

REGULAR COUNCIL AGENDA

C-06/2024

Wednesday, March 27, 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 and subsequent publication to the Town's website at www.pelham.ca.

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**

6.	Hearing of Presentation, Delegations, Regional Report	
6.1	Delegations	
6.1.1	Crime Stoppers of Niagara Inc.	7 - 17
	Jason Snyder and Mike Britton	
7.	Adoption of Council Minutes	
7.1	C-05/2024 - Regular Council Meeting - March 06, 2024	18 - 26
8.	Request(s) to Lift Consent Agenda Item(s) for Separate Consideration	
9.	Consent Agenda Items to be Considered in Block	
9.1	Staff Reports of a Routine Nature for Information or Action	
9.1.1	2024 Spongy Moth Status Report, 2024-0063-Public Works	27 - 50
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10. Consent Agenda Item(s) Lifted for Separate Consideration, if any

11. Presentation and Consideration of Reports

11.1 Members of Council Reports

11.2 Staff Reports Requiring Action

11.2.1 Fence Variance, 27 Milburn Drive, 2024-0066-Fire Dept 73 - 86

12. Unfinished Business

13. New Business

13.1 Endorsement for Councillor Hildebrandt's Application to the LAS Board of Directors

BE IT RESOLVED THAT Council endorse Councillor Bob Hildebrandt's application to represent the Town of Pelham on the LAS Board of Directors.

14. Presentation and Consideration of By-Laws 87 - 87

1. By-law 19-2024 - Being a By-law to establish certain lands as a public highway.

15. Motions and Notices of Motion

15.1 Councillor Olson - Decision of the Ontario Energy Board to End the Gas Pipeline Subsidy

Mover: Councillor Olson

Seconder: Mayor Junkin

WHEREAS residents of the Town of Pelham and other Ontario municipalities are struggling with rising energy costs;

AND WHEREAS natural gas is no longer the only desirable way to heat homes because of innovations in electric heat pumps which can provide all heating needs even in cold climates, and result in competitive energy bills relative to gas heating;

AND WHEREAS natural gas is a fossil fuel that contributes to Ontario's greenhouse gas (GHG) emissions, and should be phased out over time when possible and practical, while heat pumps currently result in the lower GHG emissions and are consistent with a zero-carbon future;

AND WHEREAS on December 21, 2023, the Ontario Energy Board (OEB) released a decision that eliminated a subsidy for the installation of gas pipelines in new construction developments as of January 1, 2025, finding that this would lower energy bills for existing gas customers and improve affordability for new homebuyers;

AND WHEREAS on February 22, 2024, the provincial government introduced Bill 165 which, if passed, will effectively overturn the OEB decision;

AND WHEREAS the OEB decision will help lower energy bills and encourage heating systems that are consistent with climate targets and plans;

AND WHEREAS the construction of new methane gas pipelines, which have 60-year lifetimes, should not be subsidized because they are inconsistent with the City's climate targets and will result in higher carbon emissions, higher energy bills, higher future decarbonization retrofit costs to get off fossil fuel heating;

AND WHEREAS the Town of Pelham supports the decarbonization of heating and cooling systems in existing and future building stock within the community;

NOW THEREFORE BE IT RESOLVED THAT Council endorses and supports the OEB decision to end the gas pipeline subsidy, opposes the provisions of Bill 165 that would effectively reverse the OEB decision, and calls on the Honourable T. Smith, Minister of Energy, and the Government of Ontario, to rescind or amend Bill 165 accordingly;

THAT this resolution be circulated to the Premier of Ontario, Doug Ford; Minister of Energy, Todd Smith; Minister of Finance, Peter Bethlenfalvy; MPP, Sam Oosterhoff, the

President of the Association of Municipalities of Ontario, Colin Best; and Local Area Municipalities.

15.2 Councillor Hildebrandt - Electricity accounts in the Marlene Stewart Streit Park Area

Mover: Councillor Hildebrandt

Seconder: Councillor Ker

BE IT RESOLVED THAT Council direct staff to prepare a comprehensive staff report examining the five electricity meters within Marlene Stewart Streit Park, focusing on consolidation/reduction of the number of electricity accounts and related services;

AND THAT Staff address potential the implications of such consolidation/reduction on the IT capital project 05-24 Video Surveillance Upgrade at Marlene Stewart Streit Park;

AND THAT Staff report back to Council in Q2 of 2024.

16. Resolution to Move In Camera

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

(b) personal matters about an identifiable individual, including municipal or local board employees - 1 item (d) labour relations or employee negotiations; (f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose - 3 items (Appointment to Advisory Committee; Non-union)

(e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; (f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose - 1 Item (Human Rights Tribunal)

17. Rise From In Camera

18. Confirming By-Law

88 - 88

19. Adjournment

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

Name or Organization or Firm: Crime Stoppers of Niagara Inc.	
Name and Title of Presenter(s): Jason Snyder & Mike Britton	
Address: 2-198 Cushman Road, St. Catharines, ON, L2M 6T3	
Telephone: 905-324-8522	Email: brooklyn@niagaratips.com

Date of Meeting Requested: Wednesday, March 27th, 2024 at 9:00am.

How will you attend Council? ☒ In-person ☐ Electronically
 *The delegate shall notify the Clerk at least five (5) business Days in advance.

Subject matter to be discussed:	1. Introduction to Crime Stoppers: We will provide an overview of our organization's history, mission, and impact on local communities.
If not for information, identify the desired action requested:	1. How the Town of Pelham can assist, support, and work with Crime Stoppers of Niagara in their mission to promote safer communities across the Niagara Region for everyone to live, work, invest, and play.

Have you previously spoken on this issue? ☐ Yes ☒ No
 If a group or individual has previously appeared as a delegate, a further delegation from the same group or individual on the same topic will not be permitted, unless there is significant new information to be brought forward.

Do you have presentation material or speaking notes? ☒ Yes ☐ No
 Delegations are required to provide the Clerk's department presentation materials for publication in Council's agenda package. Materials must be provided no later than 12 p.m. noon ten (10) days prior to the Meeting.

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



 Signature

08 March 2024

 Date

Delegation Protocols

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

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

1. The delegate shall arrive to the meeting by 8:45 am.
2. A presentation by a delegate, who is a member of the public, shall be a maximum of five (5) minutes (whether the Delegation consists of an individual or a group). A presentation by a delegate, who is a member of Town or Regional staff, shall be a maximum of twenty (20) minutes.
3. Where the delegate is a group of persons, a primary speaker is to be assigned to address Council.
4. Discussion topics, other than the subject matter of the written request to appear as a delegation, will not be permitted. Subsequent delegations on the same topic, without significant new information, will not be permitted.
5. A delegate shall not speak disrespectfully, use offensive language and/or disobey the rules of procedure or a decision of the Chair. Remarks or questions concerning topics identified within Section 28.7 of the Procedural By-law shall be immediately ruled out of order. A subsequent offense during the same presentation will result in the speaker forfeiting their right to speak. The Chair reserves the right to immediately end the delegation if the remarks are considered severe.
6. Upon completion of remarks, the speaker(s) will remain in position to allow for any questions from Members. Members may ask questions for clarification purposes. After completion of any questions, the speaker will be asked to be seated or will be placed into the waiting room of the Zoom meeting.
7. Delegations will not be permitted on items that will be the subject of an upcoming or closed public meeting pursuant to the *Planning Act*, unless exceptional circumstances apply, which have been reviewed and approved by Council. Persons should present their concerns and opinions at the scheduled Public Meeting where their comments can be considered along with other submissions.

