</li> <li>The plan is well understood, consistently applied and effectively implemented.</li> <li>Establishes direction based on continual assessment of the environment and emerging trends, issues and opportunities.</li> <li>Develops programs and services that work toward achieving the strategic initiatives set by Council.</li> <li>Obtains and allocates resources consistent with strategic objectives.</li> </ul>		
<b>COUNCIL RELATIONS</b> <ul style="list-style-type: none"> <li>Presents all issues to Council in a timely fashion.</li> <li>Facilitates Council's governance, decision making, and committee work.</li> <li>Takes initiative to advise Council on non-routine matters.</li> <li>Respects the division of authority between Council and the CAO.</li> </ul>		
<b>COMMUNITY RELATIONSHIPS</b> <ul style="list-style-type: none"> <li>Maintains a positive profile in the Town as the senior administrative spokesperson and leader.</li> <li>Ensures the Mayor and Council have access to sound advice on how to engage with the public.</li> <li>Maintains contact with other administrative leaders in the Region and with other key leaders throughout the province.</li> <li>Develops a positive/constructive rapport with media.</li> <li>Ensures the development of administrative protocol to develop courteous relationships with the public.</li> </ul>		
<b>NAVIGATES COMPLEXITY</b> <ul style="list-style-type: none"> <li>Logically works through complex situations, problems, issues and opportunities with the purpose of creating positive solutions or actions.</li> <li>Seeks to understand root causes of difficult problems.</li> <li>Recognizes several likely causes of events, and/or consequences of actions.</li> <li>Deals constructively with problems that do not have a clear solution or outcome.</li> <li>Evaluates pros and cons, risks and benefits of different solution options.</li> </ul>		
<b>COMMUNICATION</b>		

## CAO Performance Appraisal

<ul style="list-style-type: none"> <li>Possesses strong verbal, written and presentation skills demonstrating a clear, concise and positive style.</li> <li>Effectively establishes rapport with stakeholders including Council, employees, external agencies, partners and community members.</li> <li>Effectively exchanges information, in a variety of mediums, for diverse audiences.</li> <li>Disseminates complete and accurate information equally to all Council members in a timely manner.</li> </ul>		
<b>Additional Comments</b>		
<b>CAO Comments</b>		
<b>Elected Official Comments</b>		

CAO Signature \_\_\_\_\_ Date: \_\_\_\_\_

Elected Official Signature \_\_\_\_\_ Date: \_\_\_\_\_



Operating Procedure	
Procedure Name:	<b>Chief Administrative Officer Performance Review</b>
Procedure Number:	XX
Creation Date:	January 11, 2024
Revision Date(s):	-

## 1. Purpose

- 1.1. An annual performance review is an important part of the relationship between Council and the Chief Administrative Officer (CAO), and ultimately the success of the Town of Pelham. This procedure will guide the process of evaluating the CAO's performance to ensure a consistent approach each calendar year.

## 2. Evaluation Principals

- 2.1. The approach to the CAO performance review should be in a positive manner with the broad objective of improving the organization and positively impacting the CAO, Council and Town staff.
- 2.2. All written and oral comments regarding the performance review of the CAO are strictly confidential.
- 2.3. The evaluation should be conducted in an honest and fair manner. One should not permit feelings of personal likes or dislikes to enter the evaluation. All comments should be objectively based upon facts and events during the past reporting period.
- 2.4. All components of the evaluation such as comments and conclusions must be able to be substantiated if required.
- 2.5. The review process should be conducted in a manner that provides for and promotes open and honest dialogue.
- 2.6. The CAO should feel that they have been adequately included in the process.



### **3. Requirements**

- 3.1. A formal performance review must be completed by Council each calendar year before year-end, in partnership with People Services.

### **4. Operating Guidelines/ Best Practices**

- 4.1. The CAO will complete the Annual Performance Evaluation Template, summarizing the goals achieved and submit to Council prior to them completing their evaluation.
- 4.2. After reviewing the CAO's submission, each member of Council will assess the CAO's performance and complete the template separately. Individual templates must then be submitted to the Manager of People Services.
- 4.3. The Manager of People Services will compile Council's submissions and overall performance ratings into a final report.
- 4.4. Council will hold an in-camera meeting with the CAO to discuss their performance. Any additional comments will be captured by the Manager of People Services and be added to the final report. The final report will then be distributed to Council.
- 4.5. The Mayor will meet with the CAO prior to year-end to deliver the final report, discuss performance goals for the following year, and award any compensation enhancements, if applicable.



**Subject:** Updates to the Use and Operation of Town Motor Vehicles Policy S100-06

**Recommendation:**

**BE IT RESOLVED THAT Council receive Report #2024-007 – Updates to the Use and Operation of Town Motor Vehicles Policy S100-06, for information;**

**AND THAT Council approve the Use and Operation of Town Motor Vehicles Policy S100-06, as amended.**

**Background:**

The Niagara Region has implemented red light cameras and automated speed enforcement units to support the continued safety of its residents and communities with the ultimate goal of reducing collisions. Pelham currently has one red light camera located at Highway 20 and Victoria Ave.

The Municipally Owned Vehicles Policy S100-06 required updating so that the Town can proactively address these new speed reduction measures. Revisions throughout are also needed as the policy has not been reviewed since its creation in 2016.

**Analysis:**

Firstly, the title of the policy has been revised to 'Use and Operation of Town Motor Vehicles' which better reflects the reality of the Town's fleet, in that not all vehicles driven by employees are owned by the municipality; some are rented or leased. A number of definitions have been added and changes to the language, grammar and formatting have been made throughout.

Section 8 of the amended policy addresses the new red-light cameras and automated speed enforcement units and includes a procedure for handling any offence notices issued in relation to Town vehicles. In the case of non-preventable offences, the Town will dispute the offence notice and request a trial. However, in the event that an investigation determines the Town employee operating the vehicle at the time of the offence was at fault and there are no valid reasons to

dispute the charge, the employee will be responsible for reimbursing the Town for all amounts paid in relation to the offence.

Lastly, a section addressing non-compliance has been added to ensure employees understand the seriousness of complying with this policy.

**Financial Considerations:**

There are no financial considerations with respect to these policy amendments.

**Alternatives Reviewed:**

The alternative is to leave the policy as is. This is not recommended however as the current policy does not adequately address any of the changes that have occurred between 2016 to date.

**Strategic Plan Relationship: Enhancing Capacity and Future Readiness**

Having this procedure in place prior to any offence notices being received by the Town is a proactive measure that will ensure Town staff are aware of the ramifications for driving unsafely and being ticketed in Town vehicles, and that management is well prepared to handle these situations.

**Consultation:**

The Senior Leadership Team provided feedback to the Town Solicitor and Manager of People Services who completed the policy revisions.

**Other Pertinent Reports/Attachments:**

Appendix "A" – Amended Use and Operation of Town Motor Vehicles Policy S100-06

Appendix "B" – Current Municipally Owned Vehicles Policy S100-06

**Prepared and Submitted by:**

Brianna Langohr, CHRL  
Manager of People Services

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



<b>Policy Name: Use and Operation of Town Motor Vehicles</b>	<b>Policy No: S100-06</b>
Committee approval date:	-
Council approval date:	June 18, 2012
Revision date(s):	April 4, 2016
Department/Division:	Administration Services

## 1. Purpose

- 1.1. The purpose of this policy is to establish authority, criteria and procedures for the use and operation of motor vehicles owned or rented by the Town of Pelham ("the Town") by Town employees.

## 2. Policy Statement

- 2.1. The policy of the Town is to acquire and provide motor vehicles for use by Town employees as required to discharge their employment duties, either during the work shift or on a twenty-four (24) hour on-call basis.
- 2.2. The provisions of this policy apply to all Town employees who use or operate motor vehicles owned or rented by the Town.

## 3. Definitions

- 3.1. In this policy:

**"Authorized Driver"** means an Employee authorized by the Town to use or operate a Town Motor Vehicle or Rented Motor Vehicle for Town Business and who holds a Valid Driver's Licence known as a "G" licence and a Valid Driver's Licence of any other type required to operate vehicles in the class that includes the Town Motor Vehicle(s) or Rented Motor Vehicle(s) to be used.

**"Automated Speed Enforcement" or "ASE"** means a program intended to promote speed reduction in designated areas, which operates through automated detection of vehicle speeds and photographic capture of vehicle license plates. Where a vehicle speed in excess of the posted limit is detected, an Offence Notice is sent to the registered owner of the vehicle.

**"Employee"** means a person who performs work for the Town for wages, as set out in the *Employment Standards Act, 2000*, S.O. 2000, c. 41 including all full-time, part-time, temporary, and seasonal workers, student workers, and volunteer firefighters.



**“Highway Traffic Act”** or **“HTA”** means the *Highway Traffic Act*, R.S.O. 1990, c. H.8, being the provincial statute that regulates the use and operation of vehicles on all public highways in the province.

**“Motor Vehicle”** means any automobile, truck, or other motorized vehicle that is legally certified or approved to be lawfully operated on a public highway.

**“Occurrence”** means any collision, incident, infraction or *Highway Traffic Act* contravention involving the possession, use or operation of a Town Motor Vehicle or a Rented Motor Vehicle by an Authorized Driver, whether or not the conduct of the Authorized Driver caused or contributed to the event.

**“Offence Notice”** means a notice of a *Highway Traffic Act* contravention detected through ASE or RLC, which is sent to the registered owner of the vehicle for which the contravention was detected, and which sets out the applicable fine for the alleged offence.

**“People Services”** means the People Services Department of the Town.

**“Permanently Assigned Vehicle”** means a Town Motor Vehicle that is assigned to an Employee on a long-term or permanent basis for twenty-four (24) hour use by the Employee and for which a vehicle log is maintained to record mileage incurred for both Town Business and personal use by the Employee.

**“Red Light Camera”** or **“RLC”** means a program intended to promote red light compliance, which operates through photographic capture of vehicle license plates. Where a failure to stop at a red light is detected, an Offence Notice is sent to the registered owner of the vehicle.

**“Rented Motor Vehicle”** means a Motor Vehicle rented or leased by or on behalf of the Town for use by an Authorized Driver to conduct Town Business.

**“Temporarily Assigned Vehicle”** means any Town Motor Vehicle or Rented Motor Vehicle that is assigned to an Employee on a short-term or temporary basis for the sole purpose of immediately responding to emergency conditions on a twenty-four (24) hour call out basis.

**“Town Business”** means travel by an Employee in relation to their employment duties, as an Authorized Driver or a passenger, which is conducted with the knowledge and approval of the Town and for the benefit of the Town.

**“Town Motor Vehicle”** means a Motor Vehicle of which the Town is the registered owner.



**“Valid Driver’s Licence”** is a driver’s licence issued to an Employee by the Province of Ontario that has not expired and is not subject to suspensions or revocation of driving privileges.

#### **4. General Provisions**

- 4.1. Authorized Drivers are required to operate Town Motor Vehicles and Rented Motor Vehicles in compliance with the *Highway Traffic Act* and all other applicable law, this policy and any other applicable Town policies, and all good driving practices.
- 4.2. Town Motor Vehicles are allocated and assigned on a departmental basis for use by that department only. Departments are not authorized or permitted to use Town Motor Vehicles assigned to any other department without the express permission of the department to which the Town Motor Vehicle is allocated.
- 4.3. Other than expressly permitted under this policy, Town Motor Vehicles and Rented Motor Vehicles are not for personal use by Employees or any other person. Such Motor Vehicles are acquired for the benefit of the Town and its residents and may be used solely for purposes consistent with providing services to the public.
- 4.4. Town Motor Vehicles that are not being used for Town Business are to be parked or stored at a location, determined by the department to which they are allocated, from which the Town Motor Vehicles are readily available for Town Business use.

#### **5. Qualifications and Requirements for Authorized Drivers**

- 5.1. An Employee may be an Authorized Driver where the Employee:
  - i. is required to operate a Motor Vehicle in the course of their employment duties;
  - ii. meets all *Highway Traffic Act* criteria to operate a Motor Vehicle;
  - iii. provides consent for the Town to obtain a three (3) year driver record for the Employee from the Ministry of Transportation;
  - iv. holds a Valid Driver’s Licence known as a “G” licence; and
  - v. holds a Valid Driver’s Licence of any other type required to operate vehicles in the class that includes the Town Motor Vehicle(s) or Rental Motor Vehicle(s) to be used.
- 5.2. An Employee who is a student worker employed on a seasonal basis may be an Authorized Driver where the Employee:



- i. meets the requirements of subsection 5.1 of this policy;
  - ii. has a three (3) year driving record that is free of *Highway Traffic Act* contraventions and demerit points; and
  - iii. successfully completes a driver training session provided by the Town.
- 5.3. Town departments that employ student workers as Authorized Drivers must provide People Services with a list of all such Authorized Drivers and a three (3) year driving record for each such Authorized Driver.
- 5.4. The Town is entitled to periodically request and review an Authorized Driver's three (3) year driver record and/or Town records pertaining to the conduct of the Authorized Driver. Where such records demonstrate potentially unsafe driving habits, the Authorized Driver may be subject to discipline including but not limited to suspension of Authorized Driver privileges and/or mandatory driver training.
- 5.5. Authorized Drivers must notify their Supervisor or Director and/or People Services if they have or develop any medical condition that may adversely impact their ability to use or operate a Town Motor Vehicle or Rented Motor Vehicle.
- 5.6. Authorized Drivers must notify their Supervisor or Director and/or People Services if they use or require medication that may adversely impact their ability to use or operate a Town Motor Vehicle or Rented Motor Vehicle.
- 5.7. Authorized Drivers must immediately notify their Supervisor or Director and/or People Services of any changes to the status of any of their Valid Driver's Licences and/or their driving privileges, including but not limited to restrictions, suspensions and/or revocations.
- 5.8. An Employee ceases to be an Authorized Driver where any Valid Driver's Licence held by the Employee is suspended or revoked for any reason.
- 5.9. An Authorized Driver who is involved in an Occurrence may be required to undergo a driver evaluation and/or may be subject to discipline including but not limited to mandatory driver training or suspension, limitation or termination of Authorized Driver privileges, where the Supervisor or Director of the Authorized Driver determines, in accordance with subsection 5.10, that a driver evaluation and/or discipline is warranted.
- 5.10. In determining whether a driver evaluation and/or discipline of an Authorized Driver involved in an Occurrence is warranted, the Supervisor or Director of the Authorized Driver will consider the following factors:



- i. the nature and severity of the Occurrence;
- ii. the conduct of the Authorized Driver and the extent to which, if any, it contributed to the Occurrence;
- iii. if the Authorized Driver could reasonably have prevented or avoided the Occurrence;
- iv. the number, nature and severity of any other Occurrence involving the Authorized Driver in the previous five (5) year period; and
- v. any other relevant circumstance or factor.

5.11. Employees who are not Authorized Drivers shall not use or operate any Town Motor Vehicle or Rented Motor Vehicle.

## **6. Use and Operation of Motor Vehicles**

- 6.1. Town Motor Vehicles and Rented Motor Vehicles may be used only for Town Business. Such vehicles may transport only Employees and persons directly associated with Town Business such as members of Council, committee members, consultants and/or contractors.
- 6.2. The Town logo must be affixed to the driver and passenger side doors of all Town Motor Vehicles and must be clearly visible.
- 6.3. Town Motor Vehicles should contain only those items for which they are designed. The Town is not liable for the loss or damage of any personal property transported in any Town Motor Vehicle.
- 6.4. Employees must keep Town Motor Vehicles in a neat and clean condition.
- 6.5. Smoking in Town Motor Vehicles and Rented Motor Vehicles is prohibited.
- 6.6. All passengers in Town Motor Vehicles and Rented Motor Vehicles must wear seatbelts at all times that the vehicle is in operation.
- 6.7. Authorized Drivers must not use any handheld device while operating a Town Motor Vehicle or Rented Motor Vehicle, including but not limited to cellular phones, radios and/or navigation units.
- 6.8. Authorized Drivers shall not operate any Town Motor Vehicle or Rented Motor Vehicle while under the influence of alcohol, cannabis, prescription or non-prescription medication or drugs or any other substance that may interfere with the safe and effective use or operation of a Motor Vehicle.





- 6.9. Employees, including but not limited to Authorized Drivers, shall comply with all provisions of Policy S100-02: Alcohol, Cannabis and Illicit Drugs in the Workplace.
- 6.10. Authorized Drivers shall not operate any Town Motor Vehicle or Rented Motor Vehicle outside the Province of Ontario without prior written approval of their Supervisor or Director.
- 6.11. Employees, including but not limited to Authorized Drivers, shall immediately report the following to their Supervisor or Director:
- i. any damage to a Town Motor Vehicle or Rented Motor Vehicle;
  - ii. any malfunction or need for repair of a Town Motor Vehicle; and
  - iii. any **Occurrence** involving a Town Motor Vehicle or Rented Motor Vehicle.
- 6.12. Where an Employee fails to notify their Supervisor or Director of an **Occurrence within twenty-four (24) hours**, the Employee is subject to discipline up to and including termination of employment.

## **7. Permanently Assigned Vehicles and Temporarily Assigned Vehicles**

- 7.1. A Permanently Assigned Vehicle will be considered only for Authorized Drivers who require a Town Motor Vehicle for the ordinary and necessary discharge of their employment duties. Eligibility considerations include official on-call status, the need for frequent emergency availability, and emergency or other equipment contained in the Town Motor Vehicle.
- 7.2. Permanently Assigned Vehicle allocations must be approved by Council and may be rescinded on reasonable notice where Council determines that the Permanently Assigned Vehicle allocation is no longer required and/or is no longer to the benefit of the Town.
- 7.3. A Temporarily Assigned Vehicle may be allocated to an Authorized Driver by their Director. Such allocations may be rescinded, without prior notice, where the Director determines that the Temporarily Assigned Vehicle allocation is no longer required.
- 7.4. Limited personal use of a Permanently Assigned Vehicle or a Temporarily Assigned Vehicle is permitted by the Authorized Driver to whom the vehicle is allocated. No other person may operate the vehicle. The Authorized Driver must maintain records of personal mileage as required by Canada Revenue Agency (CRA). At the end of each year, these records must be submitted to





the Town Payroll Office, which will calculate an amount to be added to the Authorized Driver's statement of earnings based on CRA formulas.

- 7.5. Where an Authorized Driver uses a Permanently Assigned Vehicle or Temporarily Assigned Vehicle to commute between their residence and their place of work, the Authorized Driver should use the most direct route, with road and traffic conditions taken into account.
- 7.6. Authorized Drivers who use a Permanently Assigned Vehicle or Temporarily Assigned Vehicle to commute more than twenty (20) kilometres one way shall meet the legislative requirements of CRA for on-call or emergency duties, failing which the Authorized Driver must reimburse the Town for additional operational and maintenance costs or report vehicle use as a taxable benefit as defined by CRA.

## **8. Parking, ASE and RLC Contraventions**

- 8.1. Authorized Drivers who incur parking or similar fines in relation to a Town Motor Vehicle or Rented Motor Vehicle are personally responsible to pay such fines unless the Authorized Driver's departmental Director approves payment of such fines by the Town.
- 8.2. Niagara Region has implemented ASE and RLC cameras at various locations in the Town to support the continued safety of its residents and communities.
- 8.3. Where the Town receives an Offence Notice issued in relation to a Town Motor Vehicle or, in the case of a Rented Motor Vehicle, an invoice from the rental company for an Offence Notice issued in relation to the Rented Motor Vehicle, the Town Clerk or designate will refer the matter to the appropriate departmental Director for investigation under subsection 8.4. The Town Clerk will provide a copy of the Offence Notice to People Services.
- 8.4. Within ten (10) days of receipt of an Offence Notice or invoice described in subsection 8.3, the appropriate departmental Director or designate will commence an internal investigation to determine who was operating the Motor Vehicle at the time of the contravention and if there is any reason to challenge or contest the *Highway Traffic Act* contravention described in the Offence Notice.
- 8.5. Where the internal investigation determines that there is good reason to challenge or contest the *Highway Traffic Act* contravention described in the Offence Notice, the Town will dispute the Offence Notice and request a trial.



- 8.6. The Employee who was operating the Motor Vehicle at the time of the contravention is not permitted to dispute the Offence Notice or request a trial.
- 8.7. Where the internal investigation determines that there is no good reason to challenge or contest the *Highway Traffic Act* contravention described in the Offence Notice, the Town Clerk or designate will pay the required fine within the time period specified on the Offence Notice.
- 8.8. Where the Town Clerk pays a fine under subsection 8.7, the Employee operating the Town Motor Vehicle or Rented Motor Vehicle at the time of the contravention will be provided with a copy of the Offence Notice and is required to reimburse the Town for all amounts paid in satisfaction of the Offence Notice by way of a payroll deduction from the next pay period.
- 8.9. Employees are not permitted to pay the fine directly, through the Provincial Offences Court website or otherwise.
- 8.10. Upon conclusion of the internal investigation, the Supervisor or Director of the involved Employee, in consultation and conjunction with People Services, will take appropriate steps to prevent further contraventions by the Employee, which may include but are not limited to non-disciplinary action such as driver evaluation, counselling, education or training, disciplinary action, and/or a combination thereof.

## 9. Non-Compliance

- 9.1. Employees who breach or fail to comply with any provision of this policy are subject to discipline in accordance with this policy and with Policy S600-15: Progressive Discipline, up to and including termination of employment.

**Subject: Recommendation Report – Application for Zoning By-law Amendment – 61 Port Robinson Road****Recommendation:**

**BE IT RESOLVED THAT Council receive Report #2024-0011 – Recommendation Report – Application for Zoning By-law Amendment – 61 Port Robinson Road, for information;**

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

**Executive Summary:**

The purpose of this report is to provide Council with a recommendation regarding the application for Zoning By-law Amendment for 61 Port Robinson Road.

The proposed Zoning By-law Amendment would rezone the lands from the Residential Development Zone to a site-specific Residential Two (R2) zone. The zoning change would facilitate the future severance of the lands and the development of a semi-detached dwelling on the severed lot.

**Location:**

The application for Zoning By-law Amendment was received for the property known as 61 Port Robinson Road and described legally as PLAN 25 PT LOT 17 NP717. The lands have 33.49 metres of frontage along Port Robinson Road and are 1,279.2 square metres in area. The lands currently host a single detached dwelling and detached garage.

Surrounding land uses are primarily residential, consisting of a mix of single detached dwellings, townhouse, and a small-scale apartment to the west. It is noted to the north and south of the lands are draft plan approved subdivision developments (Summersides Village, Forest Park) within the East Fonthill Secondary Plan Area.

## Project Description and Purpose:

*Figure 1: Property Location*



## Project Description and Purpose:

The proposed Zoning By-law Amendment would rezone the lands from the Residential Development Zone to a site-specific Residential Two (R2) zone. The zoning change would facilitate the future severance of the lands for the construction of a semi-detached dwelling on the western portion of the site (see Figure 2). The semi-detached dwelling is proposed at two storeys and is proposed to have a twinned garage and driveway configuration.

Figure 2: Concept Plan

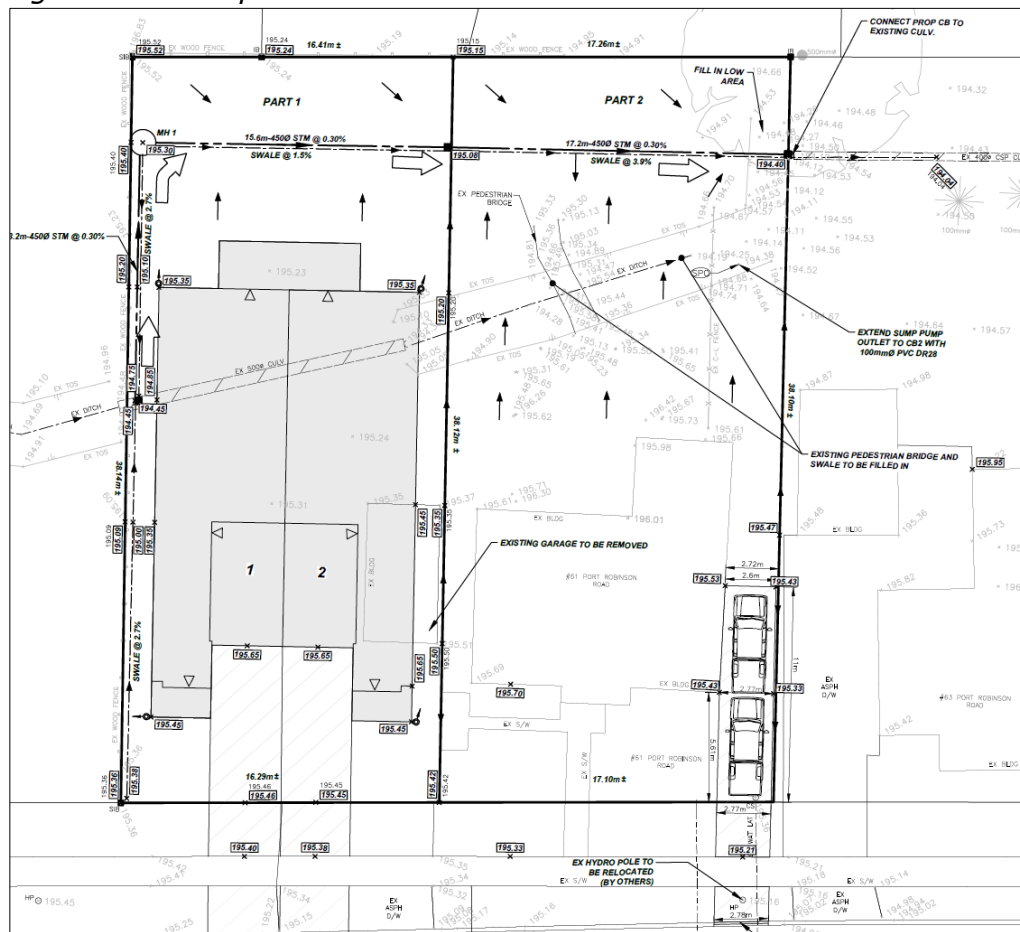


Figure 3: Rendering of Semi-Detached Dwelling



A future application for consent is required to sever the lands to create the building lot to facilitate the construction of the semi-detached dwelling.

The existing one and half storey single detached dwelling on the eastern portion of the site is to remain. However, the existing detached garage is to be removed to accommodate the proposed semi-detached dwelling. The original location of the driveway that services the existing dwelling was proposed to be moved to the east in front of the existing dwelling. The applicant revised the location of the driveway proposal following comments from staff and Council. The revised proposal relocates the driveway to service the existing dwelling to the east side of the dwelling and includes the ability to park two vehicles in tandem.

## **Policy Review:**

### ***Planning Act, 1990***

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

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

### ***Provincial Policy Statement (2020)***

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

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

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

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



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

Policy 2.6.2 states that development and site alteration shall not be permitted on lands containing archaeological resources or areas of archaeological potential unless significant archaeological resources have been conserved. The lands are identified as displaying archaeological potential per the Town's Heritage Master Plan. The applicant submitted an archaeological assessment with the proposal that identified no archaeological resources in the study area.

### ***Growth Plan for the Greater Golden Horseshoe (2019)***

The subject parcel is identified as being within a Delineated Built-up Area according to the Growth Plan for the Greater Golden Horseshoe, 2020. The Growth Plan policies aim to build stronger, prosperous communities by directing growth to built-up areas, promoting transit-supportive densities and a healthy mix of residential and employment land uses, preserving employment areas, planning for community infrastructure, and supporting the conservation and protection of natural systems, prime agricultural areas, and cultural heritage.

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

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

The Growth Plan directs Planning Authorities to develop housing strategies that will ensure that forecasted growth can be accommodated, density targets are achieved, and that a mix of housing options be available. Residential uses and incidental uses are supported in the Delineated Built-Up Area.

### ***Niagara Region Official Plan (2022)***

The lands are designated as Built-Up Area in the Niagara Region Official Plan ("NOP"). The NOP permits a full range of residential, commercial, and industrial uses within the Urban Area, subject to the availability of adequate municipal services and infrastructure, and other policies relative to urban design, compatibility, and environmental conservation/preservation.

Policy 2.2.2.5 now requires that across the Region 60% of all residential units occurring annually are to be in the Built-Up Areas and in Pelham, this translates into an annual intensification rate of 25% of new residential units are to be within the Built-Up Area. The principal objective is to increase housing choice and housing affordability across the Region to meet future housing needs.

Policy 2.2.1.1 states that development in urban areas will integrate land use planning and infrastructure planning to responsibly manage forecasted growth and to support:

- a) the intensification targets in Table 2-2 and density targets outlined in this Plan (Note Pelham's intensification target is 25%);
- b) a compact built form, a vibrant public realm, and a mix of land uses, including residential uses, employment uses, recreational uses, and public service facilities, to support the creation of complete communities;
- c) a diverse range and mix of housing types, unit sizes, and densities to accommodate current and future market-based and affordable housing needs.

Policy 2.3.1.4 also provides that new residential development and residential intensification are encouraged to be planned and designed to mitigate and adapt to the impacts of climate change by:

- a) facilitating compact built form; and,
- b) incorporating sustainable housing construction materials or practices, green infrastructure, energy conservation standards, water efficient technologies, and low impact development.

### ***Town of Pelham Official Plan (2014)***

The Town of Pelham Official Plan is the primary planning document that will direct the actions of the Town and shape growth that will support and emphasize Pelham's unique character, diversity, cultural heritage and protect natural heritage features.

Policy A2.3.2 Urban Character – stated objectives of this Plan include (among others):

- To enhance the urban areas as diverse, livable, safe, accessible, and attractive communities.
- To ensure that new development areas are integrated into the fabric of the existing community in conformity with approved Secondary Plans.
- To encourage the development of neighbourhoods which are compact, pedestrian-friendly and provide a mix of housing types.
- To foster a sense of civic identity through a high standard of urban design in public and private development.

The property is located within the East Fonthill Secondary Plan area. The subject lands are designated East Fonthill - Medium Density Residential, according to Schedule 'A5' of the Official Plan.

Permitted uses in the EF - Medium Density Residential designation are all forms of townhouse units; small scale apartment buildings; accessory apartments/secondary suites; live-work units; housing for seniors and/or special needs housing; accessory buildings and structures related to the primary residential dwelling unit; home occupations; places of worship; day nurseries; convenience retail and service commercial uses; parks, parkettes, and open space linkages; and public uses and



public and private utilities. Single and semi-detached dwellings may also be permitted provided they are limited in number, i.e., less than 15% in a plan of subdivision.

Section B1.7 provides the policy base for the East Fonthill Secondary Plan area. Plan objectives are contained in Section B1.7.3.1. Objectives include, but are not limited to:

- To ensure that the community is developed with a compact urban form and at an appropriate scale that is pedestrian-oriented and fosters community interaction
- To create a complete community with a safe, healthy and functional environment that can accommodate between 6,500 and 7,500 new residents and jobs combined;
- To ensure that all new development occurs on the basis of full urban water and sanitary sewer facilities, as well as adequate utility networks;

The lands form part of Neighbourhood 1 on Schedule A4 'Structure Plan'. According to Policy B1.7.7.2 (b)(i), Neighbourhood 1 shall achieve an overall minimum gross density of approximately 57 persons and jobs per gross hectare combined.

Sub policy B1.7.7.4.2(c), permits singles and semi-detached dwellings to be developed at densities between 20-50 units per net hectare.

Based on this information, the amendment conforms to the Town's Official Plan.

### ***Town of Pelham Zoning By-law 4481 (2022)***

The property is zoned Residential Development (RD) according to Schedule 'C' of the Comprehensive Zoning By-law.

The intent of the Residential Development zone is to act as a placeholder zone that requires the submission of a Zoning By-law Amendment application to permit future development. The RD zone permits existing single detached dwellings and existing uses at the date of passing of the Zoning By-law.

The applicant is requesting to amend the zoning on the property to a site specific Residential 2 (R2-X) zone. Permitted uses in the R2 zone include single detached dwellings, duplex dwellings, semi-detached dwellings, and accessory uses, among other residential uses. The requested rezoning would facilitate the future development of a semi-detached dwelling on a portion of the lands, as well as continue to permit the existing single detached dwelling currently on site.

The site-specific zoning requested as part of the proposed Zoning By-law Amendment is provided below:

<b>R2-X Requirements</b>	
Notwithstanding the regulations of the Residential 2 (R2) zone, the following site-specific regulations shall also apply:	
Maximum Front Yard	Requesting a maximum front yard setback of 6.13m whereas 6.0m is required.
Parking Requirements	Requesting a minimum length for a tandem parking space of 5.5 metres whereas a minimum length of 6.7 metres is required.
Encroachment	Requesting an encroachment into the side yard of the chimney of 0.52 metres whereas an encroachment of 0.50 metres is permitted.

It is noted the site-specific provisions sought as part of the application are requested (a) to recognize the existing front yard setback of the existing single detached dwelling on site; and (b) to permit the proposed parking configuration for the single detached dwelling following the removal of the existing garage and completion of a future severance application to sever the lands. The proposal is in compliance with all other aspects of the Zoning By-law. As a result, the amendment applies good planning principles.

### **Submitted Reports:**

- Covering Letter prepared by Upper Canada Consultants;
- Planning Justification Report prepared by Upper Canada Consultants;
- Functional Servicing Brief prepared by Upper Canada Consultants;
- Preliminary Site Servicing and Grading Plan prepared by Upper Canada Consultants;
- Stage 1 and 2 Archaeological Assessment prepared by AMICK Consultants Limited; and,
- Parcel Abstracts and PIN Map for the subject lands.

### **Agency Comments:**

#### *Public Works*

- Side yard walkways will not be permitted in order that the proposed side yard swales are maintained.
- New lots are to be self-draining. East swale must be on the private property not on property line.
- The applicant must obtain a Driveway Entrance and Culvert Permit from the Public Works department for the construction of all new or modification of existing driveways or entrances. Installation and/or modification of all entrances shall be completed in accordance with Town Standards.
- The sump pump can not connect to proposed CB, must discharge to grade.
- Please label proposed CB's.
- The swale on East side of 61 Port Robinson Road must be on private property.
- The Town does not allow water services to be located under driveways, the water service for the existing house will need to be relocated to accommodate the proposed driveway.

- The proposed concave driveway will collect and direct all runoff to the sidewalk which may cause ice build up in winter months.

*Fire and By-law Services*

- No comments.

*Enbridge Gas Inc.*

- Enbridge Gas does not object to the proposed application however, we reserve the right to amend our development conditions.

*Niagara Region Growth Strategy & Economic Development*

- Regional Planning and Development Services offer no objection to the proposed Zoning By-law Amendment application and consider the proposal to be consistent with the *Provincial Policy Statement* and conform to Provincial and Regional plans. As noted above, staff request that a letter of acknowledgement from the Ministry of Citizenship and Multiculturalism be circulated to the Region prior to any construction activities commencing.

*Town Community Planning and Development*

- Do not support one parking space for the existing single detached dwelling and the location of the parking area in front of the existing dwelling is not consistent with the East Fonthill design guidelines.
- It is noted that the semi-detached units and the existing dwelling cannot accommodate second dwelling units due to inadequate parking.

**Public Comments:**

On November 21, 2023, a public meeting notice was circulated to all property owners within 120 metres of the property's boundaries. In addition, a public notice sign was posted facing Port Robinson Road. No public comments were received. A public meeting was held on December 13, 2023 and no members of the public attended the public meeting other than the agent for the applicant and the applicant.

Council had several questions and comments which are summarized below:

- Councillor Niznik asked for clarification with respect to planning staff's position the driveway would be better suited to the sideyard. Councilor asked if the Town would support the widening of the driveway; expressed that on street parking is not ideal from a safety standpoint. Asked if it is possible for the semi-detached dwelling to be further setback to provide space for the parking area.
- Councillor Hildebrandt commented on the cost feasibility of moving the existing hydro pole on the east side of the property.
- Councillor Eckhardt expressed concern that one parking space is not enough; enquired about drainage and underground infrastructure.
- Councillor Kerr expressed no concerns with the location of the driveway to the front of the existing dwelling as it is likely to be a temporary condition until

such time as Part 2 is to be redeveloped. Expressed that the depth of the spaces is the same as the proposed semi-detached dwelling.

- Councillor Wink asked the applicant what assurances the Town has that the existing dwelling will be redeveloped and what the timeframe is. Expressed concern that if approved the Town does not have assurance that Part 2 will be redeveloped, and the driveway as proposed could be a long-term condition.

With respect to the questions and comments raised by Council, the following comments are provided.

The East Fonthill Urban Design Guidelines encourage parking areas to be located to the rear or side of dwellings to encourage an inviting streetscape. With respect to the cost feasibility of moving the hydro pole, the applicant met on site with NPEI to discuss the feasibility. The applicant has advised the pole is able to be moved at a reasonable cost and thus the applicant has revised the plan to address staff comments.

The applicant has revised the site plan submitted with the application to relocate the parking area to the east side of the dwelling. Planning staff share the opinion one parking space is not adequate to service the dwelling. Initially, staff provided comments to the applicant that they are not supportive of one parking space. The applicant has since revised the site plan to relocate the parking area and provided an additional on-site parking space. Staff are now supportive of the application.

### **Staff Comments:**

In summary, it is Planning staff's opinion that the requested zoning by-law amendment is appropriate and there will be minimal impact on adjacent properties and on the existing stormwater management system. In addition, it is Planning staff's opinion that the requested zoning by-law amendment is consistent with Provincial policy and plans, conforms to the Regional and Town Official Plans and represents good planning and therefore, should be approved.

### **Alternatives:**

Council could choose not to approve the application for zoning by-law amendment, however that decision could be appealed by the owner to the Ontario Land Tribunal. Council could choose to approve the requested zoning by-law amendment with modifications.

### **Prepared and Recommended by:**

Andrew Edwards, BES  
Planner

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

**Prepared and Submitted by:**

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

**Subject:** Revisions to Proposed Cemeteries By-law

**Recommendation:**

**BE IT RESOLVED THAT Council receive Report # 2024-0039 – Revisions to Proposed Cemeteries By-law, for information;**

**AND THAT Council consider and approve proposed By-law No. 03-2024, being the Cemeteries By-law, subject to approval by the Registrar appointed under the *Funeral, Burial and Cremation Services Act, 2002*, S.O. 2002, c. 33;**

**AND THAT Council direct staff to undertake all necessary steps to have the proposed By-law, as considered and approved by Council, approved by the Registrar as set out above.**

**Background:**

On January 24, 2024, Council provided direction to finalize the proposed Cemeteries By-law to allow leashed dogs on cemetery roads and pathways and to implement related policy changes for by-law enforcement. The finalized Cemeteries By-law is attached to this report, with changes highlighted in yellow for ease of reference.

**Analysis:**

The proposed Cemeteries By-law has been revised to include a definition of "Cemetery Path", to permit dogs in cemeteries provided that they are leashed, under control and kept on Cemetery Paths, and to require immediate cleanup of animal waste.

Once Council has approved the proposed Cemeteries By-law, staff will implement the process to have it approved by the Registrar as required by the *Funeral, Burial and Cremation Services Act, 2002*, S.O. 2002, c. 33. Upon approval by the Registrar, an endorsed copy of the Cemeteries By-law will be returned to the Town and the by-law will be in effect.

**Financial Considerations:**

There are no direct financial implications associated with the proposed by-law.

**Alternatives Reviewed:**

None.

**Strategic Plan Relationship: Community Development and Growth**

The proposed Cemeteries By-law as finalized balances diverse community interests as expressed by and to Council.

**Consultation:**

The Senior Leadership Team and staff involved in cemetery operations were consulted in developing and finalizing the proposed by-law.

**Other Pertinent Reports/Attachments:**

Proposed Cemeteries By-law as Finalized.

**Prepared and Recommended by:**

Jennifer Stirton, BSc(Hons), LL.B.  
Town Solicitor

**Approved and Submitted by:**

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



## The Corporation of the Town of Pelham

By-law No. 03-2024

### **Being a By-law to regulate the operation of cemeteries by the Corporation of the Town of Pelham and to repeal By-law No. 3012(2019).**

**WHEREAS** section 8 of the *Municipal Act, 2001*, S.O. 2001, c. 25 provides that the powers of a municipality under any statute shall be interpreted broadly so as to confer broad authority on the municipality to enable the municipality to govern its affairs as it considers appropriate;

**AND WHEREAS** section 4 of the *Funeral, Burial and Cremation Services Act, 2002*, S.O. 2002, c. 33 ("*FBCSA*") prohibits the operation of a cemetery without a licence to do so;

**AND WHEREAS** the Corporation of the Town of Pelham owns and operates three cemeteries in the Town of Pelham as a licensee under the *FBCSA*;

**AND WHEREAS** section 150 of Ontario Regulation 30/11 under the *FBCSA* authorizes a cemetery operator to make by-laws governing the operation of the cemetery;

**AND WHEREAS** the Council of the Corporation of the Town of Pelham deems it necessary and desirable to regulate cemeteries owned and operated by the Corporation of the Town of Pelham and to enact this By-law for that purpose;

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

#### **1. Purpose**

- 1.1. The purpose of this By-law is to provide rules and regulations to govern the operations of cemeteries owned and operated by the Corporation of the Town of Pelham.
- 1.2. This By-law does not apply to cemeteries that are not owned or operated by the Town.

#### **2. Definitions**

- 2.1. In this By-law:

**"Active Cemetery"** means a Cemetery where one (1) or more Lots are available for Interment.

**"BAO"** means the Bereavement Authority of Ontario, being the not-for-profit corporation and government delegated authority responsible for administration of the *FBCSA* and associated regulations.

**"By-laws"** means the rules and regulations in this By-law under which a Cemetery operates.

**"Care and Maintenance Fund"** is a fund established and administered by the Town in accordance with the *FBCSA* to generate income for the care and maintenance of a Cemetery.



**"Cemetery"** means any cemetery owned and operated by the Town, being Fonthill Cemetery, Hillside Cemetery and Hansler Cemetery, and any other cemetery that may be acquired by the Town.

**"Cemetery Path"** means a road or a walkway within a Cemetery that has a paved or gravel surface and up to thirty (30) centimetres on either side of the road or walkway provided that no portion of any Lot or Plot is located within thirty (30) centimetres of the paved or gravel surface.

**"Cemetery Staff"** means Town employees who work at a Cemetery and any other Person designated by the Director to do work on behalf of the Cemetery.

**"Columbarium"** means a Cemetery structure designed for Interment of cremated Human Remains in sealed compartments.

**"Companion Urn"** means an urn or similar vessel designed to contain two (2) sets of cremated Human Remains in a single container.

**"Contract"** means a written agreement between a Purchaser and the Town detailing the obligations of the parties and acknowledging receipt and acceptance by the Purchaser of a copy of this By-law, a price list for Cemetery services offered by the Town, and the Consumer Information Guide published by BAO.

**"Council"** means the Council of the Town.

**"Cremation Urn"** means an urn or similar vessel designed to contain one (1) set of cremated Human Remains.

**"Director"** means the Director of Public Works of the Town or designate.

**"Disinter"** means the removal of Interred Human Remains from a Lot and **"Disinterred"** and **"Disinterment"** have corresponding meanings.

**"FBCSA"** means the *Funeral, Burial and Cremation Services Act, 2002*, S.O. 2002, c. 33 and all regulations made thereunder.

**"Fees and Charges By-law"** means Town of Pelham By-law No. 3728(2016) as amended by By-law No. 71-2023, as updated or amended from time to time.

**"Human Remains"** means a dead human body or the remains of a cremated human body.

**"Inactive Cemetery"** means a Cemetery at which no Lots are available for Interment.

**"Inter"** means the burial or placement of Human Remains in a Lot and **"Interred"** and **"Interment"** have corresponding meanings.

**"Interment Rights"** means the right to require or direct Interment of Human Remains in a Lot.

**"Interment Rights Certificate"** means the document issued by the Town to a Purchaser of Interment Rights for a Lot once the purchase price is paid in full, which identifies the Purchaser as the Interment Rights Holder.

**"Interment Rights Holder"** means a Person who holds Interment Rights for a Lot and includes the Purchaser of Interment Rights and a Person to whom Interment Rights are transferred in accordance with this By-law.

**"Lot"** means an area of land in a Cemetery containing, or set aside to contain, Interred Human Remains and, where the context so requires, includes any Niche contained in a Columbarium or Mausoleum.

**"Lot Decoration"** means any structure, ornament, planting, article or item placed on any Lot or Plot for purposes of adornment and does not include a Marker, Monument or Niche Plaque.

**"Marker"** means any permanent memorial structure including but not limited to a headstone, plaque or other structure, which is affixed to or intended to be affixed to a Lot to mark its location and that is installed parallel to and flush with the level of the ground.

**"Mausoleum"** means a Cemetery structure designed for Interment of non-cremated Human Remains in sealed compartments.

**"Monument"** means any permanent memorial structure including but not limited to a headstone, plaque or other structure, which is affixed to or intended to be affixed to a Lot to mark its location and that projects above the level of the ground in any direction.

**"Niche"** means a compartment in a Columbarium or Mausoleum.

**"Niche Plaque"** means a memorial plaque, which is affixed to or intended to be affixed to a Niche to mark its location and that is installed flat against the wall of the Columbarium or Mausoleum that contains the Niche.

**"Person"** means an individual of at least eighteen (18) years of age, a corporation and/or an association.

**"Plot"** means two (2) or more Lots in respect of which Interment Rights have been sold as a unit.

**"Purchaser"** means a Person that enters into a Contract with the Town to purchase Interment Rights.

**"Town"** means the Corporation of the Town of Pelham or the geographic area of the municipality, as the context requires.

**"Town Clerk"** means the Clerk of the Town or designate.

**"Vault"** means a permanent outer container into which a casket, urn or other vessel holding Human Remains is placed prior to Interment.

### **3. Sale and Transfer of Interment Rights**

3.1. The Town may sell Interment Rights for an available Lot in an Active Cemetery to any Person. The rates charged by the Town shall be established in the Fees and Charges By-law and shall include the amount to be deposited in the Care and Maintenance Fund as prescribed by the *FBCSA*.

3.2. Purchasers of Interment Rights acquire only the right to direct the Interment of Human Remains and the installation of Markers and Monuments on a Lot, subject to the provisions of this By-law.

- 3.3. Upon receipt of full payment for a purchase of Interment Rights, the Town shall provide each Purchaser with the Contract and issue an Interment Rights Certificate to each Purchaser.
- 3.4. Subject to subsection 3.7 of this By-law, a Purchaser has the right to cancel a Contract within thirty (30) days after signing by giving written notice of cancellation to the Director. The Purchaser shall be entitled to a refund of the full amount paid under the Contract.
- 3.5. Subject to subsection 3.7 of this By-law, where a Purchaser gives notice of cancellation more than thirty (30) days after signing, the Town shall cancel the Contract. The Purchaser shall be entitled to a refund of the amount paid under the Contract less the amount required to be deposited into the Care and Maintenance Fund.
- 3.6. Refunds issued pursuant to subsections 3.4 and 3.5 of this By-law are contingent upon the Purchaser surrendering any Interment Rights Certificate(s) issued by the Town. The Town shall issue the refund within thirty (30) days after the return of the Interment Rights Certificate(s).
- 3.7. Notwithstanding subsections 3.4 to 3.6 of this By-law, a Contract cannot be cancelled if the Interment Rights that are the subject of the Contract have been exercised in whole or in part.
- 3.8. No Interment or installation of a Marker, Monument or Niche Plaque is permitted until the purchase price for the Interment Rights has been paid in full.
- 3.9. The Town prohibits the resale of Interment Rights by an Interment Rights Holder. The Town will repurchase Interment Rights at the rate established in the Fees and Charges By-law less the amount deposited in the Care and Maintenance Fund when the Interment Rights were purchased, subject to the following conditions:
  - (a) the Interment Rights Holder submits a repurchase request in the form determined by the Director from time to time;
  - (b) the Interment Rights Holder surrenders the Interment Rights Certificate(s) issued by the Town for the Lot;
  - (c) the Interment Rights are for a Lot in an Active Cemetery;
  - (d) the Interment Rights for the Lot have not been exercised in whole or in part;
  - (e) in the case of a Plot, no Interment has occurred in any Lot that forms part of the Plot; and
  - (f) no Marker, Monument or Niche Plaque has been installed upon the Lot or, alternatively, any such Marker, Monument or Niche Plaque has been removed and the Lot has been restored to the satisfaction of the Director.
- 3.10. In the event that an Interment Rights Holder cannot produce the Interment Rights Certificate(s) required under paragraph 3.9(b) of this By-law and believes the Interment Rights Certificate(s) to have been lost, misplaced or destroyed, the Town shall proceed in accordance with Policy S802-XX: Repurchase or Transfer of Interment Rights Without Interment Rights Certificate.