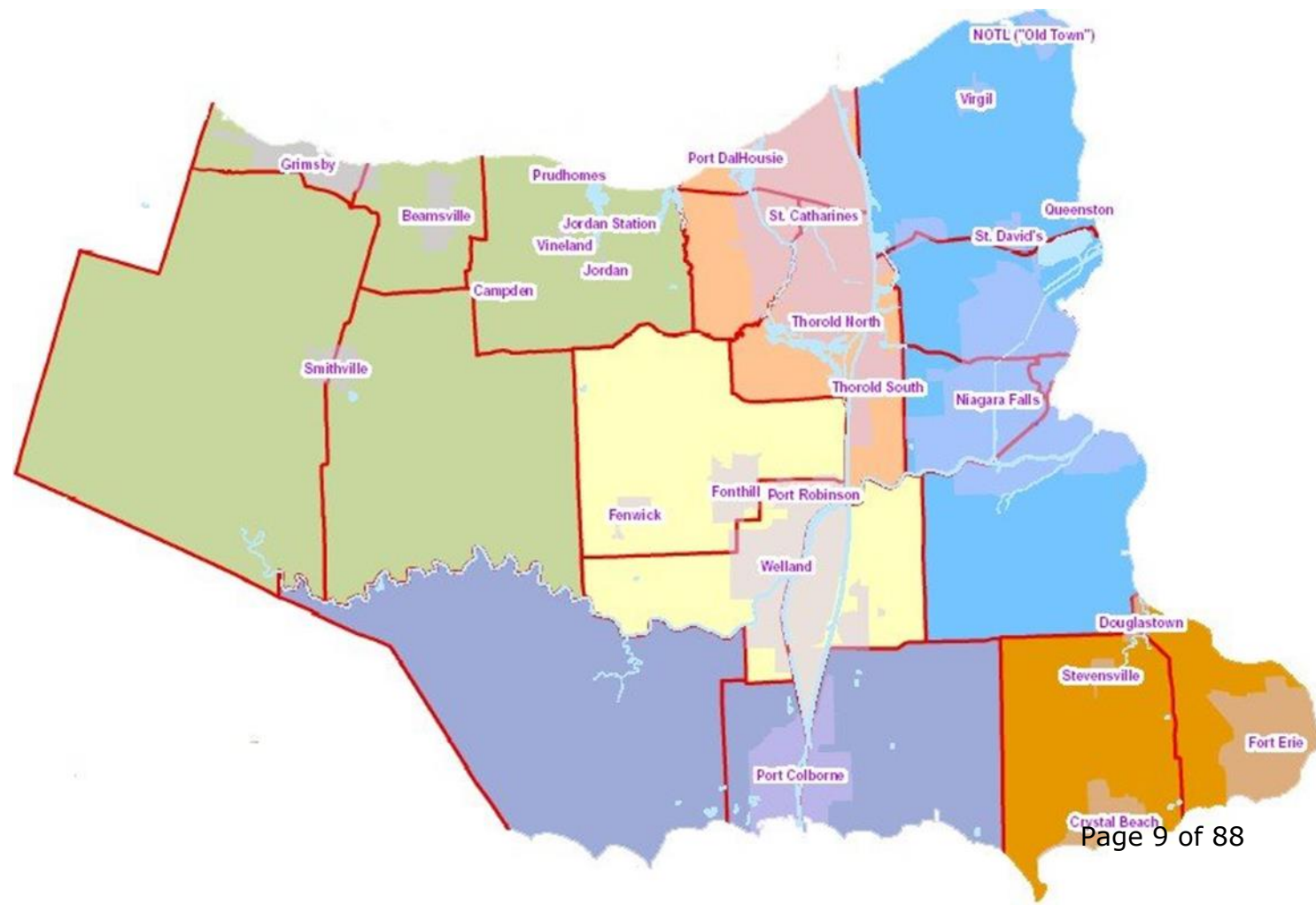
CRIME STOPPERS

OF NIAGARA

Niagara Region
Building Community. Building Lives



The purpose of Crime Stoppers is to overcome fear of reprisal and encourage the public to anonymously become involved in assisting law enforcement agencies in the apprehension and conviction of criminals.



Total fundraising, Sponsorship, and Donations yielded a \$3.74 return on investment for our local community.
374%

Each Category below far outstrips what Crimestoppers took in.

Crime doesn't pay, Crimestoppers does.

How has Niagara Regions investment helped our Regions community and residence?

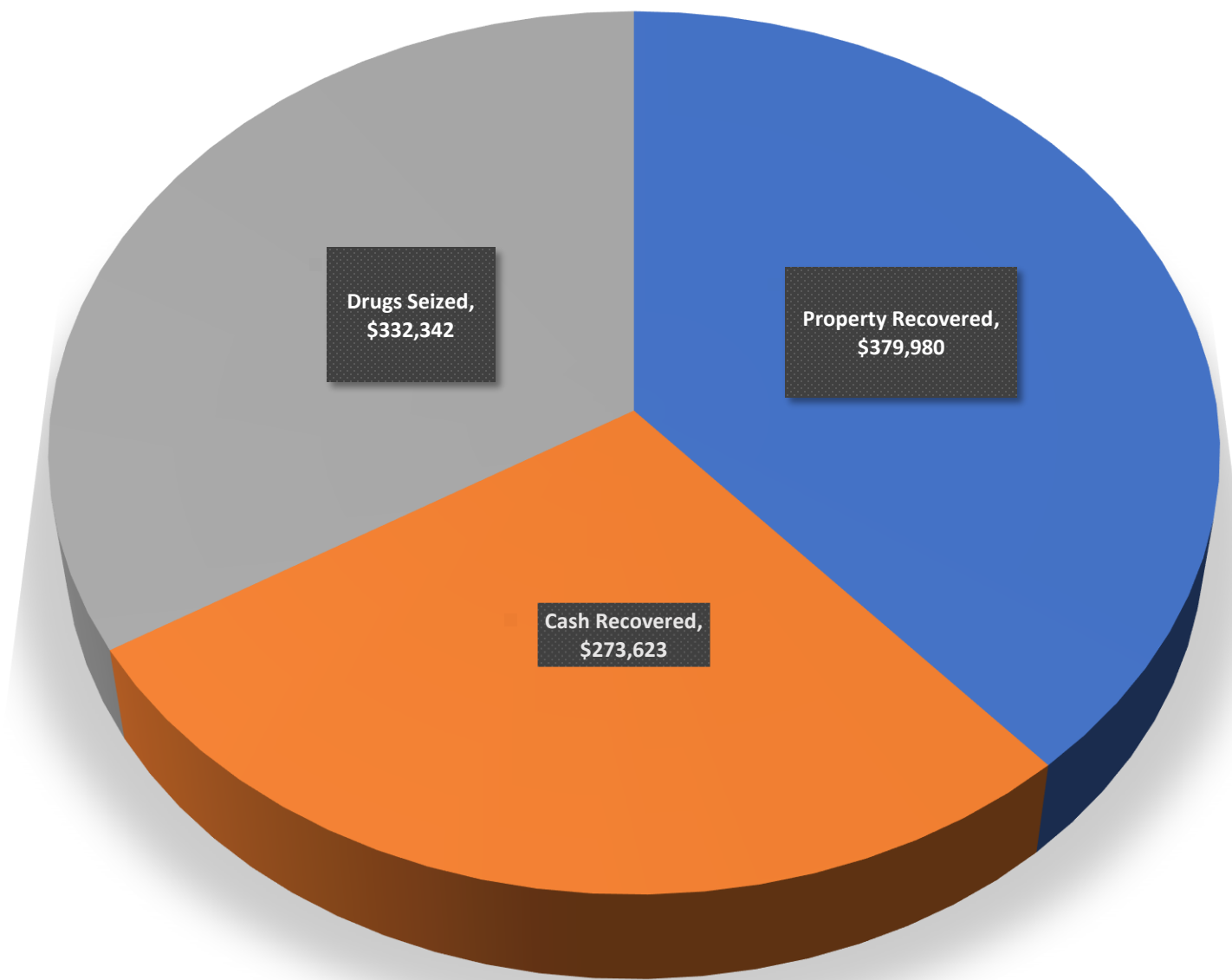
Drugs Seized: \$332,342

Property Recovered: \$379,980

Cash Recovered \$273,623



Total seizure & recovery of \$985,945



That's a return of \$3.74 on every dollar our community invested!