- 3.11. An Interment Rights Holder may transfer those rights to another Person by gift or testamentary bequest, subject to the following conditions:
- (a) the Interment Rights Holder submits written notice of the proposed transfer in the form determined by the Director from time to time;
  - (b) the Interment Rights Holder surrenders the Interment Rights Certificate(s) issued by the Town;
  - (c) the Interment Rights Holder pays the transfer fee established in the Fees and Charges By-law.
- 3.12. Where the conditions of subsection 3.11 of this By-law are met, the Town shall issue an Interment Rights Certificate to each transferee of the Interment Rights.
- 3.13. In the event that an Interment Rights Holder cannot produce the Interment Rights Certificate(s) required under paragraph 3.11(b) of this By-law and believes the Interment Rights Certificate(s) to have been lost, misplaced or destroyed, the Town shall proceed in accordance with Policy S802-XX: Repurchase or Transfer of Interment Rights Without Certificate of Interment Rights.
- 3.14. No Person shall purchase, transfer or exercise Interment Rights for any purpose other than Interment of Human Remains.

#### **4. Interment**

- 4.1. The Interment Rights Holder(s) must provide written authorization prior to any Interment. Should any Interment Rights Holder be deceased, written authorization must be provided by the personal representative of the deceased as defined in the *Succession Law Reform Act*, R.S.O. 1990, c. S.26.
- 4.2. A burial permit issued by the Town Clerk as the Division Registrar or a Deputy Division Registrar appointed by the Registrar General in accordance with the *Vital Statistics Act*, R.S.O. 1990, c. V.4 and associated regulations, or an equivalent document establishing that the death has been registered with the Province of Ontario, must be provided to the Director prior to the Interment of non-cremated Human Remains.
- 4.3. A certificate of cremation issued by a crematorium licenced under the *FBCSA* must be provided to the Director prior to the Interment of cremated Human Remains.
- 4.4. Interments are available only for Human Remains. Animal remains shall not be Interred in any Cemetery.
- 4.5. All caskets and other vessels that contain non-cremated Human Remains shall be placed in a Vault for Interment. Cremation Urns and Companion Urns may be placed in a Vault for Interment.
- 4.6. In accordance with the *FBCSA*, the Interment Rights Holder(s) must enter into a cemetery contract with the Town providing such information as may be required by the Director for the completion of the contract and the public register prior to each Interment.

- 4.7. No Interment may take place until the price for the applicable Cemetery service(s), as established by the Fees and Charges By-law, has been paid in full.
- 4.8. All opening and closing of Lots and all opening and sealing of Niches shall be conducted only by Cemetery Staff.
- 4.9. The Director shall be given at least twenty-four (24) working hours' notice of an Interment. Verbal requests must be confirmed in writing at least twelve (12) working hours prior to the Interment.
- 4.10. While the Director shall make efforts to accommodate scheduling requests, Interments shall be scheduled based on weather and ground conditions, the availability of Cemetery Staff, and the nature and extent of Cemetery services requested.
- 4.11. All Interments shall take place from Monday to Saturday between 9:00 a.m. and 3:00 p.m. Any Interment that extends past 3:00 p.m. is subject to additional fees as established by the Fees and Charges By-law.
- 4.12. Interments shall not take place on Sundays or statutory holidays unless the Interment is ordered by the Medical Officer of Health.
- 4.13. The following rules apply to Interments in a Lot other than a Niche:
- (a) the Lot shall be used for a maximum of one (1) Interment of non-cremated Human Remains;
  - (b) if non-cremated Human Remains are placed in a Vault more than eighty-five (85) centimetres wide or more than two hundred and forty (240) centimetres long, the Vault shall not be placed in a Lot unless the Director is satisfied that there is sufficient space to accommodate it;
  - (c) where a Lot contains non-cremated Human Remains, it may be used for additional Interments of Cremation Urns and/or Companion Urns provided that they are Interred subsequent to and on top of the non-cremated Human Remains and subject to the following conditions:
    - i. if any Interment Rights for the Lot have been exercised as of the date on which this By-law comes into effect, no more than two (2) sets of cremated Human Remains may be Interred unless the Director is satisfied that the existing placement of all Human Remains in the Lot is such that the Lot can accommodate the Interment of three (3) sets of cremated Human Remains;
    - ii. if no Interment Rights for the Lot have been exercised as of the date on which this By-law comes into effect, no more than three (3) sets of cremated Human Remains may be Interred; and
    - iii. the dimensions of all Cremation Urns and Companion Urns Interred in the Lot and any Vaults containing them shall not exceed a combined total of fifty-three (53) centimetres in height, forty-eight (48) centimetres in width, and forty-eight (48) centimetres in length; and

- (d) where a Lot does not contain non-cremated Human Remains, it may be used for multiple Interments of Cremation Urns and/or Companion Urns subject to the following conditions:
  - i. if any Interment Rights for the Lot have been exercised as of the date on which this By-law comes into effect, no more than three (3) sets of cremated Human Remains may be Interred unless the Director is satisfied that the existing placement of all cremated Human Remains in the Lot is such that the Lot can accommodate the Interment of four (4) sets of cremated Human Remains;
  - ii. if no Interment Rights for the Lot have been exercised as of the date on which this By-law comes into effect, no more than four (4) sets of cremated Human Remains may be Interred; and
  - iii. the dimensions of all Cremation Urns and Companion Urns Interred in the Lot and any Vaults containing them shall not exceed a combined total of fifty-three (53) centimetres in height, forty-eight (48) centimetres in width, and forty-eight (48) centimetres in length.

4.14. The following rules apply to Interments in a Niche:

- (a) a Niche in a Columbarium shall be used for a maximum of two (2) Interments of cremated Human Remains, which may be contained in two (2) Cremation Urns or in one (1) Companion Urn;
- (b) the dimensions of the Cremation Urns or the Companion Urn and any Vault(s) containing them shall not exceed a combined total of thirty (30) centimetres in height, thirty (30) centimetres in width, and thirty-five (35) centimetres in length;
- (c) a Niche in a Mausoleum shall be used for a maximum of one (1) Interment of non-cremated Human Remains;
- (d) if non-cremated Human Remains are placed in a Vault more than eighty-five (85) centimetres wide or more than two hundred and forty (240) centimetres long, the Vault shall not be placed in a Niche unless the Director is satisfied that there is sufficient space to accommodate it;
- (e) where a Niche in a Mausoleum contains non-cremated Human Remains, it may be used for additional Interments of cremated Human Remains provided that they are Interred subsequent to the Interment of the non-cremated Human remains and subject to the following conditions:
  - i. no more than two (2) sets of cremated Human Remains may be Interred, which may be contained in two (2) Cremation Urns or in one (1) Companion Urn; and
  - ii. the dimensions of the Cremation Urns or the Companion Urn and any Vault(s) containing them shall not exceed a combined total of thirty (30) centimetres in height, thirty (30) centimetres in width, and thirty-five (35) centimetres in length; and

- (f) where a Niche in a Mausoleum does not contain non-cremated Human Remains, it may be used for up to three (3) Interments of cremated Human Remains provided that the dimensions of the Cremation Urn(s) or the Companion Urn and any Vault(s) containing them shall not exceed a combined total of thirty (30) centimetres in height, thirty (30) centimetres in width, and thirty-five (35) centimetres in length.

## **5. Disinterment**

- 5.1. No Person shall Disinter Human Remains except in accordance with the *FBCSA* and this By-law.
- 5.2. Subject to subsection 5.4 of this By-law, Human Remains shall not be Disinterred unless prior consent is obtained from the Interment Rights Holder(s) and for non-cremated Human Remains, prior notification is given to the Medical Officer of Health.
- 5.3. Subject to subsection 5.4 of this By-law, the Director must receive a certificate from the Medical Officer of Health prior to the removal of Disinterred non-cremated Human Remains from any Cemetery. A certificate is not required for Disinterment of cremated Human Remains from a Lot or their removal from the Cemetery.
- 5.4. Notwithstanding subsections 5.2 and 5.3 of this By-law, the consent of the Interment Rights Holder(s) and notification of the Medical Officer of Health are not required where a Disinterment or removal of Human Remains is required by a court of competent jurisdiction, the Attorney General or Solicitor General of Ontario, a coroner appointed under the *Coroners Act*, R.S.O. 1990, c. C.37, or the Registrar General with respect to a Cemetery closure.
- 5.5. No Disinterment may take place until the price for the applicable Cemetery service(s), as established by the Fees and Charges By-law, has been paid in full.
- 5.6. Cemetery Staff shall be present during any Disinterment.
- 5.7. The Director shall be given at least ten (10) working days' notice of a Disinterment request. The Person requesting Disinterment shall provide written confirmation that all applicable requirements of subsections 5.2, 5.3 and/or 5.4 of this By-law have been met.
- 5.8. While the Director shall make efforts to accommodate scheduling requests, Disinterment shall be scheduled based on notification requirements, weather and ground conditions, the availability of Cemetery Staff and the extent of services required.
- 5.9. During a Disinterment the Cemetery may, at the discretion of the Director, be closed to visitors not associated with the Disinterment.
- 5.10. If the Human Remains were Interred without a Vault, or if the Vault is damaged, a new Vault that is satisfactory to the Director must be supplied for the safe and proper transport of the Disinterred Human Remains.

- 5.11. Any Marker or Monument designating an Interment location shall be removed upon Disinterment and the Lot shall be restored to the satisfaction of the Director.
- 5.12. Other than a Disinterment requested under subsection 5.4 of this By-law, the cost of supplying a new Vault, removing a Marker or Monument and/or restoring the Lot shall be paid by the Interment Rights Holder(s).
- 5.13. The Town assumes no responsibility whatsoever for any damage to any container, casket, urn, vessel or other structure that occurs during the course of a Disinterment.

## **6. Markers, Monuments and Niche Plaques**

- 6.1. No Marker, Monument or Niche Plaque shall be installed, erected or permitted on a Lot until the applicable price, as established by the Fees and Charges By-law, has been paid in full.
- 6.2. No Marker, Monument or Niche Plaque shall be installed, erected or permitted on a Lot without the consent of the Interment Rights Holder(s) and the Director.
- 6.3. No Marker, Monument or Niche Plaque shall be moved, altered or removed without the permission of the Director.
- 6.4. Markers, Monuments and Niche Plaques are the property of the Interment Rights Holder(s) and must be protected by the insurance coverage of the Interment Rights Holder(s).
- 6.5. The Town shall take reasonable precautions to protect Markers, Monuments and Niche Plaques but assumes no liability whatsoever for any loss of or damage to a Marker, Monument or Niche Plaque or part thereof. Without limiting the generality of the foregoing, minor damage due to Cemetery operations is considered normal wear and tear and shall not be compensable.
- 6.6. The Interment Rights Holder(s) shall maintain Markers, Monuments and Niche Plaques in a safe and stable condition. Should a Marker, Monument or Niche Plaque present a safety risk because it has become unstable, the Town shall complete any work required to remove this risk at the expense of the Interment Rights Holder(s).
- 6.7. The Town reserves the right to make rules with respect to the size, number, composition and location of Markers, Monuments and/or Niche Plaques on a Lot.
- 6.8. The following rules apply to Markers:
  - (a) no more than two (2) Markers are permitted on a Lot;
  - (b) every Marker shall be made of granite or other durable hard stone or of any sufficiently durable and non-corrosive metal;
  - (c) every Marker shall have a minimum thickness of ten (10) centimetres;
  - (d) every Marker shall be placed on a base of at least ten (10) centimetres of gravel or crushed stone;
  - (e) every Marker shall be installed flush to the ground;



- (f) no Marker shall occupy more than ten percent (10%) of the total ground area of the Lot;
- (g) the placement of a Marker shall not interfere with future Interments;
- (h) the proposed placement of a Marker shall be submitted to the Director for approval at least ten (10) working days prior to the proposed date of installation;
- (i) the Town and the Interment Rights Holder(s) shall enter into a written Marker placement agreement prior to installation;
- (j) the Director shall schedule Marker installations based on weather and ground conditions and the availability of Cemetery Staff; and
- (k) all Markers shall be installed by Cemetery Staff or under their supervision at the expense of the Interment Rights Holder(s).

6.9. The following rules apply to Monuments:

- (a) no more than one (1) Monument is permitted on a Lot;
- (b) every Monument shall be made of granite or other durable hard stone with no vertical joint(s) and no stone, metal or other material attached;
- (c) every Monument shall be installed on a concrete foundation constructed by Cemetery Staff at the expense of the Interment Rights Holder(s);
- (d) every Monument shall be situated at the centre and head of a Lot except where alignment with existing Monuments in the vicinity requires or justifies a different placement;
- (e) the placement of a Monument shall not interfere with future Interments;
- (f) the proposed placement of a Monument shall be submitted to the Director for approval at least ten (10) working days prior to the proposed date for construction of the foundation;
- (g) the height of a Monument including the foundation shall not exceed one hundred and twenty (120) centimetres;
- (h) no Monument shall occupy more than ten percent (10%) of the total ground area of the Lot;
- (i) no Monument shall be delivered to the Cemetery until the foundation has been completed and the Director has notified the Interment Rights Holder(s);
- (j) the Director shall schedule Monument installations based on weather and ground conditions and the availability of Cemetery Staff; and
- (k) all Monuments shall be installed under the supervision of Cemetery Staff at the expense of the Interment Rights Holder(s).

6.10. The following rules apply to Niche Plaques:

- (a) no more than one (1) Niche Plaque is permitted for a Niche;
- (b) every Niche Plaque shall be made of granite with a dark finish and ribbon-style lettering;

- (c) every Niche Plaque shall list the first name(s), last name(s), year of birth and year of death of the person(s) Interred in the Niche;
  - (d) additional proposed inscription(s) on a Niche Plaque shall be submitted to the Director for approval at least ten (10) working days prior to the proposed installation date;
  - (e) all Niche Plaques will be installed by Cemetery staff;
  - (f) the Director shall schedule Niche Plaque installations based on weather conditions and the availability of Cemetery Staff; and
  - (g) all Niche Plaques shall be installed by Cemetery Staff at the expense of the Interment Rights Holder(s).
- 6.11. No Person shall install or cause or permit the installation of any Marker, Monument or Niche Plaque that does not comply with the provisions of this By-law or that is not in keeping with the dignity and decorum of the Cemetery.
- 6.12. The Town reserves the right to remove any Marker, Monument or Niche Plaque that contravenes any provision of this By-law or that is not in keeping with the dignity and decorum of the Cemetery, without notice or compensation to the Interment Rights Holder(s).

## **7. Lot Decoration**

- 7.1. The Town reserves the right to regulate Lot Decorations and to remove any structure, ornament, planting, article or item placed on any Lot that poses a threat to the safety of any Person, interferes with the operations of the Cemetery or Cemetery Staff, or is not in keeping with the dignity and decorum of the Cemetery, without notice or compensation to the Interment Rights Holder(s).
- 7.2. The following Lot Decorations are prohibited and shall be removed and disposed of without notice:
- (a) any structure, planting or item delineating the boundaries or confines of a Lot;
  - (b) stone chips, gravel, sand or loose stones;
  - (c) walls, fences, railings, steps, curbs or coping;
  - (d) trellises or arches;
  - (e) furniture of any kind including chairs or benches;
  - (f) light fixtures including solar lights;
  - (g) memorial statues;
  - (h) in-ground vases;
  - (i) crosses made of wood or metal;
  - (j) flower display stands;
  - (k) protective wreath boxes;
  - (l) articles made of wood or other perishable materials;
  - (m) articles made of glass, ceramic or other fragile materials;
  - (n) articles made of corrosive or hazardous materials;
  - (o) any Lot Decoration that is unsightly or neglected; and

- (p) any Lot Decoration that is not in keeping with the dignity and decorum of the Cemetery.
- 7.3. Flowers may be placed on a Lot for a funeral or burial service at the Cemetery. Such flowers shall be removed by Cemetery Staff after a reasonable time to protect the sod and maintain the tidy appearance of the Cemetery.
- 7.4. Wreaths and artificial flowers may be placed on a Lot only between the first (1<sup>st</sup>) day of November and the first (1<sup>st</sup>) day of April. Any wreaths or artificial flowers remaining on a Lot after the first (1<sup>st</sup>) day of April shall be removed and disposed of without notice.
- 7.5. Potted plants may be placed on a Lot only between the first (1<sup>st</sup>) day of April and the first (1<sup>st</sup>) day of November. Any potted plants remaining on a Lot after the first (1<sup>st</sup>) day of November shall be removed and disposed of without notice.
- 7.6. Without limiting subsections 7.3, 7.4 and 7.5 of this By-law, the Town reserves the right to disallow or to remove quantities of cut flowers, wreaths, artificial flowers and/or potted plants considered to be excessive or that diminish the otherwise tidy appearance of the cemetery.
- 7.7. No tree, shrub or flower shall be planted in any part of a Cemetery other than a Lot without the consent of the Director. Unauthorized plantings shall be removed and disposed of without notice.
- 7.8. No tree or shrub shall be planted on a Lot without the consent of the Director and full compliance with any conditions imposed by the Director. Unauthorized plantings shall be removed and disposed of without notice.
- 7.9. Flowers may be planted on a Lot with the consent of the Interment Rights Holder(s).
- 7.10. The following rules apply to flowers planted on a Lot:
  - (a) flowers shall be planted in a flower bed;
  - (b) no more than one (1) flower bed is permitted on a Lot;
  - (c) the flower bed shall be within thirty (30) centimetres of the Marker or Monument on the Lot;
  - (d) the flower bed shall be wholly contained within the Lot;
  - (e) the flower bed shall not occupy more than five percent (5%) of the total ground area of the Lot;
  - (f) the flowers shall be annual and/or perennial varieties suitable for prevailing weather and climate conditions;
  - (g) the flowers shall not extend beyond the maximum allowable planted area; and
  - (h) the flowers shall not encroach on any other Lot.
- 7.11. Lot Decorations are the property of the Interment Rights Holder(s) and are placed on a Lot at their sole risk. Where appropriate, Lot Decorations shall be protected by the insurance coverage of the Interment Rights Holder(s).

- 7.12. The Interment Rights Holder(s) shall maintain Lot Decorations in a safe, neat and proper condition and in keeping with the dignity and decorum of the Cemetery.
- 7.13. The Town shall take reasonable care to protect Lot Decorations but assumes no liability whatsoever for any loss of or damage to a Lot Decoration or any part thereof.
- 7.14. No Person shall place or cause or permit the placement of any Lot Decoration that does not comply with the provisions of this By-law.

## **8. Care and Maintenance**

- 8.1. A portion of the purchase price for Interment Rights is deposited into the Care and Maintenance Fund. Income generated from this fund is used to maintain, secure and preserve Active Cemetery and Inactive Cemetery grounds.
- 8.2. Services that can be provided through the Care and Maintenance Fund may include:
  - (a) re-levelling and sodding or seeding of Cemetery grounds;
  - (b) maintenance of Cemetery landscaping;
  - (c) maintenance of Cemetery infrastructure including roads, water systems and sewer systems;
  - (d) maintenance of perimeter walls and fences;
  - (e) maintenance and repair of Cemetery buildings and structures including any Columbarium or Mausoleum; and
  - (f) maintenance and repair of Cemetery equipment.

## **9. Conduct of Cemetery Staff, Contractors and the Public**

- 9.1. All Persons working within a Cemetery in any capacity, including Cemetery Staff and contractors retained by the Town or Interment Rights Holders to install or repair any Marker, Monument or Niche Plaque, shall comply with the provisions of this By-law and are subject to the direction and control of the Director.
- 9.2. Any contract work to be performed within the Cemetery, including but not limited to the delivery of Markers and Monuments, requires the written pre-approval of the Interment Rights Holder(s) and the Director before the work may begin.
- 9.3. Prior to the start of any contracted work within the Cemetery, the contractor shall provide to the Director:
  - (a) plans and detailed specifications relating to the work;
  - (b) the location of the work;
  - (c) proof of all applicable government approvals and permits for the work;
  - (d) proof of WSIB coverage and compliance with occupational health and safety standards; and
  - (e) confirmation of liability insurance coverage for the contracted work with limits of not less than two million dollars (\$2,000,000) per occurrence.

- 9.4. All Persons working within a Cemetery in any capacity shall strictly adhere to all applicable health and safety requirements and shall report any work-related incident or injury to the Director.
- 9.5. Contractors shall not enter a Cemetery outside the regular business hours of the Cemetery without the prior approval of the Director.
- 9.6. No work shall be performed at a Cemetery outside the regular business hours of the Cemetery.
- 9.7. Contractors and Cemetery Staff engaged in the installation of any Marker or Monument shall place temporary planking on Cemetery grounds to protect the grounds from damage and shall remove the planking upon completion of the installation.
- 9.8. Contractors and Cemetery Staff engaged in the placement of any Vault in a Lot shall ensure that no damage is caused to adjacent Lots and/or any installations on those Lots.
- 9.9. Contractors working within a Cemetery shall remove all equipment and materials from the Cemetery upon completion of the work and shall leave the site of the work in a safe, neat and proper condition. Contractors shall restore the site and repair any damage caused by the work to the satisfaction of the Director.
- 9.10. Contractors and Cemetery Staff shall temporarily cease operations if they are working within one hundred (100) metres of a funeral or burial service at the Cemetery. In addition, the Town reserves the right to require temporary cessation of operations where the noise of such operations is deemed to be a disturbance to any funeral or burial service or public gathering within the Cemetery.
- 9.11. Cemetery Staff employed by the Town shall not accept any form of gratuity for providing Cemetery services.
- 9.12. The Town recognizes that Cemeteries are a valuable public space and permits the public to access and use Cemeteries in accordance with this By-law.
- 9.13. No Person shall enter or leave any Cemetery except through an established entrance or exit.
- 9.14. No Person shall enter or be within any Cemetery between dusk and dawn.
- 9.15. No Person shall advertise or solicit for business of any kind within a Cemetery.
- 9.16. No Person shall damage, destroy, remove or deface any structure or property within a Cemetery including but not limited to Markers, Monuments, Niche Plaques, Lot Decorations, signs, landscaping, fences and gates.
- 9.17. No Person shall deposit rubbish or debris on Cemetery grounds except in the receptacles provided.
- 9.18. No Person shall bring any alcoholic beverage into a Cemetery or consume any alcoholic beverage within a Cemetery.

9.19. No Person shall bring any animal into a Cemetery except:

- (a) a dog that is leashed and under the control of the Person in accordance with Town of Pelham By-law No. 97-2010 and that is kept at all times on Cemetery Paths; or
- (b) a service animal as defined in the *Provincial Animal Welfare Services Act, 2019, S.O. 2019, c. 13.*

9.20. Any Person who brings a leashed dog into a Cemetery pursuant to paragraph 9.19(a) of this By-law shall ensure that the dog remains on Cemetery Paths at all times.

9.21. Any Person who brings a leashed dog or service animal into a Cemetery shall ensure that animal waste is cleaned up immediately and deposited in an appropriate waste container or removed from the Cemetery.

9.22. No Person shall engage in conduct that disrupts or disturbs the quiet and good order of a Cemetery or that is not in keeping with the decorum and dignity of the Cemetery.

9.23. Motor vehicles as defined in the *Highway Traffic Act, R.S.O. 1990, c. H.8* may be operated within a Cemetery as follows:

- (a) motor vehicles shall travel exclusively over or upon the paved roads of the Cemetery;
- (b) motor vehicles shall not use roads in the Fonthill Cemetery as a thoroughfare between Highland Avenue and Brock Street; and
- (c) motor vehicles shall not exceed a speed of twenty (20) kilometres per hour.

9.24. Where the Director determines that roads within a Cemetery are susceptible to damage due to weather conditions or for any other reason, the Director may restrict motor vehicle traffic at the Cemetery.

9.25. Motorized vehicles that are primarily for leisure or recreational use, including but not limited to snowmobiles, mini-bikes, ATVs, dune buggies and similar vehicles, shall not be operated in a Cemetery.

## **10. Enforcement**

10.1. This By-law shall be administered and enforced by the Town Clerk, the Director and any Person appointed or otherwise delegated the authority of administration and enforcement.

10.2. Every Person who contravenes any provision of this By-law is guilty of an offence and upon conviction is liable to such penalties as are provided for in the *FBCSA* and the *Provincial Offences Act, R.S.O. 1990, c. P.33.*

## **11. Cemetery Operations**

11.1. The Town reserves full control over all Cemetery operations and management of land within all Cemetery grounds. Administrative services for all Cemeteries are provided at Town Hall during regular business hours at that location.

- 11.2. Fonthill Cemetery shall be open to conduct business as follows:
- (a) Interments: 9:00 a.m. to 3:00 p.m. on Monday to Saturday
  - (b) Visitation other than Mausoleum: daily from dawn to dusk
  - (c) Mausoleum Visitation: as soon as practicable upon receipt of a request made to Town Hall during regular business hours
- 11.3. Hillside Cemetery shall be open to conduct business as follows:
- (a) Interments: 9:00 a.m. to 3:00 p.m. on Monday to Saturday
  - (b) Visitation: daily from dawn to dusk
- 11.4. Hansler Cemetery shall be open to conduct business as follows:
- (a) Interments: N/A
  - (b) Visitation: daily from dawn to dusk
- 11.5. All Cemeteries shall be governed by this By-law and in accordance with the *FBCSA*, as amended or updated from time to time.
- 11.6. All amendments to this By-law shall be:
- (a) published once in a newspaper with general circulation in the Town;
  - (b) conspicuously posted on a sign at the main entrance to each Cemetery; and
  - (c) delivered to each supplier of Markers and Monuments that has delivered a Marker or Monument to any Cemetery during the previous year if the amendment pertains to Markers or Monuments or their installation.
- 11.7. This By-law and all amendments to this By-law are subject to the approval of the BAO or such other Registrar as is appointed under the *FBCSA*.
- 11.8. The Town shall maintain a register as required by section 110 of Ontario Regulation 30/11 under the *FBCSA* and shall make the said register available for inspection by the public without charge.
- 11.9. The Town shall have the right at any time to re-survey, enlarge, diminish, re-plot, change or remove plantings, grade, close paths or roads, alter in shape or size, or otherwise change all or any part of a Cemetery, subject to approval by the appropriate authorities.

## **12. General**

- 12.1. The short title of this By-law is the "Cemeteries By-law".
- 12.2. If any provision of this By-law is found by any court or tribunal of competent jurisdiction to be illegal or inoperative, in whole or in part, the balance of the By-law shall not be affected and shall remain in full force and effect.
- 12.3. If there is a conflict between a provision of this By-law and a provision of any other By-law of the Town, the provision that establishes the higher standard shall prevail.
- 12.4. This By-law shall be read with all changes in number or gender as are required by context.

- 12.5. Any reference to legislation in this By-law includes the legislation and any amendment, replacement, subsequent enactment or consolidation of such legislation.
- 12.6. The Town Clerk is hereby authorized to effect any minor modifications or corrections solely of an administrative, clerical, numerical, grammatical, semantical or descriptive nature or kind to this By-law as are determined to be necessary.

**13. Repeal and Enactment**

- 13.1. By-law No. 3012(2019), being a By-law respecting cemeteries owned by the Corporation of the Town of Pelham, is hereby repealed and replaced.

**14. Effective Date**

- 14.1. This By-law shall come into force upon being approved by the BAO or such other Registrar as is appointed under the *FBCSA*.

Read, signed and sealed this XXst day of XXXX, 20XX.

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Marvin Junkin, Mayor

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William Tigert, Town Clerk



**Subject:** Christmas in Pelham 2023 Final Report, 2024-0019-Recreation

**BE IT RESOLVED THAT Council receive Report #2024-0019-Recreation Christmas in Pelham 2023, for information;**

**AND THAT Council designate Christmas in Pelham 2024 – Outdoor Christmas Market, to be held on Friday December 6, 2024, from 4:00 pm – 9:30 pm at 20 Pelham Town Square and declare the Outdoor Christmas Market a Municipally Significant Event;**

**AND THAT the Clerk be authorized to make an application for a Special Occasion Permit for the 2024 Christmas in Pelham Outdoor Christmas Market.**

**AND FURTHER THAT Council authorize the following road closures; Pelham Town Square entrance at Pelham Street to 55 meters east of Pelham Street, from 10:00 am to 11:59 pm on Friday, December 6, 2024.**

**Background:**

This report is being presented to Council as an update on all 2023 Christmas in Pelham activities and to request approval for the 2024 season.

Christmas in Pelham features a variety of festive elements and events. The Town of Pelham outdoor Christmas Market is held annually on the first Friday in December from 4:00 pm – 9:30 pm. Since its inception in 2013, this event follows a traditional Christmas-style market with various artisan vendors and businesses, seasonal beverages, and local food options.

Another highly anticipated Christmas in Pelham event is the annual Fenwick Lions Santa Clause Parade, which takes place annually on the second Saturday in December. The Santa Clause Parade, which makes its way through the Downtown core of Fenwick is a family tradition for the residents of Pelham.

Christmas in Pelham is extra special with the inclusion of events and activities such as the Christmas light competition, the holiday workshops and the annual

Christmas card submission and display. There is never a dull moment during Christmas time in Pelham.

### **Analysis:**

The Outdoor Christmas Market returned to Pelham Town Square on Friday, December 1, 2023, for another year of festive celebrations under the arches. Despite the rain and inclement weather, the market was a great success. Residents and visitors enjoyed local, fresh food and festive beverages in the licenced area while listening to live entertainment and shopping from local artisan vendors. Visitors had the opportunity to enjoy a horse and carriage ride, visit the craft corner, and have a visit with Santa Clause himself. Once again, the Christmas Market had the opportunity to feature Brayden's Joymaker Truck which accepted food drive donations on behalf of Pelham Cares. The market featured 14 food and artisan vendors and 9 diverse entertainers including musicians, artists, and stilt walkers!

The Fabulous Fenwick Lions brought the annual Santa Clause Parade back to Fenwick on December 9, with a record breaking 37 floats. Beginning at Bethany Christian Reformed Church and making its way to the downtown core of Fenwick, the Santa Clause parade was a wonderful event and once again saw unseasonably warm temperatures. The Fenwick Lions invited all parade participants and viewers back to Centennial Park for an afternoon of warm beverages, food and visits with Santa Clause himself!

The annual Christmas Light Competition and self-guided tour returned this holiday season with 19 Pelham households participating for 2023. The self-guided tour featured an array of lights and Christmas décor and provided an opportunity for Pelham residents and visitors to partake in a festive and bright holiday activity with family, friends and loved ones.

Back again in 2023, the Town offered a modern holiday centre-piece workshop which was facilitated by a local staff member from Rice Road Greenhouse. On December 7 at the Meridian Community Centre, 20 people participated in the centre-piece workshop and staff received lots of positive feedback.

The annual Christmas Card display made its return for 2023 when local students were invited to create a design for the Town Council's holiday greeting card. The artwork was reviewed by Town staff and 8 of the student's designs were chosen to be featured on the holiday cards. All the artwork that was submitted was displayed in the atrium of the Meridian Community Centre during the holiday season.

**Financial Considerations:**

All Christmas in Pelham events and activities are covered in the approved 2024 Operating budget. No additional financial requests required.

**Prepared and Recommended by:**

Lauren Phillips,  
Special Events and Festivals Programmer

Vickie vanRavenswaay, CRFP  
Director of Recreation, Culture and Wellness

**Prepared and Submitted by:**

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

**Subject:** Proposed 2024 Municipal Community Grants

**Recommendation:**

**BE IT RESOLVED THAT Council receive Report #2024-0042  
Recreation – Proposed 2024 Municipal Grant Allocation, for  
information;**

**AND THAT Council approve the 2024 Municipal Grant allocations for  
\$13,580.00 waived fees; \$28,550.00 cash allocations; and  
\$18,450.13 estimated in-kind labour requests, as outlined in the  
2024 Municipal Grant allocation summary.**

**Background:**

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

**Analysis:**

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

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

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

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

- Requests are considered on a first come first serve basis.
- Requests to Council for this category may be for cash or in-kind contributions.

### **Financial Considerations:**

In considering the 2024 applications received for waived fees, in-kind assistance, and cash contributions, it is recommended that \$13,580.00 be allocated to waived fees and \$28,550.00 in cash funding for a total of \$42,130.00 of the \$42,500 2024 budgeted figure. Requests for an estimated \$18,450.13 of in-kind labor were received. Please see attached Grant summary for details.

The following applications received the same amount as last year and not the full amount requested:

Birchway Niagara requested \$3,000.00 and will receive \$2,500.00.

Fonthill Lions Club requested \$4,000.00 and will receive \$3,500.00.

According to Policy S400-04, applicants are eligible to receive up to \$4,000 of non-cash (waived fees), in-kind funding annually. Over the years, in-kind funding has not been considered as it was minimal. Although post Covid, Staff have found requests have increased, i.e. road closures; traffic control; barricades; shuttles; no parking signage; delivery of picnic tables; garbage cans; supply of first aid; etc. and as a result expenses have increased. 2023 In-kind requests were estimated at \$10,400.00, the 2024 estimated amount is \$18,450.00. In-kind requests are covered under current operating budgets.

The total 2024 Municipal Grant Budget is \$42,500.00, this amount has not increased since 2020 and has not taken into consideration inflation, increased fees and charges and increased demand for services requested.

Prior to the 2025 Budget process, the Community Grant Policy will be reviewed and presented outlining proposed levels of service and funding for Council's consideration.

### **Alternatives Reviewed:**

Proposed funding has been allocated as in the past, not considering In-kind requests as part of the \$4,000.00 maximum allocation. If it was the desire of Council to include the in-kind requests within the \$4,000.00, the organization would be invoiced for remainder of services performed. Obviously this alternative would

not be favorable for the organizations and would be difficult for them to absorb in 2024.

**Strategic Plan Relationship: Community Development and Growth**

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

**Consultation:**

Teresa Quinlin-Murphy, Director of Corporate Services

**Other**

**Pertinent Reports/Attachments:**

2024 Municipal Grant Summary

**Prepared and Recommended by:**

Vickie vanRavenswaay, CRFP  
Director of Recreation, Culture and Wellness

**Prepared and Submitted by:**

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

Type of Grant	Name of Organization or Individual	What Will The Funds Be Used For?	Amount of Grant Funding Approved 2023	Amount of Grant Funding Requested 2024	Amount of Grant Funding Requested (In-Kind) 2024	Contact Information	Permit Number
Council Discretion	Hospice Niagara	Palliative Care Expansion: \$85,000.00. \$17,000.00 for 5 years. 2024 REQUEST CASH \$17,000.00 (Year 4 of 5)	\$17,000.00	\$17,000.00			
Council Discretion	E.L. Crossley	Scholarship for E.L. Crossley High School. 2024 REQUEST CASH \$1,000.00	\$1,000.00	\$1,000.00		DSBN	
Council Discretion	Royal Canadian Legion Branch 613 Fonthill	Requesting the grant to offset the cost of purchasing a new fryer oil filtering unit in the kitchen. 2024 REQUEST CASH \$3,600.00	\$3,600.00	\$3,600.00		Jake Dilts jake.dilts@gmail.com 905-933-4123	
Council Discretion	Women's Place of South Niagara (Birchway Niagara)	In response to the growing demand for services, the capacity of the shelter was increased by 25% (10 additional beds). Requesting funding to help offset the cost of operating the additional beds. This funding helps protect more women and children from gender-based violence. 2024 REQUEST CASH \$3,000.00	\$2,500.00	\$2,500.00		Amanda Braet amanda@wpsn.ca 905-356-3933 ext. 240	
Council Discretion	Shorthills Fire & Rescue Association	Rental of two bouncy castles for the annual strawberry festival in June which has ben a community event in North Pelham for 70 years. The cost of the bouncy castles is necessary to entertain children at the festival but it is a great financial expense. 2024 REQUEST CASH \$950.00	\$949.20	\$950.00		Tom Bishop wildwest@vaxxine.com 905-984-1779	
Council Discretion	Fonthill Lions Club	Requesting the grant to offset some of their expenses that they incur while operating their Community Hall and parks (utilities, general repairs, help with maintenance on their children's park). 2024 REQUEST CASH \$4,000.00	\$3,500.00	\$3,500.00		Jake Dilts jaked@vaxxine.com 905-933-4123	
Council Discretion	International Sliver Stick	Use of the MCC for the Opening Ceremonies for the International Sliverstick on Thursday January 11th, 2024 Bussing to and from local Hotel Properties for the annual Opening Ceremonies on Thursday January 11th, 2024 2024 REQUEST - PROVIDE SHUTTLES AND HOST OPENING CEREMONIES			\$3,422.82	Paul De Devittis PMHA	R 6137
In Kind	Pelham Farmers Market	Assistance with weekly collection of garbage and recycling and parks staff to assist with parking lot barricades for the duration of the Farmer's Market from May 2nd to October 3rd 2024 (23 weeks). 2024 IN-KIND \$573.30	\$500.00		\$573.30	Stacey Duncan staceyduncan333@gmail.com 905-892-2607 ext 34	
Waived Fees	Pelham Art Festival	Use of the Accipiter Arena on Mother's Day Weekend from May 9th to 13th, starting at 8 am on the 11th until 12:00pm on Monday, May 13th. The 36th annual Pelham Art Festival expects to host up to 75 artists and bring up to 2500 people into Pelham for the festival. Proceeds benefit the Lincoln Pelham Library, and provide fine art scholarships for students graduating from E.L. Crossley and Notre Dame. The Pelham Art Festival has donated over \$472,500 back to the community from festival proceeds. Require use of the portable bar and two staff members. Electrical Permit Or Electrical Inspection for the Pelham Art Festival - May 6th and 7th. 2024 REQUEST WAIVED FEES \$3,883.00	\$3,690.00	\$3,883.00		Natalia Shields nat.shields02@gmail.com 905-359-2003	
In Kind & Waived Fees	Fonthill Bandshell Concerts	Use of Peace Park - Bandshell from June 22 to September 7, 2024 (12 weeks total): white line paint; Council Chambers for Band Change room; road closure; and street banner for the duration of the Fonthill Bandshell Concerts. 2024 REQUEST WAIVED FEES \$444.00 IN-KIND \$8,774.10	\$500.00	\$444.00	\$8,874.10	Gayle Baltjes-Chataway gayle.baltjes@gmail.com 905-308-4612	
Waived Fees	613 Royal Canadian Army Cadets	Annual Cadet Ceremonial Review on Saturday, May 25th - they require 3 Change rooms opened and access to the main arena 2024 REQUEST WAIVED FEES \$714.00	\$550.00	\$714.00		Captain Lynn Giovenazzo lynn.giovenazzo@cadets.gc.ca 905-988-8932	
In Kind	Fenwick Lions Club	Fenwick Flossie, February 2, 2024 Assistance with 6 sets of Barricades by Clubhouse, snow removal, if necessary, and salting and sanding if necessary, on February 2nd, 2024 2024 REQUEST IN-KIND \$156.80			\$156.80	Jeff Pickup jeff.pickup@sympatico.ca 905-931-2907	

In Kind & Waived Fees	Fenwick Lions Club	Fenwick Lions Spring Carnival & Parade, May 24th through to the 26th, 2024 all of Centennial Park and May 21,22, and 23 All Day and Night Passive Area, Pavillion and Diamonds - for set up. 6 sets of barricades by the Clubhouse Barricades along the parade route on May 27th Temporary "No Parking" signs along Church Sreet 15 additional picnic tables Extra garbage containers & pick-up 1 x Staff member required for full day (Saturday May 25 only) \$40.00 x10 2024 REQUEST WAIVED FEES \$2,439.50 IN-KIND \$2,833.66	\$1,339.05	\$2,439.50	\$2,833.66	Jeff Pickup jeff.pickup@sympatico.ca 905-931-2907	
In Kind & Waived Fees	Fenwick Lions Club	Fenwick Lions Car Show & Raffle, September 7, 2024 Use of Centennial Park 6 sets of barricades by Clubhouse Temporary "No Parking" signs on Church Street 15 additional picnic tables Additional garbage containers and pick-up 2024 REQUEST WAIVED FEES \$167.50 IN-KIND \$725.45	\$360.47	\$167.50	\$725.45	Jeff Pickup jeff.pickup@sympatico.ca 905-931-2907	
In Kind & Waived Fees	Fenwick Lions Club	Fenwick Lions Santa Claus Parade, December 14th, 2024: Barricades along parade route & Road Closures Temporary No Parking Signs on Church Street Snow removal/Salting/Sanding if necessary 2024 REQUEST WAIVED FEES \$32.00 IN-KIND \$1,864.00	\$29.00	\$32.00	\$1,864.00	Jeff Pickup jeff.pickup@sympatico.ca 905-931-2907	
Waived Fees	Fenwick Lions Club	Fish Fry - Use of Centennial Park Pavillion March through October 2024, 1st and 3rd Friday of each month, except August the 1st, 3rd and 4th. Requesting 6 extra picnic tables 2024 REQUEST WAIVED FEES \$567.00		\$567.00		Jeff Pickup jeff.pickup@sympatico.ca 905-931-2907	
Waived Fees	Rotary Club of Fonthill	Use of the Kinsmen Room in the MCC for regular club meetings on Wednesday's from 7:15 AM to 8:45 AM -3 times per month in January, February, April, June, July, August, September, October -2 times per month in November and December Use of the facilities helps the Rotary Club continue to support the community and raise money for organizations that directly benefit the citizens of Pelham 2024 REQUEST WAIVED FEES \$594.00 (25 dates per year covered under MCC Pledge)	\$577.50	\$594.00		Carolyn Millin cjmfonthill@gmail.com 905-246-9493	R 6879
Waived Fees	Rotary Club of Fonthill	Purse Bingo in Accursi Friday November 8th, 2024 - Use of the full Accursi room, Tables, Table Clothes, Portable bar and server. 2024 REQUEST WAIVED FEES \$874.00	\$789.02	\$874.00		Carolyn Millin cjmfonthill@gmail.com 905-246-9493	R 6879
Waived Fees	Pelham Cares	Use of the MCC for Board of Director's Meetings on the third Wednesday of every month from 9 am to 11 am with the exception of July and August and Annual General Meeting. 2024 REQUEST WAIVED FEES \$488.00	\$372.00	\$488.00		Nancy Yungblut info@pelhamcares.org 905-892-5300 & 905-892-2865	R 6704
Waived Fees	Kinsmen Club of Fonthill & District	Use of Old Pelham Town Hall for meeting and project planning twice per month on Tuesday's from 5 pm to 9 pm, excluding July and August. January - 16, February - 20, March, 19, April 16, May - 21, June - 18, Sept - 17, Oct - 15, Nov - 19, Dec 17 2024 REQUEST WAIVED FEES \$1,400.00	\$2,310.00	\$1,400.00		Craig Frere fonthillkinsmen@gmail.com 905-346-8288	R 6171
Waived Fees	Kinsmen Club of Fonthill & District	Use of the MCC Lucchetta Gymnasiums from October 18, 19,20, 2024 for the Kinsmen Craft Show 2024 REQUEST WAIVED FEES \$1608.00	\$1,560.00	\$1,608.00		Craig Frere fonthillkinsmen@gmail.com 905-346-8288	R 6171
Waived Fees	Kinsmen Club of Fonthill & District	Requesting Waived Fees of MCC for the Home Show (April 4, 5, 6, 7 & 8) and Use of Accipter Arena for Home Show. Set up on Arena Floor, electrical panels, general maintenance, In-house supervision , and Exterior Access. 2024 REQUEST WAIVED FEES \$2,726.00	\$0.00	\$0.00		Craig Frere fonthillkinsmen@gmail.com 905-346-8288	



Waived Fees	Meridian Credit Union	All 3 Diamonds at Centennial Park - lined & groomed Sunday June 23rd, 2024 - Fundraiser For Wellspring Niagara 2024 WAIVED FEE REQUEST \$369.00	\$357.00	\$369.00		Kelly Bonowski	R7026

Council Discretion		\$28,550.00
Facility Waived Fees		\$13,580.00
Total		\$42,130.00
In Kind Fees		\$18,450.13
Grand Total		\$60,580.13

**Subject:** Request for Removal of Canboro Road Rumble Strip between Vinemount Drive and Effingham

**Recommendation:**

**BE IT RESOLVED THAT Council receive Report #2024-0025-Request for Removal of Canboro Road Rumble Strip between Vinemount Drive and Effingham, for information;**

**AND THAT the existing rumble strip on the south side of Canboro road remain in place;**

**AND THAT line markings be repainted and new signage and sharrows be introduced between Vinemount Drive and Effingham Street as recommended in the In-Service Road Safety Review Study.**

**Background:**

Canboro Road from Haist Street to approximately 150 meters West of Centre Street was reconstructed in 2003 and 2004. The reconstruction included the implementation of a rumble strip on the south side of the roadway to warn motorists traveling eastbound that they have veered outside of the travel lane.

A request was brought forward by the Pelham Active Transportation Committee (PATC) to remove the rumble strip to provide a smooth shoulder for cyclists to travel on. This initiative received council support and staff were directed to complete a review of the issue and present options back to Council. In Q4 of 2023 Town staff retained R.V Anderson Associates Limited (RVA) to conduct an In-Service Road Safety Review (ISRSR) to identify safety concerns and corresponding safety measures for all road users with specific consideration of the removal of the existing rumble strips.

**Analysis:**

The ISRSR report submitted by RVA and attached to this report as Appendix A identifies safety concerns and corresponding mitigation measures to improve road safety for all road users. Safety concerns identified in the report submitted by RVA include roadside hazards located within the clear zone, worn lane markings, and the lack of active transportation facilities.

The roadside hazards consist of both hydro poles and trees which are located within the clear zone due to the narrow right of way (R.O.W) which varies from 15.5m to 14m. The standard R.O.W for a rural roadway is 20 meters which would allow the hydro poles to be set back and trees planted outside of the clear zone. The substandard R.O.W has resulted in roadside features being located closer to the road than what is deemed safe simply because there is no space to move them farther away without acquiring private land. The use of rumble strips is a safety measure to alert drivers they are leaving the traveled portion of the lane when roadside hazards are present within the clear zone. The rumble strips through this corridor have suffered significant erosion from wear and tear as drivers are regularly wandering out of the lane and driving over them as noted during the site investigation. The regular use of the rumble strip reinforces the need to have them in place as the removal may allow vehicles to veer into the roadside hazards and have a negative effect on overall road safety.

The lack of active transportation facilities is a result of the narrow road R.O.W. Without the space to create safe active transportation facilities outside of the travel lane any work to the roadside shoulders could negatively impact overall road safety as it will not meet current design standards. In addition, the lane markings through this section of road are visible throughout the day but due to years of wear, the retro-reflectivity of the paint has diminished making it harder to see at night.

After reviewing the report prepared by RVA and after much consideration staff does not recommend the removal of the rumble strips as the issues with hazards located within the clear zone cannot be addressed with the current right-of-way width and road geometry.

Staff recommends that this portion of Canboro Road be added to the 10-year Capital forecast for reconstruction which will allow the Town to consider different options for implementing active transportation facilities while improving road safety for all users.

In the interim to address concerns regarding active transportation while keeping the road safe, it is recommended that the lane markings throughout this corridor be repainted, Wc-19 and Wc-19t signage be installed and sharrow pavement markings be implemented in the middle of both travel lanes to formally designate the roadway as a shared facility. (See Appendix A p. 8 for proposed signage recommendations).

### **Financial Considerations:**

The work that has been recommended above including new signage, repainting existing lines, and implementing sharrows can be completed through the existing

2024 operating budget and would not require any additional funding approved by Council.

### **Alternatives Reviewed:**

In 2022 Kerry T Howe Engineering Ltd. carried out a preliminary estimate for the removal of the rumble strip and paving 1.5m asphalt shoulders along this corridor to allow for both eastbound and westbound cycling. The estimate came in at approximately \$891,494.00 however this price adjusted for 2024 at a 3% annual increase would cost the town approximately \$945,785.98 today.

The work included in this estimate will allow for the construction of widened shoulders, but does not address other issues such as hydro poles and trees within the clear zone. Moving forward with this option would provide an active transportation benefit, but would also have a negative effect on overall road safety. In order to meet the clear zone requirements private property will likely have to be acquired from various property owners along the corridor and hydro poles will have to be relocated. This option would also include the removal of many mature trees that line the existing roadway. The cost to complete this work would be additional to the road rehabilitation cost mentioned above and would realistically require several years to be completed.

### **Strategic Plan Relationship: Infrastructure Investment and Renewal**

Maintaining a safe and reliable road network is critical to the Town of Pelham to ensure the safe and efficient movement of all forms of transportation.