How has Niagara Regions investment helped our Regions community and residence?

Drugs Seized: \$332,342

Property Recovered: \$379,980

Cash Recovered \$273,623

\$3.74 return on every dollar

What I can measure.



5057 tips received(Rewards Wanted)

- Average of 4.6 tips every day
- Average of 32 Tips per week



Our tips generated

- 125 Arrests
- 289 Charges laid



These arrests and charges allowed our police to clear 84 cases off their workload.



6 Guns off the streets of our community

What I can't measure

How many would report without guaranteed anonymity?

- How many of these would still be under investigation?
- How many of these would even be known?
- How much investigation time was saved?
- How many future crimes were prevented?

- How many officers were freed up to work on other cases?
- How long would have these 84 cases taken to close w/out tips?
- Would all of them even get closed?

- Were lives saved?
- Were police saved from an armed standoff?
- Was an officer saved from having to shoot someone?

Not everything that counts can be counted, and not everything that can be counted counts.

— William Bruce Cameron

How has Niagara Regions investment helped our Regions community and residence?

- Drugs Seized: \$332,342
- Property Recovered: \$379,980
- Cash Recovered \$273,623
- **\$3.74 return on every dollar**
- 5057 Anonymous tips received
- 125 Arrests
- 289 Charges Laid
- 84 Cases cleared
- 6 Guns off our streets



Crime Stoppers Niagara has become an essential tool to media and police when calling for information from the public.

Members of the public who wish to provide information anonymously can contact Crime Stoppers of Niagara online or by calling 1-800-222-8477. Crime Stoppers offers cash rewards to persons who contact the program with information that leads to an arrest.

"The homicide investigation of Raymond Riley had gone cold and no new information was coming into investigators. A media release was put out to the public with photographs and video of the suspects involved, in an effort to learn the identity of these individuals. In response from CS's assisted investigators, through continued investigative means, in solidifying the identity of the individuals responsible, and have now been arrested and put before the courts to answer the charge of first degree murder."

Case Closed

Detective Sergeant David Pierini

Niagara Regional Police Service

David.Pierini@niagarapolice.ca

5700 Valley Way, Niagara Falls, Ontario L2E 1X8

(905) 688-4111 Ext 1009134



UNITY | LOYALTY | RESPONSIBILITY

Rose said police continue to investigate the murder, and — as is the case in most active investigations — know there are witnesses out there who have yet to come forward. That is the reality of any investigation, and is why Crime Stoppers has become a “valuable” partner for police, giving those scared for their safety, or who may fear repercussions, an anonymous option. — Excerpt from stcatharinestandard.ca

“This partnership is invaluable in empowering our community to take an active role in crime prevention and offering the ability to anonymously report information they may have to aid our investigators in their efforts to bring individuals to justice.” said Niagara Regional Police Chief Bryan MacCulloch.

The investigation remains ongoing and Niagara police are asking anyone with information to contact Det. Sergeant Andrew Knevel at (905) 688-4111, dial option 3, and extension 1009104. The public can also call Crime Stoppers anonymously at 1-800-222-8477.

The investigation remains ongoing and Niagara police are asking anyone with information to contact Det. Sergeant Andrew Knevel at (905) 688-4111, dial option 3, and extension 1009104. The public can also call Crime Stoppers anonymously at 1-800-222-8477.

AMBER ALERT

Layla SABRY

- Female, 9 years old
- 4'2", thin build
- Brown hair
- Brown eyes



LAST SEEN: December 1st around 6pm with her mother, Allana HAIST, in the King Street area of Windsor, ON.
If you have any information regarding this female please contact 911 immediately.

[@AMBERAlertONT](https://www.facebook.com/AMBERAlertONT)

1-800-222-TIPS
www.ignatim.ca

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- Guns off our streets
- Essential tool for Police and Media



Education & Awareness.

Be Aware Take Care Program.

In partnership with the Niagara Elder abuse prevention network have put together a seminar on several aspects of targeted crime that uniquely victimize Niagara Region elder population.

Topics Covered:

- Targeted Scams
- Targeted fraud
- Personal Safety
- Home Security
- Crime Prevention Etc.

Crimestoppers has put on

- ❑ 32 Presentations
- ❑ 641 individuals educated

Niagara Elder Abuse Prevention Network
in partnership with Crime Stoppers of Niagara presents

BE AWARE... TAKE CARE

A Safety Guide for our Community

If you are interested in receiving a presentation to:

- Learn about Frauds & Scams and how to protect yourself
- Explore Powers of Attorneys
- Gain a better understanding of Elder Abuse
- How to receive a free copy of the Be Aware...Take Care booklet

Upcoming Presentation:
To: Probus Social Club in St. Catharines
Date: Tuesday, October 10th, 2023
Time: 10:00am
Where: Lions Hall
732 Niagara Street
St. Catharines, Ontario L2M 7W7

Please contact for more information:
Brooklyn Mercer
Administrative Coordinator, Elder Abuse Program
Crime Stoppers of Niagara
(905) 324 8522
brooklyn@niagaratips.com
crimestoppersniagara.ca

Apart from taking tips on unsolved crimes, Crime Stoppers of Niagara has worked to increase the awareness of concerns in the region, including illegal dumping, elder abuse, improving the safety and security of students, guarding against human trafficking and combating illegal drugs.

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- Education & Engagement



Community engagement and public campaigns.

- Elder Abuse Awareness
- Human Trafficking Awareness
- Illegal Dumping Awareness
- Fight for Youth campaign
- Online Shopping campaign
- Be Aware take care booklet campaign
 - 1700 Booklets sent out in relation.



Crime Stoppers of Niagara

- May 9 media event showcased the official partnership, garnered substantial media coverage
- Ontario chapter of Crime Stoppers encouraging other municipalities to follow
- Increase in exposure, media outlets and community awareness



Crime Stoppers of Niagara vice-chair Sandie Bellows speaks at Tuesday's event about how the funds from Fight for Youth will help make life safer for Niagara kids. With her are Ernie Sibbet and Barry Diamond. - Paul Forsyth/Metroland



What are our plans this coming year to try and help our community more?

Educating Vulnerable populations with specific and unique programs targeted directly at those specifically affected is the best way we know to get the message out.

We have developed our programs for the elderly and their specific concerns, Now we need to do it for the young.

Human Trafficking awareness campaign and education.



“If you think education is expensive, try ignorance.” – Jeff Rich

SUPPORT IS AVAILABLE

If you answered **yes** to any of the above questions, then you may be a victim of human trafficking.

Here's what you can do:

- △ Contact police or emergency services by calling 911
- △ Call the Canadian Human Trafficking Hotline at 1-833-900-1010
- △ Submit an anonymous tip to Crime Stoppers



CRIME STOPPERS
1-800-222-TIPS

EndS

Do you think **SOMEONE YOU KNOW** may be a victim?

General warning signs

Are they...

- △ Being controlled by others, driven to and from locations, and/or escorted at all times?
- △ Being controlled and watched by others or having someone speak for them in public?
- △ In possession of their passport or other identification?
- △ In possession of hotel keys?
- △ In control of their own money or cellphone, or do they have more than one cellphone in their possession?
- △ Unfamiliar with the neighborhood they live or work in?
- △ Moving frequently or claiming to be "new" or "just visiting"?
- △ Allowed to contact family or friends?
- △ Lying about their age or other personal information?
- △ Providing scripted or rehearsed answers to casual questions?

Physical appearance

Do they...

- △ Dress in clothing that is inappropriate for the year or context?
- △ Suddenly have expensive hair, or nails?
- △ Have branding with tattoos or symbols?
- △ Have bruises or other marks, including malnourishment?
- △ Lack basic medical services?
- △ Show signs of being physically abused or tortured?

For Your Consideration

- Free up time from fundraising
- Allow for some semblance of a budget to be created.
- Bring further awareness to the program.
- Bring further awareness to the tip line.