### **Consultation:**

This report was prepared in consultation with R.V Andersons Associates Limited

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

Appendix A - In-Service Road Safety Review (ISRSR) Study of Canboro Road between Effingham Street and Vinemount Drive prepared by R.V Anderson Associates Limited

### **Prepared and Recommended by:**

Nicholas Palomba  
Engineering Technologist

Jason Marr, P. Eng.  
Director of Public Works

**Prepared and Submitted by:**

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



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## **In-Service Road Safety Review (ISRSR) Study**

Canboro Road between Effingham Street and Vinemount Drive

Final

January 22, 2024

Prepared for:



## **In-Service Road Safety Review (ISRSR) Study**

Canboro Road between  
Effingham Street and  
Vinemount Drive

Final

January 22, 2024

Prepared for:



**R.V. Anderson Associates Limited**  
43 Church Street, Suite 104  
St. Catharines ON L2R 7E1 Canada  
T 905 685 5049 F 855 833 4022  
rvanderson.com



RVA 237257

January 22, 2024

Town of Pelham  
20 Pelham Town Square  
PO Box 400  
Fonthill, Ontario  
L0S 1E0

**Attention: Jason Marr, P.Eng.**  
**Director of Public Works**

Dear Mr. Marr:

Re: In-Service Road Safety Review (ISRSR) Study  
Canboro Road Between Effingham Street and Vinemount Drive

R.V. Anderson Associates Limited (RVA) submits herein to the Town of Pelham (the Town) our In-Service Road Safety Review study completed for Canboro Road between Effingham Street and Vinemount Drive.

It should be noted that all recommendations provided, are based solely on safety performance. It is understood that there are other constraints, such as traffic operations, property requirements, life-cycle costs, etc. that must be balanced with safety performance. As such, the findings and recommendations included herein are intended for the Town's consideration, and the Town is under no obligation to accept any or all recommendations provided by RVA.

Yours very truly,

**R.V. ANDERSON ASSOCIATES LIMITED**

A handwritten signature in black ink, appearing to read 'Michael Kong'.

Michael Kong, C.Tech.  
Transportation Planner

A handwritten signature in black ink, appearing to read 'Gordon Scobie'.

Gordon Scobie, P.Eng.  
Associate, Project Manager / Transportation Lead





## **In-Service Road Safety Review Study**

Canboro Road between Effingham  
Street and Vinemount Drive

**Final**

Town of Pelham

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**RVA 237257**

**January 22, 2024**

## IN-SERVICE ROAD SAFETY REVIEW

### Canboro Road between Effingham Street and Vinemount Drive

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## 1.0 Introduction

### 1.1 Background and Purpose

R.V. Anderson Associates Limited (RVA) was retained by the Town of Pelham (the Town) to undertake an In-Service Road Safety Review (ISRSR) for Canboro Road between Effingham Street and Vinemount Drive. The study is being undertaken in response to public concerns regarding the existing longitudinal rumble strips on the south side of this corridor and their associated impacts to cycling and road safety.

The ISRSR identifies safety concerns and corresponding mitigation measures to improve safety within the study area for all road users, with specific consideration given to the impacts of the existing rumble strips. Subsequent sections summarize a number of potential mitigation measures that can be further explored at the discretion of the Town.

### 1.2 Study Corridor

The corridor being reviewed is Canboro Road between Effingham Street and Vinemount Drive in the Town of Pelham, Ontario.

Inclusive of the intersections made with Effingham Street and Vinemount Drive, the corridor is approximately 1.25 kilometres in its entirety and has a total of three (3) unsignalized intersections, in addition to one (1) private lane intersection made with a recently built residential hamlet (herein referred to as the “private laneway”). The configuration and traffic control for these intersections can be summarized as follows:

- Canboro Road and Effingham Street, four-leg, all-way stop control
- Canboro Road and the private laneway, three-leg, minor street stop control
- Canboro Road and Oakridge Boulevard, three-leg, minor street stop control
- Canboro Road and Vinemount Drive, three-leg, minor street stop control

The foregoing intersections and the general study area limits are shown in **Figure 1.1**.

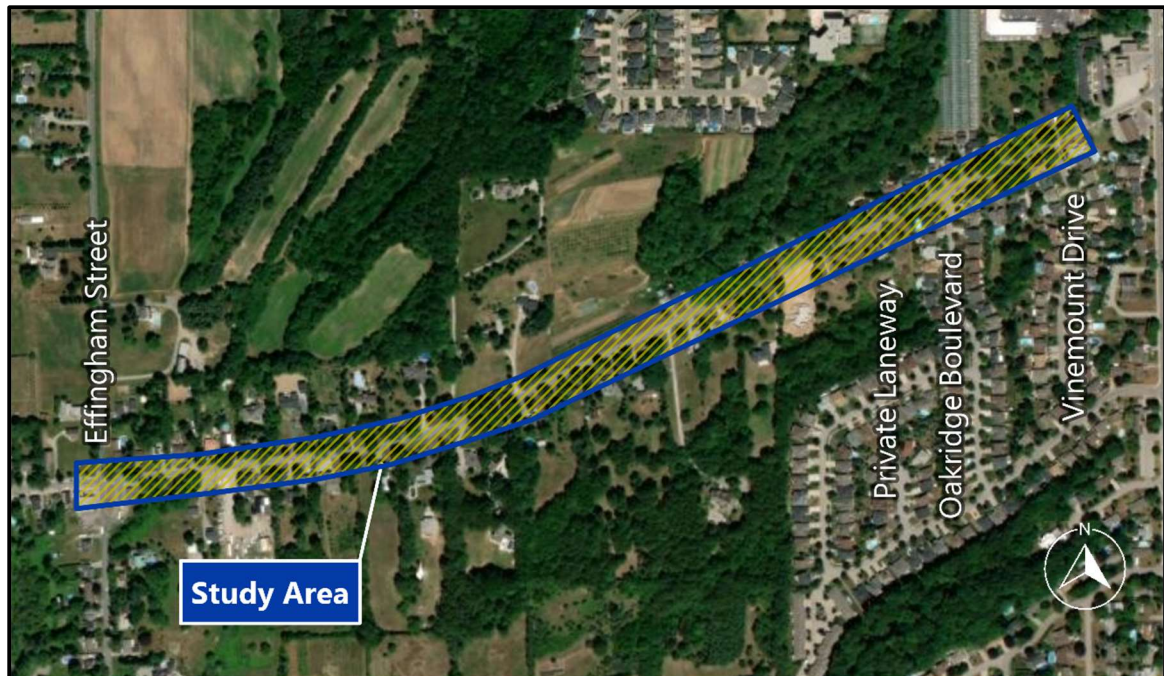


Figure 1.1 – Study Corridor

Within the study area limits, Canboro Road consists of a two-lane roadway with a rural cross-section and a posted speed limit of 50km/hr. Pedestrians are accommodated by a sidewalk on the south side of the corridor from the easterly limit of the study area to the private laneway; however, there is no pedestrian accommodation between the private laneway and the westerly limits of the study area. There are no pedestrian accommodations along the north side of Canboro Road within the study area. The corridor is identified to have paved shoulders in the future for cyclists in the Town's Active Transportation Plan and Implementation Strategy dated November 2016. However, in the interim, cyclists using the corridor must share the 3.25-metre-wide lanes with vehicles, as there is insufficient clear space on the northern shoulder and given the rumble strips along on the southern shoulder.

Towards the western limit, the surrounding land uses are predominantly residential with some commercial uses on the south side, whereas the eastern limit is surrounded by residential uses only. Hydro poles are situated approximately 1.5 metres back from the edge of pavement (EOP) on the south side, and are therefore, 2.5 metres back from the vehicle travel path. From the vehicular travel lane to EOP, approximately 1.0 metre of asphalt is provided, most of which is allocated for the longitudinal rumble strips. Along the north side of the road, hydro poles are present in some areas but generally have greater separation from the EOP than the south side.

## 1.3 Rumble Strips

As per a council report dated February 6<sup>th</sup>, 2012, a cursory review of the rumble strips was completed in response to public desire for a smooth surface, to allow for increased comfortability for bikes, scooters, and pedestrians with strollers. The report indicates that Canboro Road was reconstructed in 2003-2004, and correspondence with Town staff confirmed that no road resurfacing has been completed since. This report stated that the purpose of the rumble strips is to warn drivers of any roadside hazards (e.g., hydro poles) and the potential presence of pedestrians on the shoulder. The report concludes that the rumble strips are considered to be a safety enhancement for portions along Canboro Road.

## 1.4 Study Methodology

The ISRSR study was completed with reference to the Transportation Association of Canada (TAC) *Canadian Guide to In-Service Road Safety Reviews*. The study process can be aggregated into the four (4) following steps:

1. **Traffic Data Review** – analyze City-provided data to identify collision trends and peak periods.
2. **Field Investigation** – investigate the physical environment of the corridor and road user interactions, and also identify any potential safety concerns or deficiencies.
3. **Countermeasure Analysis** – Evaluate suitable mitigations measures based on the findings from the first two (2) steps and a literature review of *Ontario Traffic Manual* and *Transportation Association of Canada (TAC)* documents.
4. **Recommendations** – make preferred recommendations with consideration to site-specific constraints.

## 2.0 Traffic Data Review

Historical traffic volume data was provided by the Town for use in this study. The provided data included 24-hour Automatic Traffic Recorder (ATR) data collected for one (1) day on Tuesday, May 31<sup>st</sup>, 2016, and included both volume and speed information.

In addition, historical collision data for the study area from 2019 to 2022 was provided to identify any collision trends.

All traffic volume, speed and collision data are provided in **Appendix 1**.

## 2.1 Midblock Traffic Volumes and Operating Speeds

Based on the 24-hour volume data collected between Effingham Street and Haist Street, Canboro Road is carrying approximately 1,294 eastbound vehicles and 1,025 westbound vehicles per day (2,319 total two-way volume). The AM peak hour was identified to be 7:45am to 8:45am, with the station recording 100 eastbound vehicles and 68 westbound vehicles (168 total two-way volume). The PM peak hour was identified to be 4:45pm to 5:45pm, with the station recording 103 eastbound vehicles and 101 westbound vehicles (204 total two-way volume).

The results of vehicle operating speeds taken from the ATR study are summarized in **Figure 2.1**. The results indicate that 54.3% of vehicles are travelling between 50km/hr and 59km/hr along the corridor. 29.6% of vehicles were recorded travelling below the posted speed limit of 50km/hr and 16.1% of vehicles were recorded travelling 10km/hr or more over the posted speed limit.

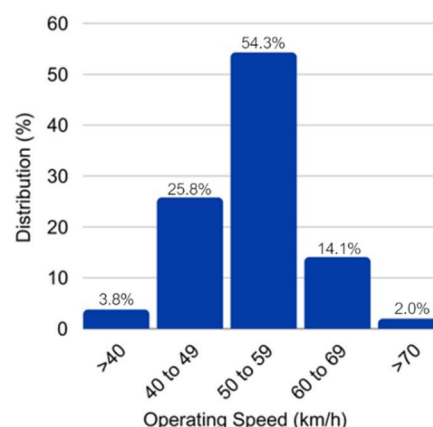


Figure 2.1 – Midblock Operating Speeds

## 2.2 Collision History Review

The following sections present a summary of the most recent five (5) years of collision history (2019 to 2023) for all of the study area intersections and midblocks.

Overall, there were a total of four (4) collisions recorded over the five (4) years of data. None of the collisions reported resulted in a fatal injury and no collisions involved a cyclist.

### 2.2.1 Intersection Collision Statistics

From the four total collisions recorded in the study area, only one (1) occurred at an intersection. This collision occurred at Canboro Road and Effingham Street and was documented as an angle collision and classified as property damage only (PDO). The collision occurred under clear daylight conditions and was the result of a driver disobeying traffic control.

## 2.2.2 Midblock Collision Statistics

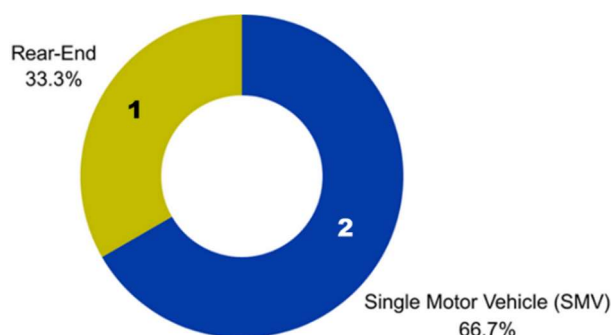


Figure 2.2 – Midblock Collision Type Summary

The remaining three (3) collisions occurred within midblocks along the study area. Of these collisions, two (2) took place between Oakridge Boulevard and Effingham Street, whereas one (1) took place between Oakridge Boulevard and Vinemount Drive. The documented classification for all of these collisions was as PDO. The collisions by impact type are summarized in **Figure 2.2** and show that one (1) of the collisions was recorded as a rear-end and two (2) were recorded as single motor vehicle collisions.

All of the collisions occurred under clear environment conditions while two (2) occurred under dark lighting conditions while the third occurred under daylight conditions. Two (2) of the collisions were the result of the driver losing control while the third was the result of following too close.

## 2.2.3 Collision Analysis

The location of the collisions along the corridor and their associated collision type are summarized in **Figure 2.3**. It should be noted that in absence of additional information in the collision data provided, the approaches and direction of travel involved have been assumed based on the surrounding geometric context and spatial information. As a result, the approaches shown in the figure are for illustrative purposes only.





Figure 2.3 – Five-Year Collision Summary



## 3.0 Field Investigation

A field investigation was completed on Wednesday December 20<sup>th</sup>, 2023, during the typical weekday morning and evening (nighttime) peak hours. It was 3 degrees Celsius, with no rain or snowfall occurring during the investigation. The roadway surface condition was mostly dry with some wet areas.

The purpose of the field investigation was to identify any roadway characteristics or driver behaviours that could adversely impact road safety. A key component of the field investigation was to review the impact of the existing rumble strips.

### 3.1.1 Geometric Configuration and Pavement Condition

As seen in the aerial images presented in the foregoing sections, the corridor exhibits a moderate curve for a short segment of the corridor. Drivers are notified of this curvature through Wa-3L (curve) signage on either end of the segment, as shown in **Figure 3.1**. Furthermore, the rumble strips on the south side of the roadway notify eastbound drivers if they are veering out of the vehicular travel lanes.



Figure 3.1 – Wa-3L Signage

Advisory speed tabs could be used to encourage drivers to operate at a reduced speed along this curve. However, the field investigation documented that the curvature can be safely navigated when travelling at the posted speed of 50km/hr without noticeable impacts from centrifugal forces.

The corridor also exhibits variations in vertical alignment throughout the corridor, but similarly, it was documented that these variations can be safely navigated at the posted speed limit.

### 3.1.2 Traffic Control Devices

The field investigation documented that the existing pavement markings are largely apparent during the day, although some sections are completely faded or beginning to fade; this can be seen in **Figure 3.2**.



Figure 3.2 – Lane Markings

In the nighttime period, the lane markings are still visible due to the streetlights; however, the retroreflectivity of these lane markings have faded significantly. This makes the lane delineation markings more difficult to see in sections with a lesser degree of illumination.

The field observation found no deficiencies with the specification or placement of existing signage. However, there is currently no signage erected for cyclists. As noted previously, the existing shoulders are not suitable for cyclists due to their lack of clear width and/or rumble strips, and cyclists must therefore share the 3.25-metre lanes with drivers. It is suggested that Wc-19 and Wc-19t (**Figure 3.3**) signage be implemented along the corridor to alert drivers of cyclist presence. It should be noted that this signage does not need to be implemented if the shoulder is widened.



Wc-19 (OTM)  
(600 x 600 mm)



Wc-19t (OTM)  
(300 x 600 mm)

Figure 3.3 – Cyclist  
Signage

The rumble strips along the south side of the corridor have experienced significant wear-and-tear in many areas which has hindered their effectiveness. In fact, vehicles were observed driving over the rumble strips, to which it appeared to have nominal impacts on their driver behaviour. Surveyors also indicated that the rumble strips were not producing the desired humming sound when vehicles were traversing them. An example of the eroded rumble strips can be seen in **Figure 3.4** where the rumble strips have transitioned into a gravel-like sediment. In these areas where the rumble strips are eroding, they are still substantial enough to cause significant discomfort for cyclists that wish to use the shoulder yet have little-to-no impact on driver behaviour.



Figure 3.4 – Eroded Rumble Strips

### 3.1.3 Road User Interactions

Across both field investigation periods (morning and nighttime), three (3) pedestrians were observed walking along the rumble strips. It was noted that these pedestrians were visibly unnerved by the lack of separation from vehicles, with the pedestrians seen stopping and stepping further away from the roadway to let vehicles pass before continuing to walk. Furthermore, the pedestrian observed in the nighttime period was walking along the rumble strips adjacent to the vehicle travel path yet was not immediately apparent to approaching vehicles.

As part of this study, surveyors walked along the rumble strips to evaluate the perceived safety of the roadway, particularly for pedestrians walking on the shoulder. The findings were that the lack of separation from vehicles resulted in significant uneasiness, with the presence of the rumble strips adding no perceived safety enhancement.

The field investigation found that vehicles were generally driving appropriately along the corridor, however, a few vehicles were perceivably driving at excessive operating speeds. Surveyors indicated that despite the lane widths being 3.25 metres wide, the wide right-of-way increases the interpreted road width and resultantly fosters a higher operating speed. In some cases, vehicles were seen traversing the rumble strips as a result of careless

driving which puts pedestrians and cyclists on the shoulder at high risk, especially in the nighttime period or in adverse weather conditions when they are less visible.

Although a small sample of pedestrian-vehicle interactions was considered, the lack of pedestrian separation is concluded to be a high risk and efforts should be made to provide additional separation for pedestrians.

## 4.0 Countermeasures

Given there are only four (4) collisions with few similarities that have taken place within the study area in the last five (5) years, there are no discernible collision trends to mitigate. However, when considering the findings of the field investigation, particularly for pedestrians and cyclists, it was established that there is significant risk associated with their lack of separation from the vehicular travel path.

As noted in the *Ontario Traffic Manual – Book 18 Cycling Facilities* and *TAC Geometric Design Guide for Canadian Roads* (OTM Book 18), rumble strips are meant to provide sound queues to errant motorists that are drifting into the shoulder; however, they are undesirable from a cycling perspective as they restrict maneuverability and can even cause cyclists to lose control of their bicycle.

OTM also states that the minimum cycling facility width for a paved shoulder is 1.2 metres. It should be noted that even with the removal of the existing rumble strips, the paved shoulder would only provide an approximate 1.0 metre shoulder width, which is considered a substandard cycling facility.

As identified in the *Active Transportation (AT) Plan and Implementation Strategy*, a paved shoulder has been recommended for Canboro Road as an accommodation for active transportation users. This alternative would provide greater separation for pedestrians and cyclists, and would also allow the rumble strips to remain if desired. The increased accommodation for active transportation users would create the opportunity for further separation enhancements such as roadway pavement markers (RPMs), flexible bollards, a painted buffer, sidewalks, etc. All of which will require an Environmental Assessment study to determine a preferred alternative.

In the interim, the findings of the field investigation and literature review suggests that the close proximity to roadside utilities and lack of separation from pedestrians is cause for significant concern (e.g., it was observed that the existing rumble strips along Canboro Road are being utilized). There is substantial research that clearly indicates that rumble

strips are beneficial to drivers' safety due to their correcting effect, and therefore, should be maintained.

Additionally, to support of cyclist comfort and safety in the interim, it is recommended that Wc-19 and Wc-19t signage be implemented throughout the corridor. It is also recommended that sharrow pavement markings be implemented, along with enhanced retroreflective lane markings. As lane widths are less than 4.0 metres wide, sharrow pavement markings would be placed in the centre of the lane, as per OTM standard.

## 5.0 Summary of Findings and Recommendations

The findings from this ISRSR can be summarized as follows:

- A total of four (4) collisions took place in the most recent five (5) years of available data, three (3) of which occurred within midblock sections and one (1) of which took place at the Canboro Road and Effingham Street intersection.
- All of the recorded collisions were documented as property damage only collisions. None resulted in a fatality, and none involved cyclists.
- The ATR studies (dated 2016) found no significant speeding concerns along the corridor.
- The rumble strips were constructed in 2023-2024 and have eroded substantially since, assumed to be result of age and overuse.
- The field investigation observed vehicles driving at perceivably high operating speeds, with some vehicles regularly traversing the rumble strips.
- The south side of Canboro Road falls below the desired clear space minimum due to the presence of roadside utilities.
- If the rumble strips are removed, the paved shoulder would be one (1) metre wide, which falls below the desired standard for a paved shoulder cycling facility.

The recommendations from this ISRSR can be summarized as follows:

- Ultimately, it is recommended that the Town consider implementing a paved shoulder for improved active transportation accommodation at a future road reconstruction date, as recommended in the Town of Pelham's *Active Transportation (AT) Plan and Implementation Strategy*. At the time for

reconstruction, further enhancements should also be considered, including: RPMs, flexible bollards, a painted buffer, sidewalks, etc.

- In the interim, it is recommended that the rumble strips be reinstated, as their presence has a benefit on overall road safety. This conclusion is based on the findings of the field investigation, narrow lane widths, and the lack of clear zone width between the EOP and roadside hazards (e.g., hydro poles). It is important to note that converting the existing rumble strips to a paved shoulder would result in a substandard cycling facility, and therefore reduce the safety performance of the corridor.
- In the interim, it is also recommended that Wc-19 and Wc-19t signage be implemented along the corridor to increase driver awareness of on-road cyclists. Furthermore, it is recommended that sharrow pavement markings be implemented in the middle of vehicle travel lanes throughout the entire corridor to designate the roadway more formally as a shared facility, and lane pavement markings should be repainted to provide enhanced retroreflectivity.

## **APPENDIX 1**

### Traffic Volume, Speed and Collision Data



## ATR Data

Time/Speed Report										
Hi-Star ID: 21001		Begin: 2016-05-31 12:00 AM			End: 2016-06-01 12:00 AM					
Street: Canboro Rd - EB		Lane: EB			Hours: 24:00					
State: ON		Oper: MD			Period: 15					
City: Town of Pelham		Posted: 50			Raw Count: 1324					
Area: Effingham St to Haist St		AADT Factor: 1			AADT Count: 1324					
	0 to 39	40 to 49	50 to 59	60 to 69	70 to 79	80 to 89	90 to 99	100 >	Total	
2016-05-31 [12:00 AM-12:15 AM]	0	0	3	0	1	0	0	0	4	
2016-05-31 [12:15 AM-12:30 AM]	0	0	0	1	0	0	0	0	1	
2016-05-31 [12:30 AM-12:45 AM]	0	0	1	0	0	0	0	0	1	
2016-05-31 [12:45 AM-01:00 AM]	0	0	1	0	0	0	0	0	1	
2016-05-31 [01:00 AM-01:15 AM]	0	0	1	0	0	0	0	0	1	
2016-05-31 [01:15 AM-01:30 AM]	0	0	0	0	0	0	0	0	0	
2016-05-31 [01:30 AM-01:45 AM]	0	0	0	0	0	0	0	0	0	
2016-05-31 [01:45 AM-02:00 AM]	0	0	0	0	0	0	0	0	0	
2016-05-31 [02:00 AM-02:15 AM]	0	0	0	0	0	0	0	0	0	
2016-05-31 [02:15 AM-02:30 AM]	0	0	0	0	0	0	0	0	0	
2016-05-31 [02:30 AM-02:45 AM]	0	0	0	1	0	0	0	0	1	
2016-05-31 [02:45 AM-03:00 AM]	0	0	1	0	0	0	0	0	1	
2016-05-31 [03:00 AM-03:15 AM]	0	0	0	1	0	0	0	0	1	
2016-05-31 [03:15 AM-03:30 AM]	0	0	0	0	0	0	0	0	0	
2016-05-31 [03:30 AM-03:45 AM]	0	0	0	0	0	0	0	0	0	
2016-05-31 [03:45 AM-04:00 AM]	0	0	0	0	0	0	0	0	0	
2016-05-31 [04:00 AM-04:15 AM]	0	0	0	0	0	0	0	0	0	
2016-05-31 [04:15 AM-04:30 AM]	0	2	0	1	0	0	0	0	3	
2016-05-31 [04:30 AM-04:45 AM]	0	0	0	0	1	0	0	0	1	
2016-05-31 [04:45 AM-05:00 AM]	0	0	0	1	0	0	0	0	1	
2016-05-31 [05:00 AM-05:15 AM]	0	0	4	0	0	0	0	0	4	
2016-05-31 [05:15 AM-05:30 AM]	0	0	0	1	0	0	0	0	1	
2016-05-31 [05:30 AM-05:45 AM]	0	0	1	0	2	0	0	0	3	
2016-05-31 [05:45 AM-06:00 AM]	1	2	5	4	1	0	0	0	13	
2016-05-31 [06:00 AM-06:15 AM]	0	3	1	2	0	0	0	0	6	
2016-05-31 [06:15 AM-06:30 AM]	0	2	5	3	0	0	0	0	10	
2016-05-31 [06:30 AM-06:45 AM]	1	3	11	3	0	0	0	0	18	
2016-05-31 [06:45 AM-07:00 AM]	0	0	10	2	1	0	0	0	13	
2016-05-31 [07:00 AM-07:15 AM]	0	2	11	5	0	0	0	0	18	
2016-05-31 [07:15 AM-07:30 AM]	0	3	15	6	0	0	0	0	24	
2016-05-31 [07:30 AM-07:45 AM]	0	9	16	4	1	0	0	0	30	
2016-05-31 [07:45 AM-08:00 AM]	2	7	24	8	2	0	0	0	43	
2016-05-31 [08:00 AM-08:15 AM]	1	8	29	6	2	0	0	0	46	
2016-05-31 [08:15 AM-08:30 AM]	1	10	20	4	2	0	0	0	37	
2016-05-31 [08:30 AM-08:45 AM]	2	10	24	5	0	1	0	0	42	
2016-05-31 [08:45 AM-09:00 AM]	0	9	21	7	0	0	0	0	37	
2016-05-31 [09:00 AM-09:15 AM]	0	11	25	10	0	0	0	0	46	
2016-05-31 [09:15 AM-09:30 AM]	1	8	20	6	1	0	0	0	36	
2016-05-31 [09:30 AM-09:45 AM]	4	12	19	8	0	0	0	0	43	
2016-05-31 [09:45 AM-10:00 AM]	0	9	13	1	0	0	1	0	24	
2016-05-31 [10:00 AM-10:15 AM]	1	16	15	3	0	0	0	0	35	
2016-05-31 [10:15 AM-10:30 AM]	1	10	21	2	0	0	0	0	34	
2016-05-31 [10:30 AM-10:45 AM]	1	10	10	4	0	0	0	0	25	
2016-05-31 [10:45 AM-11:00 AM]	4	12	24	2	0	0	0	0	42	
2016-05-31 [11:00 AM-11:15 AM]	5	10	17	2	0	0	0	0	34	

	0 to 39	40 to 49	50 to 59	60 to 69	70 to 79	80 to 89	90 to 99	100 >	Total	
2016-05-31 [11:15 AM-11:30 AM]	3	19	17	7	1	0	0	0	47	
2016-05-31 [11:30 AM-11:45 AM]	5	12	19	7	0	0	0	0	43	
2016-05-31 [11:45 AM-12:00 PM]	0	20	16	3	0	0	0	0	39	
2016-05-31 [12:00 PM-12:15 PM]	0	8	12	1	1	0	0	0	22	
2016-05-31 [12:15 PM-12:30 PM]	0	8	27	4	0	0	0	0	39	
2016-05-31 [12:30 PM-12:45 PM]	1	10	17	8	1	0	1	0	38	
2016-05-31 [12:45 PM-01:00 PM]	0	13	29	2	1	0	0	0	45	
2016-05-31 [01:00 PM-01:15 PM]	1	16	21	5	0	0	0	0	43	
2016-05-31 [01:15 PM-01:30 PM]	3	10	21	1	0	0	0	0	35	
2016-05-31 [01:30 PM-01:45 PM]	3	9	23	2	1	0	0	0	38	
2016-05-31 [01:45 PM-02:00 PM]	4	20	13	4	1	0	0	0	42	
2016-05-31 [02:00 PM-02:15 PM]	2	10	14	3	1	0	0	0	30	
2016-05-31 [02:15 PM-02:30 PM]	1	12	23	7	0	0	0	0	43	
2016-05-31 [02:30 PM-02:45 PM]	0	16	15	9	1	0	0	0	41	
2016-05-31 [02:45 PM-03:00 PM]	1	7	30	5	0	0	0	0	43	
2016-05-31 [03:00 PM-03:15 PM]	2	9	22	8	2	0	0	0	43	
2016-05-31 [03:15 PM-03:30 PM]	3	11	24	5	0	0	0	0	43	
2016-05-31 [03:30 PM-03:45 PM]	2	13	20	1	0	0	0	0	36	
2016-05-31 [03:45 PM-04:00 PM]	3	11	29	6	1	0	0	0	50	
2016-05-31 [04:00 PM-04:15 PM]	8	7	29	7	1	1	0	0	53	
2016-05-31 [04:15 PM-04:30 PM]	2	9	24	9	1	0	0	0	45	
2016-05-31 [04:30 PM-04:45 PM]	1	12	17	9	0	0	0	0	39	
2016-05-31 [04:45 PM-05:00 PM]	3	6	41	8	0	0	0	0	58	
2016-05-31 [05:00 PM-05:15 PM]	0	6	31	9	0	0	0	0	46	
2016-05-31 [05:15 PM-05:30 PM]	0	7	28	6	0	0	0	0	41	
2016-05-31 [05:30 PM-05:45 PM]	0	16	35	8	0	0	0	0	59	
2016-05-31 [05:45 PM-06:00 PM]	3	12	20	6	0	0	0	0	41	
2016-05-31 [06:00 PM-06:15 PM]	0	9	23	7	1	0	0	0	40	
2016-05-31 [06:15 PM-06:30 PM]	1	8	18	5	2	0	0	1	35	
2016-05-31 [06:30 PM-06:45 PM]	1	9	23	5	1	0	0	2	41	
2016-05-31 [06:45 PM-07:00 PM]	0	4	18	12	1	0	0	0	35	
2016-05-31 [07:00 PM-07:15 PM]	1	4	23	1	2	0	0	0	31	
2016-05-31 [07:15 PM-07:30 PM]	0	14	11	2	0	0	0	0	27	
2016-05-31 [07:30 PM-07:45 PM]	0	5	18	1	0	0	0	0	24	
2016-05-31 [07:45 PM-08:00 PM]	1	5	17	4	0	0	0	0	27	
2016-05-31 [08:00 PM-08:15 PM]	0	11	17	3	1	0	0	0	32	
2016-05-31 [08:15 PM-08:30 PM]	1	6	13	2	0	0	0	0	22	
2016-05-31 [08:30 PM-08:45 PM]	2	6	16	6	0	0	0	0	30	
2016-05-31 [08:45 PM-09:00 PM]	0	6	17	8	1	0	0	0	32	
2016-05-31 [09:00 PM-09:15 PM]	0	5	11	3	1	0	0	0	20	
2016-05-31 [09:15 PM-09:30 PM]	1	6	8	2	0	0	0	0	17	
2016-05-31 [09:30 PM-09:45 PM]	0	5	10	0	1	0	0	0	16	
2016-05-31 [09:45 PM-10:00 PM]	0	4	10	3	0	0	0	0	17	
2016-05-31 [10:00 PM-10:15 PM]	1	1	5	1	0	0	0	0	8	
2016-05-31 [10:15 PM-10:30 PM]	0	4	4	1	0	0	0	0	9	
2016-05-31 [10:30 PM-10:45 PM]	0	1	1	4	1	0	0	0	7	
2016-05-31 [10:45 PM-11:00 PM]	1	2	1	2	0	0	0	0	6	
2016-05-31 [11:00 PM-11:15 PM]	0	1	7	0	0	0	0	0	8	
2016-05-31 [11:15 PM-11:30 PM]	0	2	1	2	0	0	0	0	5	
2016-05-31 [11:30 PM-11:45 PM]	1	2	2	0	0	0	0	0	5	
2016-05-31 [11:45 PM-12:00 AM]	0	1	1	1	0	0	0	0	3	
Daily Totals:	25	168	368	103	14	1	1	0	680	
Report Percentages:	3.68%	24.71%	54.12%	15.15%	2.06%	0.15%	0.15%	0.00%	100.00%	

## Collision Data

Accident Year	Accident Time	Location	Impact Location	Initial Impact Type	Traffic Control	Classification Of Accident	Cyclist Involved	Environment Condition 1	Light	Apparent Driver 1 Action	Apparent Driver 2 Action
2019	05:00	Canboro Road btwn Oakridge Boulevard & Effingham Street (20985)	09 - Right shoulder	07 - SMV other	10 - No control	03 - P.D. only	FALSE	01 - Clear	07 - Dark	10 - Lost control	
2021	09:43	Canboro Road @ Effingham Street (04997)	01 - Within intersection	02 - Angle	02 - Stop sign	03 - P.D. only	FALSE	01 - Clear	01 - Daylight	07 - Disobeyed traffic control	01 - Driving properly
2021	17:00	Canboro Road btwn Vinemount Drive & Oakridge Boulevard (01459)	02 - Thru lane	03 - Rear end	10 - No control	04 - Non-reportable	FALSE	01 - Clear	08 - Dark, artificial	02 - Following too close	01 - Driving properly
2022	17:15	Canboro Road btwn Oakridge Boulevard & Effingham Street (20985)	11 - Not on roadway - right side	07 - SMV other	10 - No control	03 - P.D. only	FALSE	01 - Clear	01 - Daylight	10 - Lost control	



**Subject:** Niagara Peninsula Conservation Authority 'Trees for All' Partnership Opportunity

**Recommendation:**

**BE IT RESOLVED THAT Council receive Report #2024-0023 – Niagara Peninsula Conservation Authority 'Trees for All' Partnership Opportunity, for information;**

**AND THAT Council endorse and support the Niagara Peninsula Conservation Authority's Trees for All Program;**

**AND THAT Council direct staff to utilize \$11,327 from the 2024 Beautification Operating Budget to fulfill the Town's 2024 contribution to the Trees for All Program;**

**AND THAT Council further directs staff to include the following new expenditures in the subsequent operating budgets for Council's consideration to sustain the Town's commitments to the Trees for All Program:**

- 1. 2025 - \$11,931**
- 2. 2026 - \$11,891**
- 3. 2027 - \$12,327**
- 4. 2028 - \$12,701**

**Background:**

'Trees for All' is a large-scale tree planting program proposed for both public and private land in the Urban and Rural areas within the Niagara Peninsula Watershed (NPW). This multi-year, planting program is being led by the Niagara Peninsula Conservation Authority (NPCA) and supported by a broad number of organizations and government agencies.

The objective of the program is to plant 1 million trees across the NPW by 2031, with an overall goal to improve the health of the watershed, restore woodlots and forests and build a more resilient natural system able to mitigate the impacts of climate change.

This report serves to provide Council with general information regarding the status of the 'Trees for All' program and the NPCA's request for the Town of Pelham's support and funding for the small-scale rural planting program in Pelham.

### **Analysis:**

In 2022 the NPCA was awarded a Capacity Building Grant under the Federal 2 Billion Trees Program (2BT). The grant was used for a marketing campaign designed to create a database of private landowners within the NPW interested in the opportunity of planting trees and shrubs on their properties. The campaign was successful in signing up 800 landowners. Municipalities within the watershed were also asked to provide public tree planting opportunities to be added to the database as well. The data captured in this process was utilized to develop the Trees for All program with the goal of planting 1,000,000 trees throughout the watershed.

In June 2023, the NPCA applied for two grant funding streams under the 2BT grant including the Rural Small-Scale, and Urban Tree Planting stream. The Rural Small-Scale stream is focused on large-volume rural tree planting opportunities on both private and public property. The goal of this program is to plant 840,000 trees across the watershed over an 8-year time frame. The Urban Tree Planting stream focuses on increasing the tree canopy on both private and public property within urban settings. The goal of this program is to plant 160,000 trees in various urban environments across the watershed over an 8-year time frame.

In November 2023, the NPCA submitted a subsequent Capacity Building Application to the 2BT grant with the goal of creating a seed collection community of practice. This involves the hiring of a seed coordinator to facilitate the location of high-quality areas within the Niagara Region, identify gaps in species supply for tree planting and collect seeds to be stored and propagated at partner nurseries to ensure seeds and stock are available to support the program's high-volume tree planting goals.

The Urban Tree Planting stream is still under review, however, the NPCA received notice from the Federal Government in September 2023 that the Rural Small-Scale program would not be chosen for the next phase of the selection process, and it was placed on hold while the NPCA looked for alternative funding opportunities to continue the rural program.

Over the last three months, NPCA staff revised the 'Trees for All' program. It worked to secure partnerships with Trees Canada and Forest Ontario to partially subsidize the cost of the rural program with the balance of the program costs split between 15 municipalities according to the volume of trees to be planted in each. The goal of the Rural Small-Scale program is to plant 350,000 trees within the NPW over the next 5 years, with an opportunity to plant more than 500,000 should extra

funding be available. Tree Canada and Forests Ontario were approved as aggregators of the Federal 2BT grant. Currently, only Rural Bareroot planting areas are being considered for implementation due to the currently available funding.

The NPCA anticipates that the total cost of the revised Rural Small-Scale program over 5 years is \$5,002,453. Tree Canada, Forests Ontario, private landowner contributions, and NPCA (in kind) funding totals \$1,960,703. The NPCA requests Municipal support for the program and funding for the remaining \$3,041,750.

Under the program, 7797 trees are planned to be planted on Public and Private land in Pelham. The total cost of the program over 5 years is \$111,451 with \$51,274 coming from grants, private landowners, and the NPCA (in kind), and the remaining \$60,177 requested from the Town of Pelham or \$7.72 per tree. NPCA's proposed funding request, throughout the program, is as follows:

- 2024 - \$11,327
- 2025 - \$11,931
- 2026 - \$11,891
- 2027 - \$12,327
- 2028 - \$12,701

Further breakdown on program costs is provided in the 'Trees for All' Pelham Municipal Summary as provided by the NPCA, attached to this report.

As part of this program, the NPCA provides full turnkey project management services including procurement and storage of stock, communicating and securing agreements with landowners, educational and community programming, site preparation, preparing planting plans approved by a Registered Professional Forester, supply of labour for tree planting projects, on-site supervision and inspection of planting operations, survival assessments at years 3, 5 and 10, preparation and submission of all post-planting and final reports to funders.

During the initial phase of the program 4 public sites were identified for rural high volume bare root planting, and 12 private sites totaling 6,040 and 11,700 trees respectively, however, this has been reduced to 7,797, including 1540 trees on public sites and 6,257 on private, during the program's revision once the 2BT funding was not secured. The public sites identified by the NPCA were explored by staff and concluded that they were not acceptable for mass plantings due to current and future use. These sites including Hillside Cemetery, and Harold Black Park were intended to be part of the Urban Tree Planting Program, where potted or caliper stock would be utilized. While staff expect there will be suitable public locations for planting in subsequent years, the bulk of the planting in 2024 will be focused on private property, contingent upon Council approval.

The NPCA identifies that the Niagara Peninsula Watershed is part of the Carolinian life zone and is an incredibly biodiverse area. The region boasts fully one-third of the rare, threatened, and endangered species in all of Canada. 65% of Ontario's rare plants are found in the region, and 40% are restricted to the Carolinian zone which is why the NPCA plans incorporate early successional species native to the Carolinian Zone and grown from seed collected within the Carolinian area. These species include, but are not limited to: White Pine, White Spruce, Tamarack, Swamp White Oak, Shagbark Hickory, Bitternut Hickory, Black Cherry, Sycamore, Hybrid Maple and Poplar, Cottonwood, and Aspen. The goal is that more shade-tolerant species will naturally move in overtime as the planting transitions into a free-growing forest.

As previously reported in Public Works Report 2022-0272, the Town of Pelham boasts a tree canopy coverage of 32.2% within the town's urban boundary. The Tree Canopy and Reforestation is identified as an action item in the Council-approved 2023-2027 Strategic Plan. With a robust urban tree canopy and lack of available municipally owned properties suitable for mass planting and reforestation, increasing tree planting on private land is necessary to continue to expand the Town's tree canopy. Subsidizing mass plantings on private land through the NPCA's Tree for All program is an effective way to expand the Town's tree canopy and restore forests on lands not utilized for agricultural production.

### **Financial Considerations:**

The Annual Contracted Services Beautification Operating Budget for Tree Planting in 2024 is \$32,500. As Staff complete tree planting and replacement works through a combination of in-house and contracted planting projects, staff are confident that the Contracted Services Tree Planting budget line could be used to fund the Trees for All program (\$11,327) while completing the prescribed number of tree replacements required by the Tree Maintenance Policy S802-01, as well as fulfilling a key priority of the 2023-2027 Town of Pelham Strategic Plan.

Staff recommend funding the "Trees for All" program in 2025 through 2028 as a separate budget line item under the Beautification Operating Budget.

### **Alternatives Reviewed:**

Council may decide not to provide funding support to the NPCA's Trees for All Rural Small-Scale Planting Program.

### **Strategic Plan Relationship: Environmental and Climate Change Adaptation**

Expansion of the tree canopy within the municipal boundary on both public and private lands is vital to the high quality of life within the Town of Pelham, while

protection of Pelham's tree canopy is identified as an action item in the Strategic Plan.

**Consultation:**

The Niagara Peninsula Conservation Authority and the Town's Senior Leadership team was consulted in the preparation of this report.

**Other Pertinent Reports/Attachments:**

NPCA Trees for All Pelham Summary

2023-2027 Town of Pelham Strategic Plan

Public Works Report 2022-0272 Tree Maintenance Summary Report

Tree Maintenance Policy S802-01

**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



# TREES FOR ALL

## **Municipal Summary Pelham**

# PROGRAM OVERVIEW

“Trees for All” is a tree planting program proposed for both public and private lands in both Urban and Rural areas within the Niagara Peninsula Watershed. It is supported by a broad local partnership of government and other organizations lead by the NPCA. The aspired multi-year high volume program is anchored by an existing inventory of tree planting opportunities solicited during the implementation of the 2022 2BT Capacity Building Grant. This phase of the program development identified 800 ha of potential planting area across the watershed in excess of 700 private and 200 public properties.

## GOALS



Plant 70,000 trees and shrubs on both public and private lands, contributing a total of 350,000 native trees and shrubs to the Niagara Region Watershed over a comprehensive 5-year span (2024-2028).



Provide residents with subsidized trees for their property as nature-based solutions to mitigate climate change, enhance biodiversity and increase local habitats.



Provide turn-key planting services that value appropriate site preparation and tree planting prescriptions and long-term maintenance and monitoring to ensure the highest survival rates within control.

# Timeline

## Annual Milestones

### JAN-FEB

Site plans & nursery allocations finalized. Lasted deadline for submitting properties for upcoming planting season.



### SEPT-OCT

Survival assessments conducted. Site visits begin for next planting season.



### DEC

Post-plant report submitted to funders. Site plans prepared submitted to forester for review.



### APR-JUN

Site preparatons carried out, planting starts late April and ends early June.



### OCT-NOV

Sites visits for next planting season complete and confirmed.





# CITY OF PELHAM

## ESTIMATED TREE INVENTORY

<b>PUBLIC LAND (RURAL &amp; URBAN)</b>	<b>HIGH</b>	<b>MEDIUM</b>	<b>LOW</b>	<b>TOTAL</b>
<b># SITES</b>	6	14	38	58
<b># TREES</b>	3,250	6,640	240	<b>10,130</b>

Both Rural and Urban properties are included in the above totals.

<b>PRIVATE LAND (RURAL ONLY)</b>	<b>HIGH</b>	<b>MEDIUM</b>	<b>LOW</b>	<b>TOTAL</b>
<b># SITES</b>	3	9	36	<b>48</b>
<b># TREES</b>	4,500	7,200	5,320	<b>17,020</b>

Please note, only Rural High and Medium priority sites have been considered for implementation at this point due to current available funding options, and only those numbers were used in the financial summary.

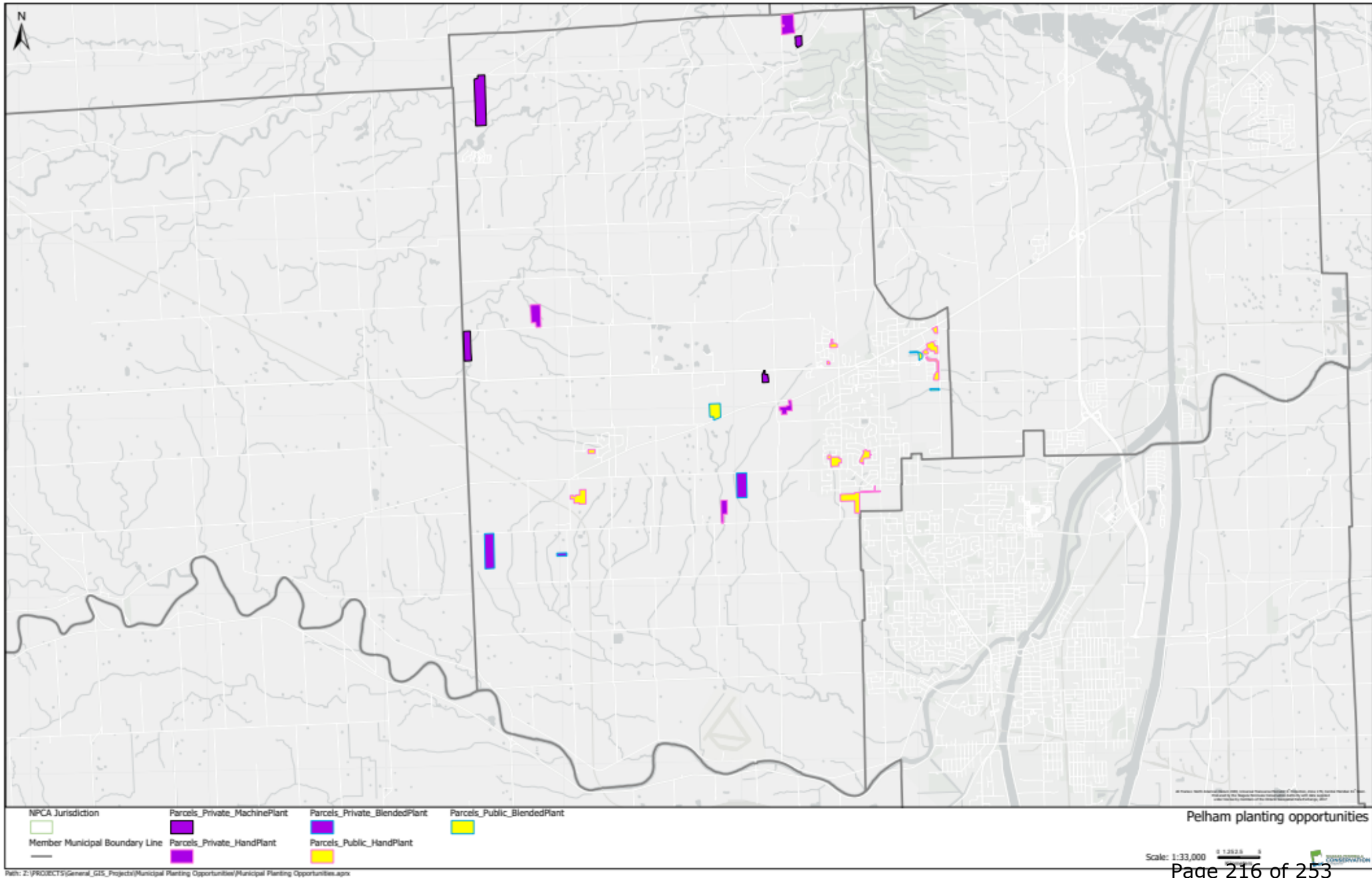
## PRIORITY RATIONALE - PUBLIC

PUBLIC LAND	HIGH	MEDIUM	LOW
QUANTITY	500 + TREES	< 500 TREES - SOMETIMES MORE	ALL SITES TREES 1< 500
PLANTING METHOD	MACHINE OR HANDPLANT	MACHINE OR HANDPLANT	HANDPLANT
SITE PREP REQUIRED	MINIMAL SITE PREP	SOME SITE PREP OR PLANTING CONCERNS	SIGNIFICANT SITE PREP
ACCESS	EASY ACCESS	ACCESS MAY BE DIFFICULT	ACCESS NOT POSSIBLE/DIFFICULT
PLANTING AREA	POTENTIAL PLANTING AREA EASY TO DEFINE	POTENTIAL PLANTING AREA NOT EASILY DEFINED BUT MULTIPLE OPTIONS POSSIBLE	CALIPER & REFORESTATION PROJECT TYPES

## PRIORITY RATIONALE - PRIVATE

PRIVATE LAND	HIGH	MEDIUM	LOW
QUANTITY	3 + ACRES	1-3 ACRES	< 1 ACRE
PLANTING METHOD	MACHINE PLANT	MACHINE AND/ OR HANDPLANT	HANDPLANT
SITE PREP REQUIRED	MINIMAL SITE PREP	SOME SITE PREP OR PLANTING CONCERNS	SIGNIFICANT SITE PREP
ACCESS	EASY ACCESS	ACCESS MAY BE DIFFICULT	ACCESS NOT POSSIBLE/DIFFICULT
PLANTING AREA	POTENTIAL PLANTING AREA EASY TO DEFINE	POTENTIAL PLANTING AREA NOT EASILY DEFINED BUT MULTIPLE OPTIONS POSSIBLE	CALIPER & REFORESTATION PROJECT TYPES

# INVENTORY MAP - PUBLIC & PRIVATE



## TREE STOCK TYPE OVERVIEW - PUBLIC

Only High and Medium Priority Sites are included below.