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- Guns off our streets
- Essential tool for Police and Media
- Education & Engagement
- Community Engagement
- Public Campaigns



Thank you for your ongoing support

We depend on the regions continued support

Please help us continue to support our community.

- Ernie Sibbet
- Board Chairman**
- Chair - Elder Abuse Program**
- Chair – Fundraising Committee**
- Jason Snyder
- Vice Chair**
- Ana Cabansay
- Treasurer**
- Jake Orr
- Board Member**
- Brooklyn Mercer
- Elder Abuse Program Coordinator**
- Ziad Hajifazul
- Board Member**
- Mike Britton
- Board Member**
- Peter Holman.
- Board Member**
- Joey Burke
- Board Member**
- Mark Stevens
- Board Member**
- Tom Easnor
- Board Member**
- Derrick Tomlinson
- Board Member**

REGULAR COUNCIL MINUTES

Meeting #: C-05/2024
Date: Wednesday, March 6, 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

Regrets: Brian Eckhardt

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

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 am.

2. National Anthem

3. Land Recognition Statement

Mayor Junkin read the land acknowledgment into the record.

4. Approval of the Agenda

Moved By Bob Hildebrandt

Seconded By John Wink

BE IT RESOLVED THAT the agenda for the March 06, 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 E.L. Crossley Rowing Team Sponsorship and Support

E.L. Crossley students and rowing team members, Hunter and Kaitlyn, identified the need for funding for rowing equipment.

Pauline Oliver requested a sponsorship of at least \$9000.

Council requested a staff report on the feasibility of providing financial support to the E.L. Crossley Rowing Team, to be brought back for Council's consideration on April 17th, 2024.

Moved By Wayne Olson

Seconded By John Wink

BE IT RESOLVED THAT Council receive the delegation from Pauline Oliver, Hunter, and Kaitlyn, regarding E.L. Crossley Rowing Team sponsorship and support for equipment, for information.

Carried

7. Adoption of Council Minutes

Moved By John Wink

Seconded By Brian Eckhardt

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

1. C-04/2024 - Regular Council Meeting - February 21, 2024

Carried

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

9. Consent Agenda Items to be Considered in Block

Moved By Bob Hildebrandt

Seconded By Wayne Olson

BE IT RESOLVED THAT the Consent Agenda items as listed on the March 06, 2024, Council Agenda be received and the recommendations contained therein be approved:

9. Consent Agenda Items to be Considered in Block

9.1 Presentation of Recommendations Arising from Committee of Council, for Council Approval

BE IT RESOLVED THAT Council hereby approves the Recommendations Resulting from the following:

- 1. PCOW-02/2024 - February 14, 2024 Public Meeting under the Planning Act**
- 2. C-04/2024 - February 21, 2024 Public Meeting under the Development Charges Act**

9.2 Minutes Approval - Committee of Council

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

- 1. PCOW 02/2024 - Public Meeting under the Planning Act - February 14, 2024**

9.3 Advisory Committee Minutes for Information

9.3.1 Lincoln Pelham Public Library Minutes - January 16, 2024

BE IT RESOLVED THAT Council receive the Lincoln Pelham Public Library Board minutes dated November 21, 2023, for information.

9.3.2 Pelham Finance and Audit Committee Minutes - November 22, 2023

BE IT RESOLVED THAT Council receive the Pelham Finance and Audit Committee minutes dated November 22, 2023, for information.

Carried

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

11. Presentation and Consideration of Reports

11.1 Members of Council Reports

11.1.1 Councillor Olson - Update on Niagara Transit

Moved By John Wink

Seconded By Shelle Niznik

BE IT RESOLVED THAT Council receive the update on Niagara Transit from Councillor Olson, for information.

Carried

11.1.2 Councillor Hildebrandt - Update on the Utility Sustainability Work Group

Moved By Shellee Niznik

Seconded By Wayne Olson

BE IT RESOLVED THAT Council receive the update from Councillor Hildebrandt on the Utility Sustainability Working Group, for information.

Carried

11.2 Staff Reports Requiring Action

11.2.1 Naming of Environmental Protection Block - Saffron Meadows Phase 3 (Phase 3) Subdivision, 2024-0058-Planning

Moved By Shellee Niznik

Seconded By Wayne Olson

BE IT RESOLVED THAT Council receive Report #2024-58 Naming of Environmental Protection Block – Saffron Meadows Phase 3 Subdivision, for information;

AND THAT Council approve the naming of Block 7 in Saffron Meadows Phase 3 (Phase 3) Subdivision to “The Daniel Tirone Forest”;

AND THAT Council direct the Chief Administrative Officer to take all necessary steps to review the current ‘Naming of Corporate Assets Policy’ and make any appropriate recommendations for change in Q4, 2024.

Carried

11.2.2 Pedestrian Handrail at Pelham Street and Regional Road 20 , 2024-0057-Public Works

Moved By Bob Hildebrandt

Seconded By John Wink

BE IT RESOLVED THAT Council receive Report #2024-0057 Pedestrian Handrail on Pelham Street at Regional Road 20, for information;

AND THAT Council direct staff to move forward with the red circled project RD-14-24 'Pedestrian Railing on Hwy20';

AND THAT Council direct staff to utilize the Capital Roads Reserve to fund project RD-14-24 'Pedestrian Railing on Hwy20'.

Carried

11.2.3 Update on Centennial Park Washrooms Extras Update, 2024-0060-Public Works

Moved By John Wink

Seconded By Wayne Olson

BE IT RESOLVED THAT Council receive Report #2024-0060 – Update on Extras for Project FAC 06-23 Centennial Park Washrooms Design and Construction, for information;

AND THAT Council Approve additional funding in the amount of \$56,000 to cover the extras for Project FAC 06-23 Centennial Park Washroom Design and Construction to be funded as follows: \$12,000 from reallocating funds in Project FAC-03-22 Model Railway Building Window Replacement and \$44,000 from the projected 2023 in-year surplus;

AND THAT Council direct staff to include a Facilities capital project for roof replacement for Centennial Park Concessions as part of the 2025 Capital Budget;

Carried

11.2.4 Council Chambers Utilization, 2024-0059-Chief Administrator Officer

Moved By Bob Hildebrandt

Seconded By Kevin Ker

BE IT RESOLVED THAT Council receive Report #2024-0059 - Council Meeting Location, for information;

AND FURTHER be it resolved that Council continue its regular meetings in Council Chambers at Pelham Town Hall.

Carried

12. New Business

13. Motions and Notices of Motion

Councillor Olson provided a notice of motion proposing support for the Ontario Energy Board decision respecting Enbridge and natural gas connections.

Councillor Hildebrandt provided a notice of motion to request a staff report reviewing the number of electricity accounts in the Marlene Stewart Streit Park area, in conjunction with IT project 05-24, video surveillance upgrade at MSSP.

13.1 Councillor Eckhardt Motion re: Development Charges By-law

Councillor Ker vacated the meeting at 11:00 am.

Moved By John Wink

Seconded By Kevin Ker

THAT Council defer consideration of By-law 16-2024, Being a By-law to impose Development Charges, until the March 27th, 2024, Regular Meeting of Council.

Defeated

14. Presentation and Consideration of By-Laws

Mayor Junkin requested By-law 16-2024 be considered separately.

Moved By Wayne Olson

Seconded By Bob Hildebrandt

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

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

1. By-law 13-2024 - Being a By-law to amend Zoning By-law 4481(2022), as amended, to Regulate the Use of Land, Buildings and Structures within the Town (Zoning By-law) to Update Provisions based on an Administrative Review (Housekeeping Amendments). File No. AM-08-2023.

2. By-law 14-2024 - 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 add and amend Fees and Charges to the Recreation, Culture, and Wellness Schedule.

3. By-law 15-2024 - Being a By-law to amend Zoning By-law 4481(2022), as amended, to rezone lands located at 1389

Effingham Street, legally described as Part of Lot 5, Concession 8, Town of Pelham, Regional Municipality of Niagara, from the Specialty Agricultural (SA) and Environmental Protection One (EP1) zones to the site-specific Specialty Agricultural-156 (SA-156) and Environmental Protection One (EP1) zones.