PUBLIC LAND	URBAN	RURAL	TOTAL
# POTTED SITES	5	1	6 SITES
# POTTED TREES	2,370	1,480	3,850 TREES

PUBLIC LAND	URBAN	RURAL	TOTAL
# BAREROOT SITES	3	1	4 SITES
# BAREROOT TREES	4,500	1,540	6,040 TREES

At present, only Rural Bareroot are being considered for implementation due to current available funding options. Urban opportunities are on hold, but there a few funding opportunities that may be available to us soon.

## TREE STOCK TYPE OVERVIEW - PRIVATE

Only High and Medium Priority Sites are included below.

PRIVATE LAND	URBAN	RURAL	TOTAL
# POTTED SITES	2	N/A	2 SITES
# POTTED TREES	Unquantified	N/A	0

PRIVATE LAND	URBAN	RURAL	TOTAL
# BAREROOT SITES	N/A	12	12 SITES
# BAREROOT TREES	N/A	11,700	11,700 TREES

At present, only Rural Bareroot are being considered for implementation due to current available funding options. Please note that not all private inventory has been scheduled for planting as the current inventory exceeds overall program targets and was thus scaled back.

# FINANCIAL SUMMARY

TREES FOR ALL - CONSOLIDATED PROGRAM	2024	2025	2026	2027	2028	TOTAL
Program Cost	954,512	995,226	998,834	1,012,817	1,041,064	5,002,453
Less						
Tree Canada	127,200	134,900	137,400	7,500	7,500	414,500
Forests Ontario	52,800	48,975	48,850	168,850	172,225	491,700
NPCA (In kind)	74,738	76,420	78,139	79,897	81,696	390,890
Landowner	152,892	125,565	126,021	127,785	131,350	663,613
<b>Municipal Subsidy</b>	<b>546,882</b>	<b>609,366</b>	<b>608,424</b>	<b>628,785</b>	<b>648,293</b>	<b>3,041,750</b>
15 municipalities	36,459	40,624	40,562	41,919	43,220	202,783
% of total prog cost (average)	3.82%	4.08%	4.06%	4.14%	4.15%	4.05%

NPCA - SUMMARY BY MUNICIPALITY - TREES FOR ALL				
PELHAM	TOTAL			
	Cost/Funding Mechanism			
Public Lands	# Trees	Pelham	Other Sources	Total
- Urban				-
- Rural	1,540	11,886	10,127	22,013
- Total	1,540	11,886	10,127	22,013
Private Lands	# Trees	Pelham	Other Sources	Total
- Urban	-	-	-	-
- Rural	6,257	48,291	41,147	89,438
- Total	6,257	48,291	41,147	89,438
<b>TOTAL - PELHAM</b>	<b>7,797</b>	<b>60,177</b>	<b>51,274</b>	<b>111,451</b>

## Notes:

1. Analytics include estimated activity for the entire duration of the Trees for All initiative (5 years) based on submitted inventory, prorated to program capacity.
2. Full service tree planting project at reduced cents on the dollar, including plant material, site prep, monitoring, after care and implementation.
3. Each municipality's annual contribution represents 4.05% (average) of total program costs.
4. Annual contribution from Pelham:

2024	11,327
2025	11,931
2026	11,891
2027	12,327
2028	12,701
<b>Total</b>	<b>60,177</b>

## Assumptions:

- a) Focus is on rural stream only.
- b) Participation in the program by all 15 municipalities.
- c) Municipal support for both public and private sites.
- d) Based on High and Med priority site estimates only





# THANK YOU!







## The Corporation of the Town of Pelham

By-law No. 06-2024

**Being a By-law to amend By-law No. 71-2023 to establish 2024 Fees and Charges to be collected by the Corporation of the Town of Pelham;**

**And to amend Fees and Charges on the Public Works Schedule;**

**And to Add Fees and Charges to the Fire and By-law 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. 71-2023 establishes the 2024 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 amend and add Fees and Charges as necessary;

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

**1. THAT** the Public Works Schedule to By-law no. 71-2023 be amended as follows, detailed in the attached schedule and as below listed:

Amend – Upright marker four feet or less in height and length - \$200.00

Amend – Upright marker more than four feet in height or length - \$400.00

Amend – Flat marker over 173 square inches - \$100.00

**2. THAT** the Fire and By-law Services Schedule to By-law no. 71-2023 be amended as follows, detailed in the attached schedule and as below listed:

Add – Hen Licence application fee - \$100.00

### **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 07th day of February, 2024.

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Marvin Junkin, Mayor

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William Tigert, Town Clerk

Page 1 of 1



## Public Works

	2024		
	3m	6m	9m
<b>Culvert Fees</b>			
250 mm Culvert + Coupler \$11.00	\$845.00	\$1,266.00	\$1,898.00
300 mm Culvert + Coupler \$21.00	\$884.00	\$1,344.00	\$2,015.00
375 mm Culvert + Coupler \$29.00	\$924.00	\$1,422.00	\$2,133.00
450 mm Culvert + Coupler \$36.00	\$973.00	\$1,521.00	\$2,282.00
525 mm Culvert + Coupler \$74.00	\$1,042.00	\$1,659.00	\$2,487.00
600 mm Culvert + Coupler \$73.00	\$1,100.00	\$1,776.00	\$2,664.00
*** larger or off sizes will be charged as per occurrence			
<b>Cemeteries</b>			
<b>Resident Rates</b>			
Land Acquisition			
Adult Grave			\$690.00
Perpetual Care per lot			\$453.00
Columbarium niche			\$2486.00
Perpetual Care per niche (15%)			\$439.00
<b>Non-Resident Rates</b>			
Land Acquisition			
Adult Grave			\$1,088.00
Perpetual Care per lot			\$725.00
Columbarium niche			\$3,099.00
Perpetual Care per niche (15%)			\$547.00



## Public Works

**2024**

### Interment Fees (not including Administrative Fee)

#### Standard Burial

##### Adult

Opening and Closing Weekdays	\$692.00
Opening and Closing Saturday morning	\$992.00
Opening and Closing Saturday afternoon	\$1,044.00

##### Infant

Weekdays	\$325.00
Saturday	\$661.00

#### Cremated Remains

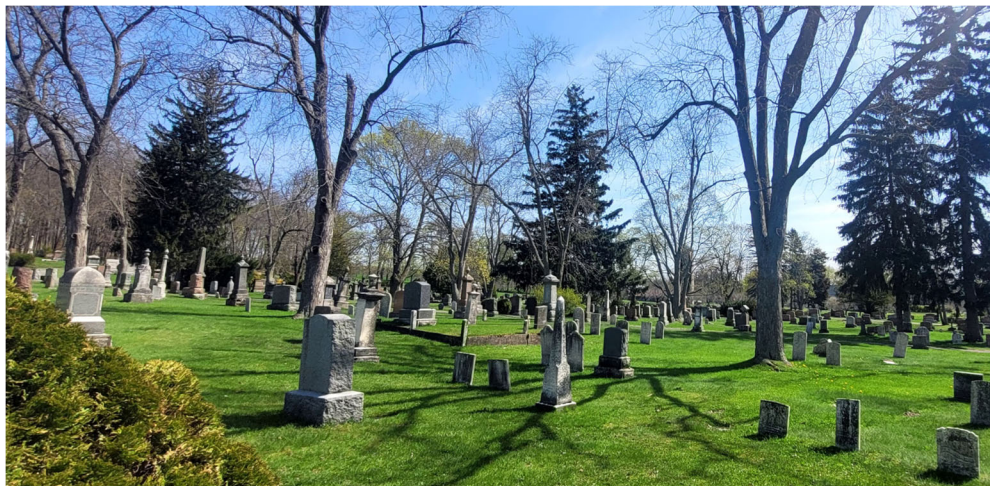
Weekdays	\$256.00
Saturday	\$503.00
Columbarium Weekday	\$307.00
Columbarium Saturday	\$514.00

#### Mausoleum

Weekdays	\$341.00
Saturday	\$513.00

#### Disinterment Charges

Adult/Child disinterment only	\$1,049.00
Infant/Stillborn disinterment only	\$348.00



## Public Works

	2024
<b>Disinterment Fees (continued)</b>	
Cremains disinterment only	\$758.00
Columbarium Removal only	\$307.00
<b>Foundation Charges</b>	
Foundation charge per cubic foot	\$46.00
Markers	\$101.00
Cornerstones	\$106.00
<b>Administration Fees</b>	
Interment Administrative Fee	\$30.00
Interment Rights Transfer	\$59.00
Interment Rights Exchange	\$59.00
Interment Rights Replacement/Duplicate	\$36.00
Cemetery Records Search – per hour	\$31.00
<b>Marker Perpetual Care and Maintenance</b>	
Upright marker four feet or less in height and length	\$200.00
Upright market more than four feet in height or length	\$400.00
Flat Marker over 173 square inches	\$100.00
<b>Other Fees</b>	
Columbarium Plate (not including costs of engraving to Town specifications)	\$79.00





## Public Works

	2024
<b>Foundation Charges (continued)</b>	
Overtime Rate per hour	\$291.00
Archaeological Dig – per hour (not including ministry charges)	\$96.00
<b>Dedication Items with Plaque (includes engraving)</b>	
Wheelchair Accessible Picnic Table	\$4,000.00
6-Foot "Pelham Bench"	\$3,000.00
Pride Bench	\$3,000.00
Bike Rack	\$1,000.00
Bike Repair Station	\$4,500.00
Concrete Ping Pong Table	\$10,500.00
Chess/Checkers Games Table	\$4,000.00
Tree Dedication	\$750.00
<b>Permit Fees</b>	
Special Event Permits (includes administration, site inspection and traffic plan review)	\$165.00
Municipal Permit and Inspection Fee	\$165.00



## Public Works

**2024**

### Permit Fees (continued)

#### Road Closure/Open Fees

Closure/Open (4 hours max)	\$251.00
Overtime – Closure/Open (4 hours max)	\$312.00
Double Time Sunday and Holidays – Closure /Open (4 hrs max)	\$383.00

#### Barricade/Cone/Barrel Deposit – refundable

Under 10 Units	\$109.00
10 – 20 Units	\$218.00
Over 20 Units	\$545.00

<b>Unsolicited Request to Purchase Lands Due Diligence Fee</b>	\$1,300.00
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<b>Municipal Property Damage</b>	Full Cost Recovery
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<b>Development Inspection per diem</b>	Full Cost Recovery
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<b>Closed Road Allowance Disposal Charges</b>	Full Cost Recovery
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<b>Special Customized Signage</b>	Full Cost Recovery
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<b>Level 2 EV Charger (per hour)</b>	\$2.00 /hour
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<b>Level 3 EV Chargers (per hour)</b>	\$22.00/ hour
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## Fire & By-Law Services

	2024
<b>Prevention, Protection and Inspection Fees</b>	
File Search	\$75.00
Request for Reports/Copies	\$75.00
Photographs	\$10.00
<b>Fireworks Permits</b>	
Sales	\$100.00
Storage	\$100.00
Display	\$100.00
<b>Fire Route Application</b>	
Administration Fee	\$100.00
<b>Residential Requests</b>	
Mortgage Clearance	\$100.00
Change of Ownership	\$100.00
Multi residential after two units (each)	\$25.00
Burn Permit (annual)	\$25.00
Burn Permit (new requiring an inspection)	\$50.00
<b>Commercial &amp; Industrial Requests</b>	
First 2000 square meters	\$200.00
Each additional 100 square meters (each)	\$50.00
Tenant Space Individual (each)	\$50.00
<b>L.L.B.O. Licenses Requests</b>	
Premises	\$100.00



## Fire & By-Law Services

	2024
<b>Prevention, Protection and Inspection Fees (continued)</b>	
Patio (each)	\$50.00
Special Occasions (each)	\$50.00
<b>Hen License Application Fee</b>	
	\$100.00
<b>Hotels-Motels Requests</b>	
1-10 units	\$200.00
Over 10 units (per unit)	\$10.00
<b>Day Care Requests</b>	
Day Nurseries/Home Day Care Licenses	\$150.00
<b>Fire Safety Plans</b>	
Approvals	\$100.00
<b>Inspection for Trade Shows</b>	
Home Shows/Special Functions	\$150.00
<b>Installation of Rural 911 Sign</b>	
	\$100.00
<b>Issuance of Occupant</b>	
Loads sign – 60 persons or less	\$50.00
Loads sign – 61 persons or more	\$100.00
Vacation Rental Inspection Fee	\$150.00





## Fire & By-Law Services

2024	
<b>Prevention, Protection and Inspection Fees (continued)</b>	
Accreditation Inspections	
Nursing Homes	\$150.00
Rest Homes	\$150.00
Seniors Apartments	\$150.00
Care Facilities	\$150.00
<b>Fire Drills</b>	
Fire drill observation by (an) inspector(s) assigned by the chief fire official of any subsequent fire drill within the same calendar year	\$500.00
<b>Municipal Property Damage</b>	Full Cost Recovery
<b>Discretionary Fees</b>	
Equipment, Labour and/or Materials used at an incident	Full Cost Recovery
<b>False Alarm Response</b>	
Per hour per Fire Department Vehicle	\$510.00
Per additional ½ hour per Fire Department Vehicle	\$255.00
<i>Note: False Alarm Fees will only be implemented when it is determined by the Fire Chief that the false alarm was preventable or the fire alarm system was improperly installed, maintained or resulted from a malicious act by an individual. See By-Law 3085(2010) for details.</i>	



## Fire & By-Law Services

	2024
<b>Municipal Property Damage (continued)</b>	
<b>Response to an unauthorized Open Air Burn</b>	
Per hour per Fire Department Vehicle	\$550.00
Per additional ½ hour per Fire Department Vehicle	\$275.00
<b>Motor Vehicle Fires and Collisions – Non-Resident</b>	
Per hour per Fire Department Vehicle	\$550.00
Per additional ½ hour per Fire Department Vehicle	\$275.00
<b>Fail to Comply with an Ontario Regulation causing an Emergency Response OR 210/01</b>	
Per hour per Fire Department Vehicle	\$550.00
Per additional ½ hour per Fire Department Vehicle	\$275.00
<i>Note: Motor Vehicle fires and Collisions – Non-Resident MAY be charged where the Pelham Fire Department has responded to an emergency situation, including motor vehicle accidents and fire, in which a non-resident person is involved.</i>	
<b>Sign Fees</b>	
Ground Signs up to 50 square feet	\$100.00
Ground Signs over 50 square feet	\$150.00
Menu Board Signs	\$150.00
Mobile Signs with Modifiable Copy	\$100.00
Pole Signs	\$150.00
Projecting Signs	\$150.00
Roof Signs	\$150.00
Temporary Signs	\$100.00



## Fire & By-Law Services

	2024
<b>Sign Fees (Continued)</b>	
Wall Signs	\$100.00
Signs Exceeding Sign Face Area or Height Requirements	\$150.00
<b>Applications and Permits for Signs requiring Council Approval</b>	
Applications to Council for variance	\$250.00
<b>Property Standards &amp; Clean Yard (default not remedied)</b>	
Administrative Fee	\$200.00
Initial Inspection Fee	\$100.00
Re-Inspection Fee	\$100.00
Mailing Fee	\$30.00
Remedial Action taken to correct default (total cost)	+ 30%
Notice to comply	\$95.00
<b>Fencing</b>	
Application to Council for Fencing Variance	\$150.00
Kennel License	\$100.00
Notice to comply (all bylaws)	\$95.00
Municipal Orders (all bylaws)	\$110.00

# 2024 Water & Wastewater Budgets



Presented by:

Teresa Quinlin-Murphy, Director Corporate Services & Treasurer

Usama Seraj, Manager Financial Services & Deputy Treasurer

February 7, 2024



# Agenda

- **Water and Wastewater Budget**
  - 2024 Water Wastewater Budget Overview
  - Historical Averages – Consumption & Billing
  - 2024 Regional Rate increases
  - 2024 Water & Wastewater Rates
  - Water Wastewater Reserves Analysis
  - Household Impact
  - Comparison to Other Municipalities



# 2024 Water & Wastewater Overview

- Water & Wastewater rates are charged to users based on fixed costs and variable (consumption) usage.
- Long Range Financial Plan updated by BMA in 2023 provides guidance for sustainability and rate setting for the Town.
- Although the Town's cost to provide water and wastewater service is largely fixed (80%), the residents are billed a larger proportion on a variable basis.
- This promotes conservation and ensures that the overall water bill can be lowered if less water is consumed.
- 32% of water and 47% of wastewater bill continues to be on a fixed basis (i.e., same cost per month regardless of consumption).

# 2024 Water & Wastewater Overview

- Impacts on rate setting strategy;
  - Region's approved rates
  - Continued conservation
  - Rainfall throughout year
  - Capital requirements and reserve balance
  - Operating cost to maintain water distribution and billing

# Historical Averages – Purchases

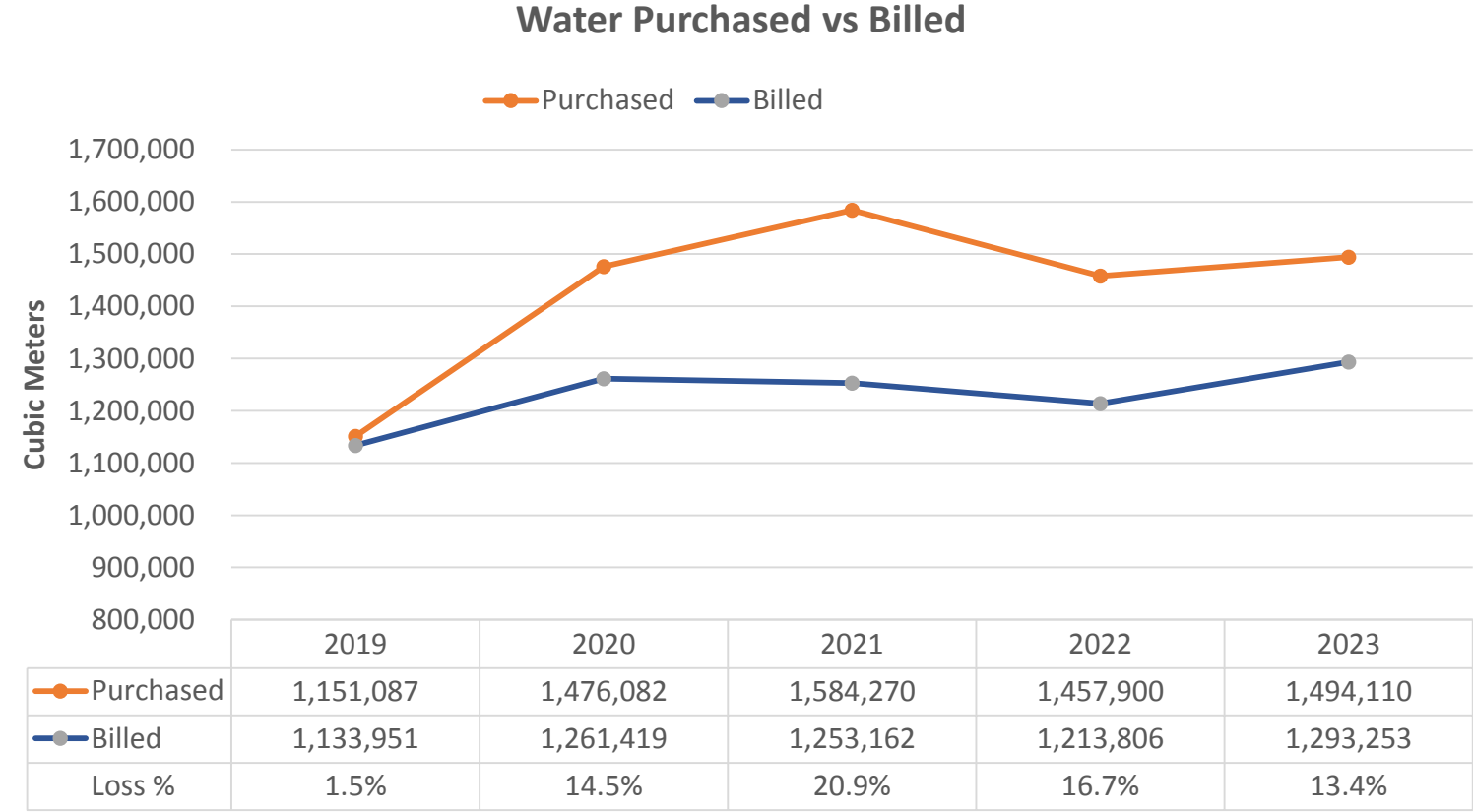
Niagara Region - Purchase							
Niagara Region Purchase Rates	2019 Actual	2020 Actual	2021 Actual	2022 Actual	2023 Actual	2023 Budget	Variance
Water	\$ 0.580	\$ 0.601	\$ 0.611	\$ 0.636	\$ 0.669	\$ 0.669	
Wastewater	\$ 0.934	\$ 1.090	\$ 1.039	\$ 1.155	\$ 1.228		
<b>Purchase From Region (\$)</b>							
Water - Variable	667,631	887,125	967,989	927,224	999,560	1,003,500	3,940
Water - Fixed	240,912	236,556	262,092	301,908	342,828	342,834	6
<b>Water Total</b>	<b>908,543</b>	<b>1,123,681</b>	<b>1,230,081</b>	<b>1,229,132</b>	<b>1,342,388</b>	<b>1,346,334</b>	<b>3,946</b>
Wastewater - Variable	-	-	-	-	-		
Wastewater - Fixed	1,310,535	1,477,496	1,400,588	1,686,600	1,962,324	1,962,319	(5)
<b>Wastewater Total</b>	<b>1,310,535</b>	<b>1,477,496</b>	<b>1,400,588</b>	<b>1,686,600</b>	<b>1,962,324</b>	<b>1,962,319</b>	<b>(5)</b>
<b>Volume Purchased From Region (m3)</b>							
<b>Water (m3)</b>	1,151,087	1,476,082	1,584,270	1,457,900	1,494,110	1,500,000	5,890
<b>Wastewater (m3)</b>	1,403,713	1,354,929	1,348,526	1,460,176	1,598,026		