**5. By-law 17-2024 - Being a By-law to adopt Official Plan Amendment No. 20 for the Town of Pelham Planning Area.
1389 Effingham Street**

Carried

Moved By Wayne Olson
Seconded By Bob Hildebrandt

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

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

4. By-law 16-2024 - Being a By-law for the Imposition of Development Charges and to Repeal By-law 4023(2018) and Amending By-law 4149(2019), 4314(2021), and 4431(2022).

Moved By Marvin Junkin
Seconded By Wayne Olson

THAT Council reduce the proposed development increase to 20% total for each development charge category over the 5 year-phase in.

Defeated

Moved By John Wink
Seconded By Bob Hildebrandt

THAT Council table By-law 16-2024, being a By-law for the Imposition of Development Charges, to provide staff an opportunity to bring forward a 5-year capital plan for Council's consideration, to be followed by a revised development charge study report, incorporating a maximum increase at 20% for each category, in Q2 of 2024.

Carried

15. Resolution to Move In Camera

Moved By Shellee Niznik
Seconded By Wayne Olson

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

(e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; (f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose - 1 Item (Human Rights Tribunal)

(c) a proposed or pending acquisition or disposition of land by the municipality or local board - 1 item (Ward 2)

Carried

16. Rise From In Camera

Councillor Niznik vacated the meeting at 12:28 pm.

Moved By John Wink
Seconded By Wayne Olson

BE IT RESOLVED THAT Council adjourn the In Camera Session and that Council do now Rise with a Report;

AND THAT the Chief Administrative Officer be and is hereby authorized to undertake the directions provided during the In Camera meeting of March 06, 2024.

Carried

17. Confirming By-Law

Moved By Wayne Olson
Seconded By Bob Hildebrandt

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

Being a By-law No. 18-2024 to Adopt, Ratify and Confirm the proceedings of Council of the Town of Pelham at its Regular Meeting held on the 6th day of March, 2024.

Carried

18. Adjournment

The meeting adjourned at 12:30 pm.

Moved By Bob Hildebrandt
Seconded By John Wink

BE IT RESOLVED THAT this Regular Meeting of Council be adjourned until the next regular meeting scheduled for March 27, 2024 at 9:00 am.

Carried

Mayor: Marvin Junkin

Town Clerk: William Tigert

Subject: 2024 Invasive Species - Spongy Moth Status Report**Recommendation:**

BE IT RESOLVED THAT Council receive Report #2024-0063, 2024 Invasive Species - Spongy Moth Status Report, for information.

Background:

In 2020, Council Approved Policy S802-03 to address the periodic infestation of the *Lymantria dispar dispar* moth (Spongy Moth) experienced in the Town of Pelham. In 2023, Council repealed the Spongy Moth Management Policy S802-03 and approved its replacement with the Invasive Species Management Policy S802-03.

The Spongy Moth Management Policy was reformatted as an internal procedure PW-IS-01 that continues to outline the Town's response to the periodic infestations of spongy moth including communication to both the public and Council.

This report serves to fulfill the requirements of the Spongy Moth Management Procedure PW-IS-01, to inform Council of the results of the egg mass surveys and management recommendations prior to the implementation of a treatment program, if required.

Analysis:

The Davy Resource Group was retained by the Town of Pelham through the competitive bid process to conduct spongy moth egg mass surveys in the Town of Pelham throughout January 2024. A total of 102 plots including street trees and forest plots were assessed throughout Pelham including Fenwick and Fonthill. The 2024 Spongy Moth Monitoring Report has been added as (Appendix A) to this report.

Not one of the 102 plots surveyed was found likely to experience heavy defoliation or exceed the Invasive Species Action Threshold of 2500 egg masses per hectare. Four plots were found likely to experience moderate defoliation, 20 plots may see light defoliation, and 78 plots are forecast to experience no detectible defoliation.

A large aerial spray program is not recommended in 2024, however, areas forecast for moderate to light defoliation may be investigated by staff for potential targeted ground spraying operations, limited to municipally owned property. If undertaken,

ground spraying will be reported to Council through the annual Tree Maintenance Program Summary Report.

The Town of Pelham will continue to provide information to the public on the identification and life cycle of the spongy moth as well as potential treatment options for private landowners. Communication will be through the dedicated invasive species page on the Town of Pelham Website, and social media feeds.

Financial Considerations:

The total approved budget for spongy moth management in 2024 is \$75,000. The 2024 egg mass surveys were completed at a cost of \$11,948.35 excluding taxes. Targeted ground spraying may be completed by town staff at a relatively low cost. In accordance with the Invasive Species Management Policy S802-03 the remaining budget at year end be allocated to the Invasive Species Reserve Fund.

Alternatives Reviewed:

No alternatives were reviewed as staff are following Policy S802-03.

Strategic Plan Relationship: Environmental and Climate Change Adaptation

The tree canopy within the municipal boundary is vital to the high quality of life in the Town of Pelham.

Consultation:

Davey Resource Group provided the 2024 Spongy Moth Monitoring Report.

Other Pertinent Reports/Attachments:

Appendix A – 2024 Spongy Moth Monitoring Report

Invasive Species Management Policy S802-03 and associated procedures

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



LDD Moth Monitoring Report

Town of Pelham, Ontario, Canada

February 3, 2024

Prepared for
The Town of Pelham

Prepared by:
Davey Resource Group
Alex Weegen, R.P.F.

500-611 Tradewind Dr., Ancaster, ON

(416) 346-6952

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Executive Summary

This report provides a summary of data collected in the 2024 survey of the forest damaging insect population: LDD Moth (*Lymnatria dispar dispar*). The Town of Pelham commissioned Davey Resource Group (DRG) to survey trees along Town-owned streets and within Town-owned properties within its municipal limits for signs of LDD Moth. The objective of this report is to identify if action thresholds for treatment established by the Town of Pelham have been reached and provide options on the most effective treatment types and locations to reduce tree mortality.

LDD Moth was sampled by assessing the quantity of egg masses laid onto trees on 102 plots using the “5 Tree Plot” sampling methods. A total of 446 new LDD Moth egg masses were found across 26 of the 102 plots, only 7 of which had over 20 new egg masses observed.

The numbers collected are below the threshold for utilizing aerial spray insecticides such as *Bacillus thuringiensis* “kurstaki” (BTK). However, localized ground spraying treatments are advised in the areas where new egg masses were observed to prevent an increase of new LDD Moth egg masses next year.

Introduction to LDD Moth

The LDD Moth (*Lymnatria dispar dispar*) is an invasive species, first arriving in North America from Europe in the 1860’s. The insect can reproduce extremely quickly, causing sudden spikes in the population (Nealis, 1993). It was first discovered in Ontario in the late 1960’s, and has been known to cause widespread defoliation in suburban as well as forest ecosystems (MNR, 2018).

LDD Moth eggs will over winter after being laid in late summer as masses containing up to 1000 individuals. Larvae hatch in spring, and develop throughout the summer, moving through several instars. The insect moves up and down the tree to feed on the live foliage, and is both nocturnal and diurnal depending on the stage. The sounds of the insects feeding, and their droppings, are often the first shocking signs to residents that there is an extensive outbreak.



Figure 1. LDD Moth Egg masses (DRG, 2024)

The moth generally selects the hardwoods also chosen by homeowners for their shade and aesthetic value. Trees such as Oak (*Quercus*), Maple (*Acer*), Apple (*Malus*), and Mountain Ash (*Sorbus*), among many others, are known hosts of the insect.

It is important to consider that method of forecasting is adapted for application in the urban environment, which has not been expressly tested. Furthermore, there is significant variability in the characteristics of the LDD Moth, where it is expensive and difficult to survey enough sites, eliminate the variability noted, and thereby establish an accurate survey (Leibhold, 1994. Herms, 1991). This study strives however to be precise and aims to establish whether or not there is a LDD Moth outbreak across the city, and utilize the plot information to guide actions.