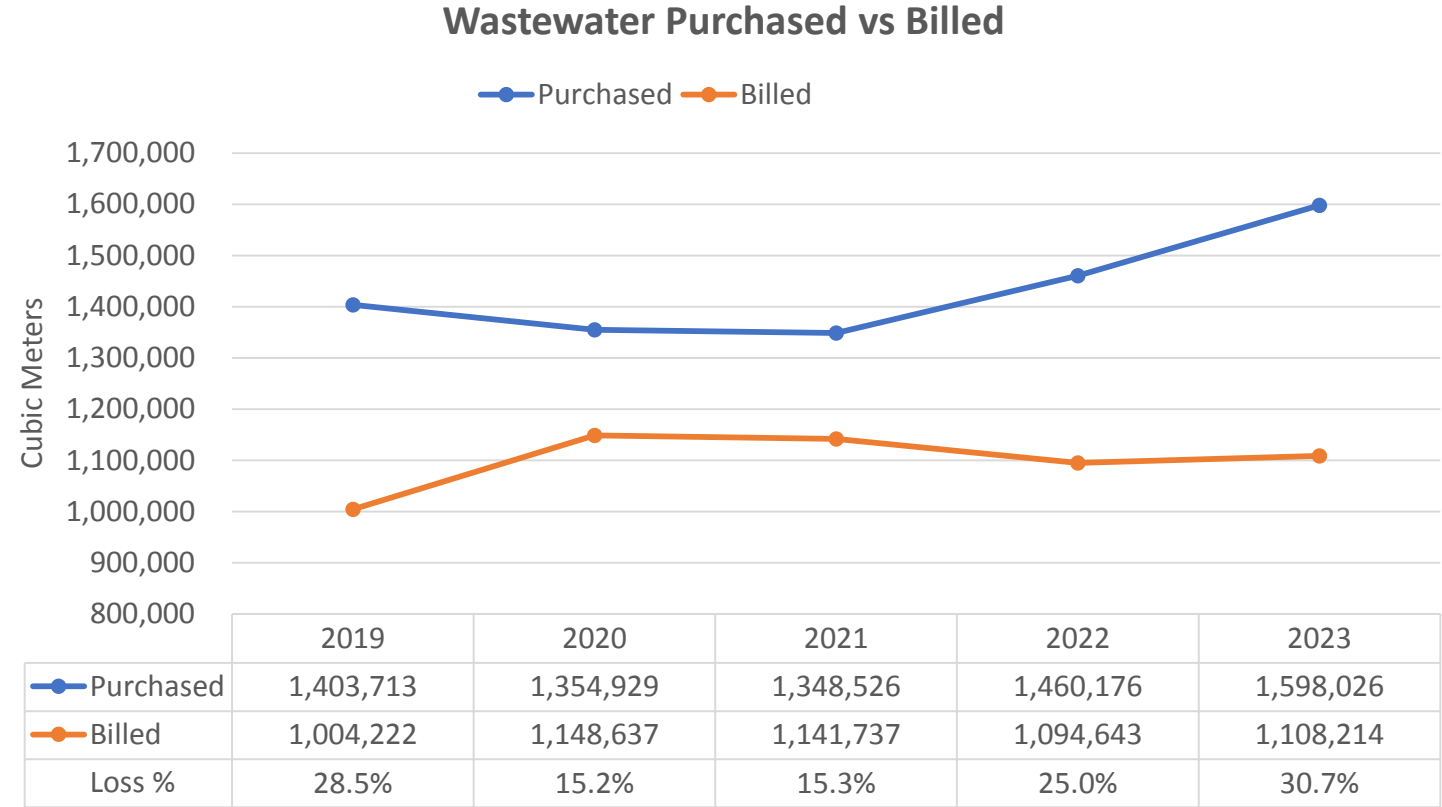
# Historical Averages – Billing

Town of Pelham - Billing							
Town of Pelham Billing Rates	2019 Actual	2020 Actual	2021 Actual	2022 Actual	2023 Actual	2023 Budget	Variance
Water	\$ 1.427	\$ 1.534	\$ 1.649	\$ 1.773	\$ 1.888	\$ 1.888	
Wastewater	\$ 0.999	\$ 1.094	\$ 1.198	\$ 1.288	\$ 1.410	\$ 1.410	
Town of Pelham Billing (\$)							
Water - Variable	1,572,142	1,943,040	2,086,013	2,125,441	2,305,156	2,346,711	(41,555)
Water - Fixed	812,254	894,976	993,212	1,097,999	1,187,550	1,197,725	(10,175)
<b>Water Total</b>	<b>2,384,396</b>	<b>2,838,016</b>	<b>3,079,226</b>	<b>3,223,440</b>	<b>3,492,706</b>	<b>3,544,436</b>	<b>(51,730)</b>
Wastewater - Variable	1,001,504	1,262,012	1,379,409	1,418,426	1,571,504	1,591,309	(19,805)
Wastewater - Fixed	888,035	999,776	1,134,779	1,256,590	1,398,778	1,385,149	13,629
<b>Wastewater</b>	<b>1,889,539</b>	<b>2,261,788</b>	<b>2,514,188</b>	<b>2,675,016</b>	<b>2,970,282</b>	<b>2,976,458</b>	<b>(6,176)</b>
Volume Billed - Town of Pelham (m3)							
<b>Water (m3)</b>	1,133,951	1,261,419	1,253,162	1,213,806	1,293,253	1,300,000	(6,747)
<b>Wastewater (m3)</b>	1,004,222	1,148,637	1,141,737	1,094,643	1,108,214	1,153,300	(45,086)

# Historical Averages – Purchased Vs Billed

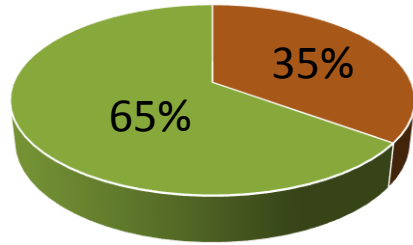


# Historical Averages – Purchased Vs Billed



# 2024 Region Rate Increases

Town's Water Budget



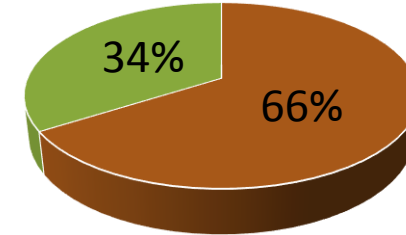
■ Region Cost ■ Town Cost



**5.63%**



Town's Wastewater Budget



■ Region Cost ■ Town Cost



**11.64%**

- 35% of Water and 66% of Wastewater Budget is tied to purchase and treatment of water and wastewater.
- Region bills the Town for water on a fixed and variable basis and Wastewater on a fixed basis on a 3-year rolling average.
- Regional rate increases put significant pressure on the Town's rate setting strategy.

# 2024 Region Rate Increases

Table 1: Region Water Rate Increase	2023 Budget	2024 Budget	\$ Change	% Change	Notes
Fixed Rate - 25%	\$ 342,834	\$ 362,204	\$ 19,370	5.65%	
Variable Rate - 75%	\$ 1,003,500	\$ 1,059,982	\$ 56,482	5.63%	(1)
<b>Total Cost to Town</b>	<b>\$1,346,334</b>	<b>\$1,422,186</b>	<b>\$ 75,852</b>	<b>5.63%</b>	

## Notes:

(1) Variable rate increase from the Region is 4.78%. However, the 2024 budget is based on purchase of 1,512,000 cubic meters of water and 2023 budget is based on purchase of 1,500,000 cubic meters of water. The town takes a 3 year average to budget the anticipated volume of water needed by the Town

# 2024 Region Rate Increases

Table 2: Region Wastewater Rate Increase	2023 Budget	2024 Budget	\$ Change	% Change	Notes
Fixed Rate - 100%	\$ 1,822,618	\$2,053,691	\$231,073	12.68%	
Reconciliation Adjustment	\$ 139,701	\$ 136,956	\$ (2,745)	-	(1)
<b>Total Cost to Town</b>	<b>\$ 1,962,319</b>	<b>\$ 2,190,647</b>	<b>\$ 228,328</b>	<b>11.64%</b>	
<b>Notes:</b>  (1) Reconciliation adjustment refers to the update in 3 year average volume of wastewater treatment purchased by the Town and this amount is payable by the town in 2024.					

# 2024 Water Rates – Town of Pelham

2024 Town Proposed Water Rate Increase → 6.5%

BMA Study Recommended Water Rate Increase → 6.5%

<b>Total Water Budget - Expenses</b>	<b>\$ 4,021,046</b>
Less: Fixed Cost	\$ 1,281,833
Less: Other Revenue	\$ 218,650
<b>Less: Revenue Required from Consumption</b>	<b>\$ 2,520,563</b>
Budgeted Billing Volume (m3)	1,253,400
Rate per m <sup>3</sup>	\$ 2.011

# Water Distribution System

	2021	2022	2023	2024	Budget Change		
	Actual	Actual	Approved Budget	Draft Budget	Dollar	Percent	Notes
<b>Revenues</b>							
Consumption Charges	\$ 2,086,013	\$ 2,125,441	\$ 2,346,711	\$ 2,520,563	\$ 173,852	7.41%	
Flat Rate Charge	993,212	1,097,999	1,197,725	1,281,833	84,108	7.02%	
Consumption Charges Water Haulers	177,416	178,288	150,000	150,000	-	-%	
Meter Installations	64,360	14,392	40,000	40,000	-	-%	
Other Revenues	35,465	51,979	28,650	28,650	-	-%	
<b>Total Revenues</b>	<b>3,356,466</b>	<b>3,468,099</b>	<b>3,763,086</b>	<b>4,021,046</b>	<b>257,960</b>	<b>6.86%</b>	
<b>Expenditures</b>							
Salaries and Benefits	1,084,389	1,201,512	1,000,484	1,073,379	72,895	7.29%	
Materials and Supplies	307,683	310,372	309,373	315,634	6,261	2.02%	
Insurance	24,362	25,451	28,621	29,212	591	2.06%	
<b>Contract Services</b>							
Contract Services	1,424,503	1,465,064	1,526,434	1,602,286	75,852	4.97%	-
Contract Services - Region	(1,230,081)	(1,229,132)	(1,346,334)	(1,422,186)	75,852	(5.63)%	-
Contract Services	194,422	235,932	180,100	180,100	-	-%	
Transfer to Reserve	515,529	465,701	898,174	1,000,535	102,361	11.40%	
<b>Total Expenditures before Region Costs</b>	<b>2,126,385</b>	<b>2,238,968</b>	<b>2,416,752</b>	<b>2,598,860</b>	<b>182,108</b>	<b>7.54%</b>	
Niagara Region Volumetric Costs	1,230,081	1,229,131	1,346,334	1,422,186	75,852	5.63%	(1)
<b>Total Expenditures</b>	<b>3,356,466</b>	<b>3,468,099</b>	<b>3,763,086</b>	<b>4,021,046</b>	<b>257,960</b>	<b>6.86%</b>	(1)
<b>Net Surplus (Deficit)</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>-%</b>	

Notes:

(1) 2024 Regional approved rate increase for purchase of water is 5.65% for fixed component and 4.78% for variable component. 2024 budget is based on the estimated purchase of 1,512,000 cubic meters of water (3 year average) .



# 2023 Wastewater Rates – Town of Pelham

2024 Town Proposed Wastewater Rate Increase → 9.5%

BMA Study Recommended Wastewater Rate Increase → 9.5%

<b>Total WasteWater Budget - Expenses</b>	<b>\$ 3,295,901</b>
Less: Fixed Cost	\$ 1,554,112
Less: Other Revenue	\$ 20,000
<b>Less: Revenue Required from Consumption</b>	<b>\$ 1,721,789</b>
Budgeted Billing Volume (m3)	1,114,900
Rate per m <sup>3</sup>	\$ 1.544

## Wastewater Distribution System

	2021	2022	2023	2024	Budget Change		
	Actual	Actual	Approved Budget	Draft Budget	Dollar	Percent	Notes
<b>Revenues</b>							
Consumption Charges	\$ 1,379,409	\$ 1,418,426	\$ 1,591,309	\$ 1,721,789	\$ 130,480	8.20%	
Flat Rate Charge	1,134,779	1,256,590	1,385,149	1,554,112	168,963	12.20%	
Other Revenues	25,092	55,948	20,000	20,000	-	-%	
<b>Total Revenues</b>	<b>2,539,280</b>	<b>2,730,964</b>	<b>2,996,458</b>	<b>3,295,901</b>	<b>299,443</b>	<b>9.99%</b>	
<b>Expenditures</b>							
Salaries and Benefits	266,130	297,714	658,642	711,073	52,431	7.96%	
Materials and Supplies	6,660	4,602	11,200	11,326	(126)	(1.13)%	
Insurance	2,707	2,827	3,169	3,222	53	1.67%	
Contract Services	2,496	39,906	18,000	18,000	-	-%	
Transfer to Reserve	860,699	702,315	343,128	361,633	18,505	5.39%	
<b>Total Expenditures before Region Costs</b>	<b>1,138,692</b>	<b>1,047,364</b>	<b>1,034,139</b>	<b>1,105,254</b>	<b>71,115</b>	<b>6.88%</b>	
Niagara Region Volumetric Costs	1,400,588	1,683,600	1,962,319	2,190,647	228,328	11.64%	(1)
<b>Total Expenditures</b>	<b>2,539,280</b>	<b>2,730,964</b>	<b>2,996,458</b>	<b>3,295,901</b>	<b>299,443</b>	<b>9.99%</b>	
<b>Net Surplus (Deficit)</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>-%</b>	

Notes:

(1) 2024 Regional approved rate for purchase of wastewater treatment is 11.64% which includes the 3-year rolling average reconciliation adjustment.

# Reserve Fund Analysis

- 2024 Proposed Reserve contributions are different from BMA Study recommendations.
- Decreasing the contribution was necessary to maintain the rate increases as recommended in the BMA Study.
- Rate increase would be 14.38% vs 9.5% for wastewater if reserve contributions weren't lowered.
- Rate increase would be 6.78% vs 6.5% for water if the reserve contributions weren't lowered.

BMA Study - Reserve Contribution		
	2023	2024
Water	853,780	1,010,788
Wastewater	563,680	507,639
Proposed Budget Reserve Contribution		
	2023	2024
Water	898,174	1,000,534
Wastewater	343,128	361,633
Water - Over (Under) Contribution	44,394	(10,254)
Wastewater - Over (Under) Contribution	(220,552)	(146,006)

Additional % Increases Needed to maintain BMA Reserve Contributions	
Water	0.28%
Wastewater	4.88%

# Water Reserve Projection

## 10 Year Reserve Fund Forecast

Reserve Fund Name

Water

Reserve Fund Object Code

1713

Capital Department Number

80705

	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033
Opening Balance - Beginning of the Year	500,582	(344,886)	(624,386)	(602,840)	686,060	(4,085)	862,715	722,065	1,104,115	1,544,515	3,346,215
<b>Additions to Reserve</b>											
Contribution from Operating Budget	898,174	1,000,500	1,187,500	1,318,900	1,459,600	1,610,300	1,771,600	1,913,300	2,066,400	2,231,700	2,410,200
Interest Revenue	-	-	-	-	-	-	-	-	-	-	-
<b>Total Additions</b>	<b>898,174</b>	<b>1,000,500</b>	<b>1,187,500</b>	<b>1,318,900</b>	<b>1,459,600</b>	<b>1,610,300</b>	<b>1,771,600</b>	<b>1,913,300</b>	<b>2,066,400</b>	<b>2,231,700</b>	<b>2,410,200</b>
<b>Reductions from Reserve</b>											
Total Approved Capital Commitments - 2023 & Prior	(1,743,642)										
10 Year Capital Forecast		(1,280,000)	(1,165,954)	(30,000)	(2,149,745)	(743,500)	(1,912,250)	(1,531,250)	(1,626,000)	(430,000)	(470,000)
<b>Total Reductions</b>	<b>(1,743,642)</b>	<b>(1,280,000)</b>	<b>(1,165,954)</b>	<b>(30,000)</b>	<b>(2,149,745)</b>	<b>(743,500)</b>	<b>(1,912,250)</b>	<b>(1,531,250)</b>	<b>(1,626,000)</b>	<b>(430,000)</b>	<b>(470,000)</b>
<b>Projected Reserve Balance/(Deficit) - End of Year</b>	<b>(344,886)</b>	<b>(624,386)</b>	<b>(602,840)</b>	<b>686,060</b>	<b>(4,085)</b>	<b>862,715</b>	<b>722,065</b>	<b>1,104,115</b>	<b>1,544,515</b>	<b>3,346,215</b>	<b>5,286,415</b>
Year over Year Increase in Contribution - \$		102,326	187,000	131,400	140,700	150,700	161,300	141,700	153,100	165,300	178,500
Year over Year Increase in Contribution - %		11.39%	18.69%	11.07%	10.67%	10.32%	10.02%	8.00%	8.00%	8.00%	8.00%

# Wastewater Reserve Projection

## 10 Year Reserve Fund Forecast

Reserve Fund Name

Wastewater

Reserve Fund Object Code

1712

Capital Department Number

80700

	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033
Opening Balance - Beginning of the Year	2,563,441	228,347	(340,053)	(1,986,989)	(1,467,031)	(749,909)	(569,956)	801,758	2,467,058	4,290,358	6,273,558
<b>Additions to Reserve</b>											
Contribution from Operating Budget	343,128	361,600	563,500	694,958	992,122	1,329,953	1,713,214	1,850,300	1,998,300	2,158,200	2,330,900
Interest Revenue	-	-	-	-	-	-	-	-	-	-	-
<b>Total Additions</b>	<b>343,128</b>	<b>361,600</b>	<b>563,500</b>	<b>694,958</b>	<b>992,122</b>	<b>1,329,953</b>	<b>1,713,214</b>	<b>1,850,300</b>	<b>1,998,300</b>	<b>2,158,200</b>	<b>2,330,900</b>
<b>Reductions from Reserve</b>											
Total Approved Capital Commitments - 2023 & Prior	(2,678,222)										
10 Year Capital Forecast		(930,000)	(2,210,436)	(175,000)	(275,000)	(1,150,000)	(341,500)	(185,000)	(175,000)	(175,000)	(1,729,500)
<b>Total Reductions</b>	<b>(2,678,222)</b>	<b>(930,000)</b>	<b>(2,210,436)</b>	<b>(175,000)</b>	<b>(275,000)</b>	<b>(1,150,000)</b>	<b>(341,500)</b>	<b>(185,000)</b>	<b>(175,000)</b>	<b>(175,000)</b>	<b>(1,729,500)</b>
<b>Projected Reserve Balance/(Deficit) - End of Year</b>	<b>228,347</b>	<b>(340,053)</b>	<b>(1,986,989)</b>	<b>(1,467,031)</b>	<b>(749,909)</b>	<b>(569,956)</b>	<b>801,758</b>	<b>2,467,058</b>	<b>4,290,358</b>	<b>6,273,558</b>	<b>6,874,958</b>
Year over Year Increase in Contribution - \$		18,472	201,900	131,458	297,164	337,831	383,261	137,086	148,000	159,900	172,700
Year over Year Increase in Contribution - %		5.38%	55.84%	23.33%	42.76%	34.05%	28.82%	8.00%	8.00%	8.00%	8.00%

# 2024 Annual Household Impact

## WATER

Base Charge  
Usage Charge

Year-to-Year Increase

Usage in Cubic Meters (M <sup>3</sup> )					
33		50		75	
2023	2024	2023	2024	2023	2024
\$ 32.64	\$ 34.76	\$ 32.64	\$ 34.76	\$ 32.64	\$ 34.76
62.31	66.36	94.41	100.55	141.62	150.82
\$ 94.95	\$ 101.12	\$ 127.05	\$ 135.31	\$ 174.26	\$ 185.59
\$ 5.81	\$ 6.17	\$ 7.77	\$ 8.26	\$ 10.66	\$ 11.33

## WASTEWATER

Base Charge  
Usage Charge

Year-to-Year Increase

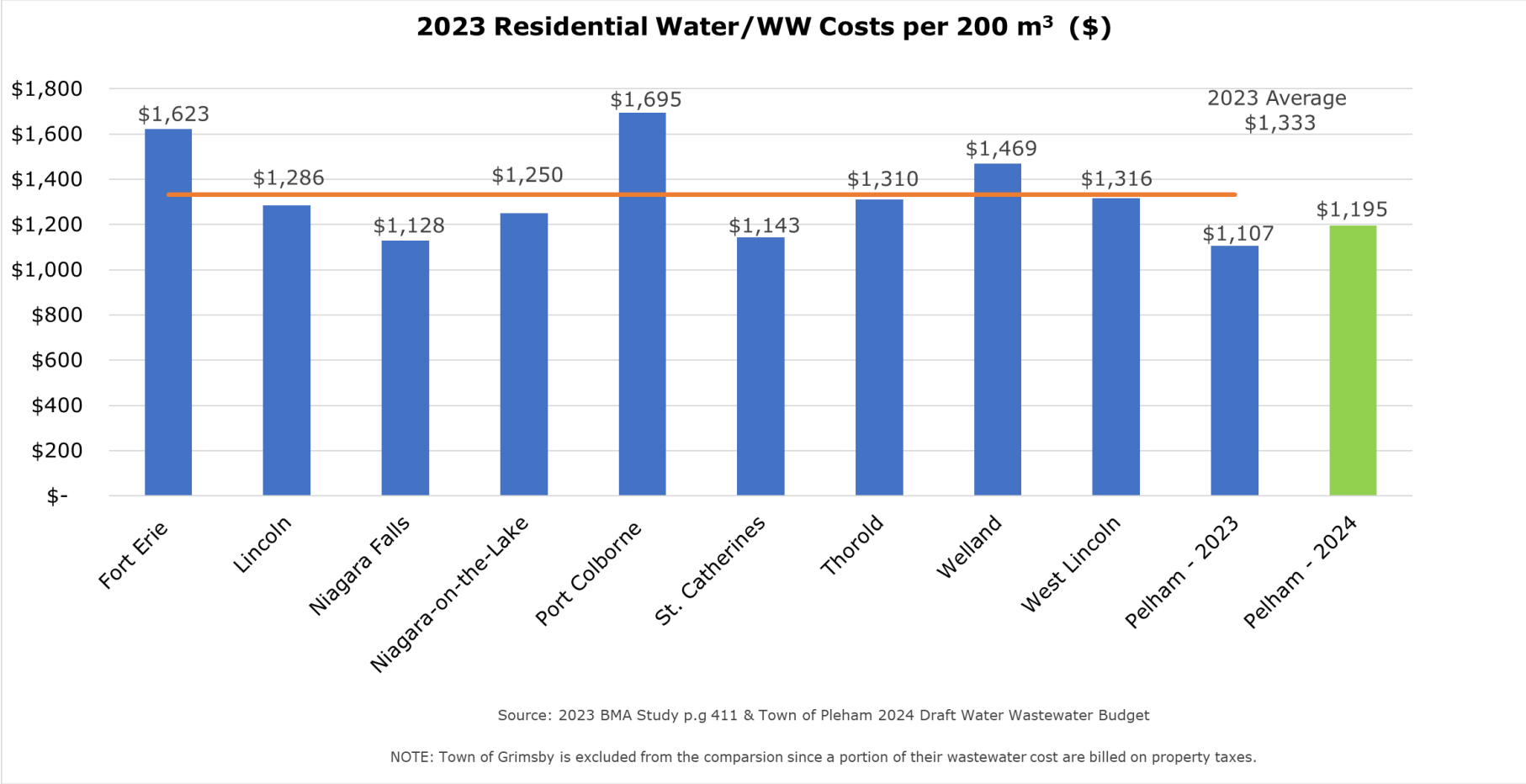
Usage in Cubic Meters (M <sup>3</sup> )					
33		50		75	
2023	2024	2023	2024	2023	2024
\$ 41.93	\$ 45.91	\$ 41.93	\$ 45.91	\$ 41.93	\$ 45.91
46.54	50.96	70.52	77.22	105.78	115.83
\$ 88.47	\$ 96.88	\$ 112.45	\$ 123.13	\$ 147.71	\$ 161.74
\$ 7.68	\$ 8.40	\$ 9.76	\$ 10.68	\$ 12.82	\$ 14.03

## TOTAL WATER AND WASTEWATER CHARGES

33 M <sup>3</sup>		50 M <sup>3</sup>		75 M <sup>3</sup>	
2023	2024	2023	2024	2023	2024
\$ 183.43	\$ 198.00	\$ 239.50	\$ 258.44	\$ 321.97	\$ 347.32

\$ INCREASE OVER 2023 RATES (per billing)	\$ 14.57
\$ INCREASE OVER 2023 RATES (per month)	\$ 7.29
% INCREASE OVER 2023 RATES	7.94%
\$ INCREASE OVER 2023 RATES (per year)	\$ 87.44

# Residential Water and Wastewater Costs Comparison



# Recommendation

- THAT Committee receive the 2024 Water and Wastewater Budget presentation by the Treasurer, for information;
- AND THAT Committee recommend to Council to approve the 2024 Water and Wastewater Budget, increasing the Water rate by 6.5% and the wastewater rate by 9.5%, at their meeting scheduled for February 21<sup>st</sup>, 2024.





## The Corporation of the Town of Pelham

By-law No. 07-2024

### **Being a by-law to adopt, ratify and confirm the actions of the Council at its regular meeting held on the 7th day of February 2024.**

**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 7th day of February, 2024, 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 7th day of February 2024.

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Marvin Junkin, Mayor

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William Tigert, Town Clerk