LDD Moth in Pelham

In 2009, Pelham successfully reduced LDD Moth populations within its municipal boundaries to within acceptable levels. However, in 2017, the Town of Pelham received report from residents stating an increase in the number of LDD Moths observed. Pelham responded to this by performing aerial sprays in the summer of 2018. In 2019 two egg mass surveys were conducted, one early in the year by Trees Unlimited and one later in the year by BioForest (BioForest, 2020) with an aerial spray conducted that summer. The aerial sprays in 2020 were based on the latter egg mass survey conducted by BioForest. BioForest performed egg mass surveys in 2021 and 2022 which were followed by aerial sprays in their respective summers.

With the Gypsy Moth Management Policy S802-03 in place (Town of Pelham, 2020), the Town of Pelham was able to perform aerial spray applications of the bacteria *Bacillus thuringiensis* “*kurstaki*” (BTK) to work towards reducing the insect population to below established thresholds and prevent widespread tree mortality. The policy establishes the aerial spray threshold at 2500 egg masses/hectare, a precedent for annual egg mass surveys, funding, a Community Volunteer Program, and Gypsy Moth Control Program. The Gypsy Moth Control Program is an Integrated Pest Management (IPM) strategy at managing LDD Moth which emphasizes using control methods appropriate for the situation.



Figure 1. LDD Moth Egg masses (DRG, 2024)

Egg mass surveys performed in previous years show a decrease in severe and moderate defoliation risk from 2021. In 2019, egg mass surveys found 61% of plots having severe or moderate defoliation forecast for 2020 (BioForest, 2019); in 2020, egg mass surveys found 75% of plots having severe or moderate defoliation forecast for 2021 (BioForest, 2020); in 2021, egg mass surveys found 53% of plots having severe or moderate defoliation forecast for 2022 (BioForest, 2021). The downward trend in severe and moderate defoliation forecasts shows the effects of the efforts of the Town of Pelham in controlling the LDD Moth.

Methods

LDD Moth Egg Mass Count

Egg masses will typically be laid on the trunk and branches of their host trees, though they will also be found on the ground, on man-made structures, and on non-preferred hosts depending on the extent of an outbreak. New and old egg masses were counted then the ratio of new-to-old eggs was applied to the whole plot, and scaled (multiplied by 100, as the plot represents about 0.01 ha) to reflect an egg mass per hectare population estimate. A healthy population of LDD Moth typically have a greater number of new egg masses compared to previous years (less than 25% old egg masses) while a greater number of old egg masses indicated a declining population (Liebhold et al., 1994).

Establishing an egg mass/hectare (em/ha) number can predict the defoliation forecast for the next year. Based on industry standards, and to remain consistent with previous reports, this report uses the USDA defoliation prediction model developed by Gansner et al. 1985 (Table 1). In 2020, under Policy S802-03, the Town of Pelham established a threshold of 2,500 egg masses per hectare as their action limit for aerial spraying (Town of Pelham, 2020). However, the Town may take action on a tree-by-tree basis. Breaching the 2500 em/ha limit triggers the cities response to reduce the impacts of the insect throughout the affected area.

Egg Masses/Hectare	Defoliation Forecast
0	Nil
1-1250	Light
1251-3750	Moderate
3751-5000	Heavy
>5001	Severe

Table 1: Egg Mass count and corresponding forecast.

LDD Moth Egg Mass Size

New egg mass size was measured for all egg masses within reach. Egg mass size can be used to estimate whether the population of LDD Moth are increasing or decreasing based on the size of the egg mass. Healthy, increasing populations have large egg masses (over 30mm), while those with decreasing populations generally have small egg masses (<20mm) (Nealis and Erb, 1993). For the purposes of this assessment, egg mass sizes over 20mm will be used as the threshold for large egg masses indicating a potential increase in LDD Moth population.

“5 Tree Plot”

The “5 Tree Plot” was used in this study, as the majority of plots were located on street rights-of-way where the MKP method was impractical due to tree density. The “5 Tree Plot” is a version of the MKP plot that counts 5 trees in an identified plot-reflecting the number of trees normally found in in the MKP method (Bioforest, 2008).

Surveyors accessed the random plots chosen as outlined below and found the closest available mature host tree on town property. The remainder of the trees were selected for their suitability as hosts and proximity to the previously assessed tree. Using binoculars, trees were examined from all sides, with all new egg masses counted.

Site Stratification

For this project, a shapefile of roads and Town-owned property locations for sampling was provided by the Town of Pelham. A random sample of 120 plots within locations were created to assess trees for the presence of LDD Moth. For the purposes of this study, only 100 plots were required; over-producing random plot locations allowed for some spots to be abandoned should no suitable host trees be observed within the park/cemetery polygon.

Summary of Findings

LDD Moth Survey Results

There were 102 plots spread randomly within the rights-of-way of town-maintained roads and town-owned properties. Of those, 4 plots (4%) were found likely to have moderate defoliation in 2024, 20 plots (20%) were found likely to have light defoliation in 2024, 78 plots (78%) may see “Nil” or no detectable defoliation, no plots are likely to have heavy or severe defoliation.

27% of egg masses tallied are new and no plots had more new egg masses than old egg masses indicating a declining population.

Egg masses over 20mm were only found at plots with 1251-3750 em/ha (moderate defoliation forecast).

Plot details can be found in Appendix 2.

Discussion

LDD Moth Forecast

With the data compiled, it is apparent that there will be a light infestation across the Town of Pelham with pockets of more moderate infestation. These defoliations will be aesthetically displeasing and a nuisance to residents but are unlikely to cause tree mortality in a single occurrence.

LDD Moth Mitigation Factors

There is the potential that natural factors that may decrease the population of the LDD Moth. Fungal and bacterial pathogens, predators, and weather are known to cause significant declines in the population. For LDD Moth, the most significant of these is the nucleopolyhydrosis virus (NPV). This virus, transmitted within a LDD Moth population and always present even in small outbreaks, typically causes large scale population declines 1-2 years into an outbreak (McCullough, 2001).

Weather, specifically deep cold, may also reduce the populations of insects. It would be necessary for the temperature to reach below -28°C for an extended period of multiple days (Madrid, 1981. Grupp, 2018) to achieve a significant population decline.

Recommendations

Ground Spraying

Locations with a moderate defoliation forecast or light defoliation forecast near woodlots and/or within urban boundaries should be considered for street level spraying programs using Btk or other pesticide products such as Mimic © already in use for the control of LDD Moth, that may control or eradicate the pockets. Pesticides should be selected based on minimal non-target impact and proven effectiveness. Equipment should be selected that has the capability of reducing overspray by getting as close to the targets as possible, through the use of ladders or aerial lifts.

Monitoring and other Control

The remainder of the plots that are not expecting defoliation or with a light defoliation forecast should continue to be monitored in the summer and winter of 2024. While tactics such as banding and egg mass scraping have been recommended in the past, these methods have not been found to be an effective method of control (Herms, 1991). It is therefore not recommended here for those grids that are not to be treated otherwise.

Residents should continue to be informed on the identification and life cycle of the insect, to aid in monitoring the spread of the insect outside of the heavily infested areas already surveyed. It is highly possible other pockets of defoliation have not been collected in these studies. Pelham should continue to utilize community outreach programs such as Pelham's Forest Health Volunteers to assist in monitoring efforts throughout the municipality.

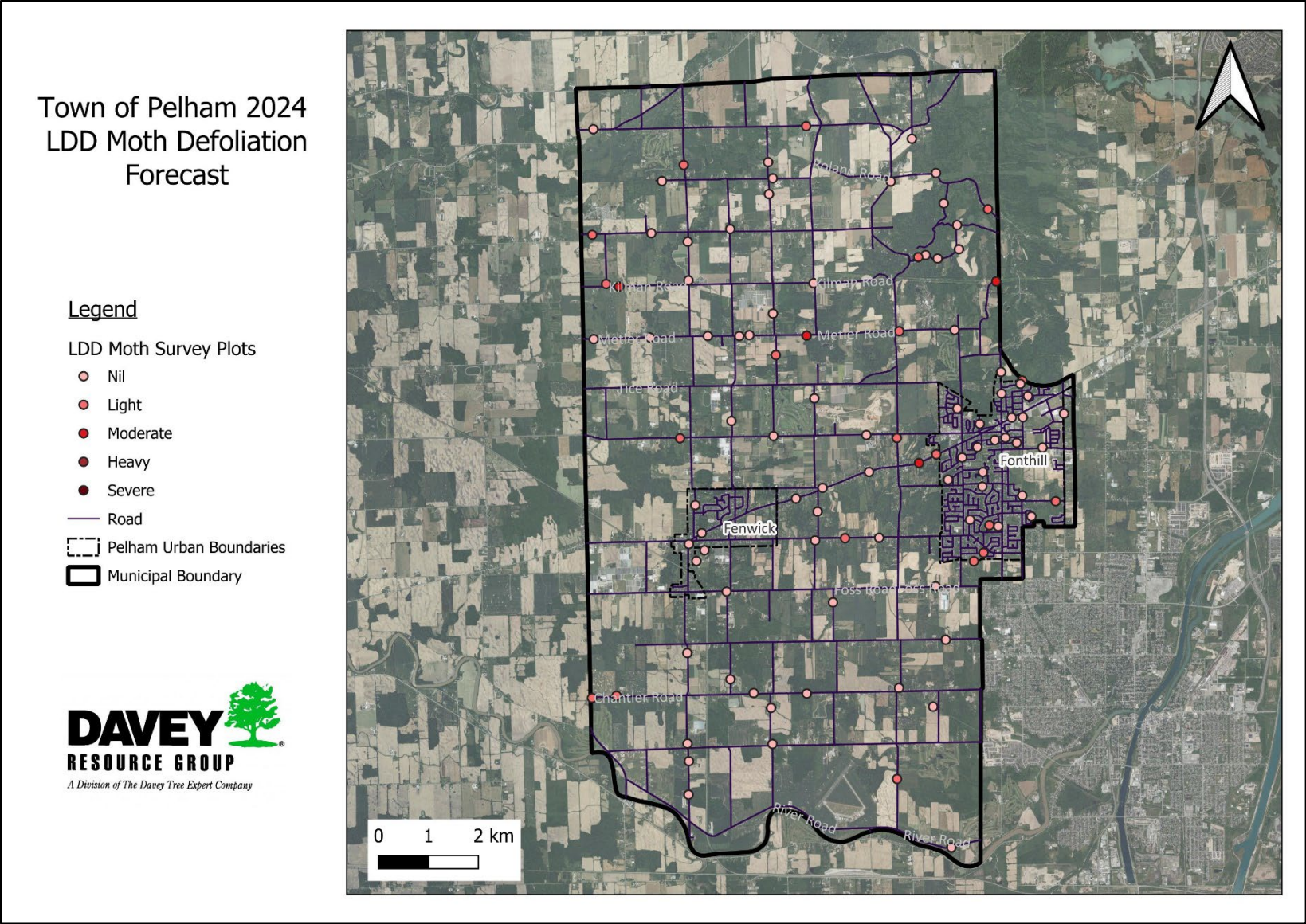
Follow-up studies are required to determine if treatments are effective, if the insect spreads, or if the proves to be a greater threat than anticipated, and does not reduce its' population naturally in areas outside treatment zones targeting LDD Moth.

Conclusion

With survey plots located across the target areas of the Town of Pelham, there is significant confidence that the population of LDD Moth is below outbreak levels. However, ground spraying to maintain or reduce current levels of LDD Moth infestation are advised to prevent future outbreaks from occurring.

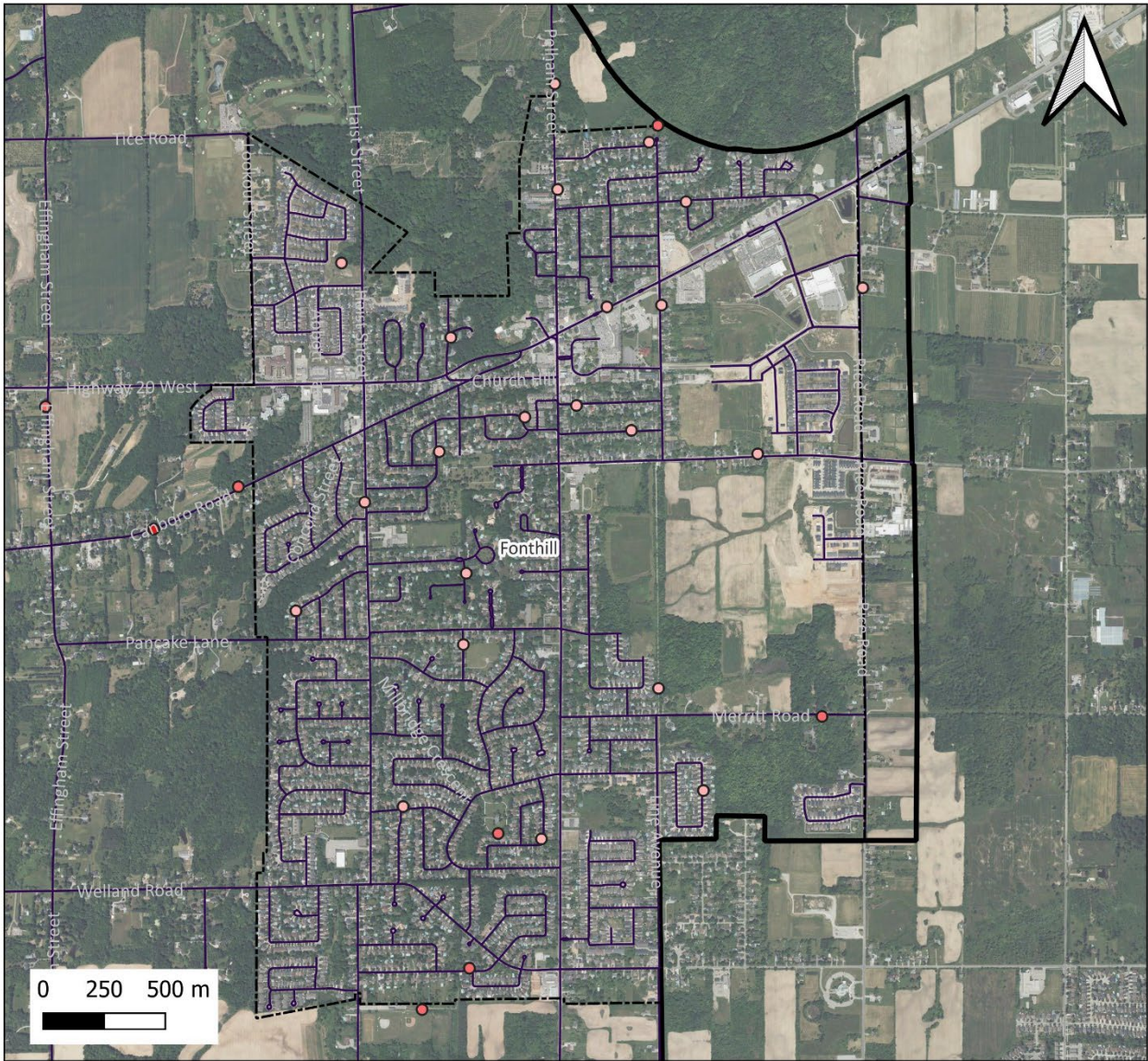
Managers should wisely choose their treatment options-identifying where more surgical options such as ground level sprays can be utilized over aerial spraying. Follow-up studies can further refine and adapt the survey areas and methods used here to improve accuracy and regain control of the outbreak.

Appendix 1: 2024 Town of Pelham LDD Moth Defoliation Forecast Maps



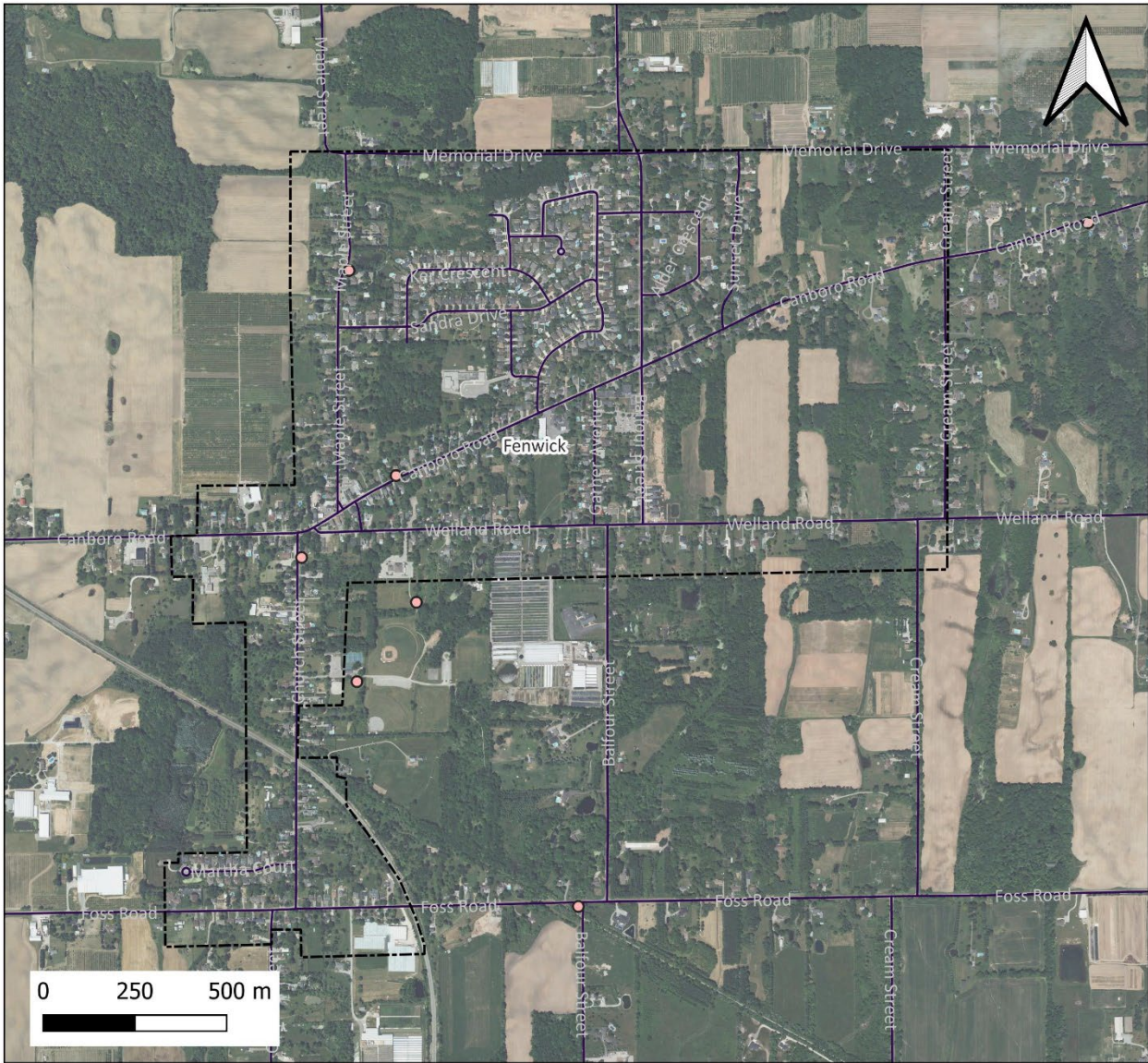
Town of Pelham 2024
LDD Moth Defoliation
Forecast
Fonthill

- Legend
- LDD Moth Survey Plots
- Nil
 - Light
 - Moderate
 - Heavy
 - Severe
- Road
- - - Pelham Urban Boundaries
- ▭ Municipal Boundary



Town of Pelham 2024
LDD Moth Defoliation
Forecast
Fenwick

- Legend
- LDD Moth Survey Plots
- Nil
 - Light
 - Moderate
 - Heavy
 - Severe
- Road
- Pelham Urban Boundaries
- ▭ Municipal Boundary



Appendix 2: LDD Moth Survey Plot Breakdown

Plot ID	Location	New Egg Masses per Site	Old Egg Masses per Site	Egg Mass/Ha	Average New Egg Mass Size (mm)	Defoliation Forecast
1	220 Merritt Rd	29	110	605	18	Light
2	Across from 2145 McGlashan St	10	20	333	3	Light
3	34 Daleview Cres	0	0	0	0	Nil
4	32 Timber Creek Cres	0	0	0	0	Nil
5	2460 Effingham St	0	0	0	0	Nil
6	1960 Cream St	0	0	0	0	Nil
7	Cream St south of Roland Rd	0	0	0	0	Nil
8	749 Metler Rd	0	0	0	0	Nil
9	Maple St north of Roland Rd	9	28	219	5.4	Light
10	130 Port Robinson Rd	0	0	0	0	Nil
11	Balfour St north of Chantler Rd	0	1	0	0	Nil
12	170 Luffmand Dr	0	0	0	0	Nil
13	1051 Quaker Rd	3	10	69	9	Light
14	Chantler Rd and Victoria Ave	10	10	500	6.6	Light
15	Across from 1025 Sixteen Rd	18	60	415	9	Light
16	201 Luffman Dr	0	0	0	0	Nil
18	Centennial Park behind Fire Station 2	0	0	0	0	Nil
19	Hwy 20W near Cream St	0	0	0	0	Nil
20	Shoalts Drive Reservoir	0	0	0	0	Nil
21	200 Roland Rd	0	0	0	0	Nil
22	676 Metler Rd	0	2	0	0	Nil
23	EL Crossley Secondary School	0	0	0	0	Nil
24	257 Caboro Rd	51	116	1557	24	Moderate
25	Woodstream Park	7	32	126	4	Light
26	Maple St north of Kilman Rd	0	0	0	0	Nil
27	Between 380 and 389 Cream St	0	0	0	5	Nil
28	7 Elizabeth Dr	0	0	0	0	Nil
29	1515 Rice Rd	0	0	0	0	Nil
30	390 Welland Rd	0	0	0	0	Nil
31	Between 146 and 164 River Rd	0	0	0	0	Nil
32	1043 Church St	0	0	0	0	Nil
34	North Pelham Park	10	37	213	4	Light
35	205 Luffman Dr	2	6	50	4	Light
36	1180 Centre St	0	0	0	0	Nil
37	31 Emmett St	0	0	0	0	Nil

Plot ID	Location	New Egg Masses per Site	Old Egg Masses per Site	Egg Mass/Ha	Average New Egg Mass Size (mm)	Defoliation Forecast
38	503 Metler Rd	57	88	2241	20	Moderate
39	665 Chantler Rd	0	0	0	0	Nil
42	796 Poth St	0	6	0	0	Nil
43	Lookout Park	0	0	0	0	Nil
44	1490 Effingham St	5	20	100	5	Light
45	Kilman Rd east of McGlashan St	55	105	1891	20	Moderate
48	Behind 84 Kunda Park Blvd	0	0	0	0	Nil
49	1437 Station St	0	0	0	0	Nil
50	Harold Black Park	1	10	9	3	Light
51	Luffman Dr and Orchard Hill Rd	0	0	0	0	Nil
52	955 Chantler Rd	8	9	376	5.8	Light
53	Metler Rd east of Effingham St	6	30	100	4	Light
54	305 Church St	0	0	0	0	Nil
55	550 Canboro Rd	0	8	0	0	Nil
56	Effingham St and Chantler Rd	0	0	0	0	Nil
58	Maple St south of Sixteen Rd	0	0	0	0	Nil
59	Harold S Bradshaw Memorial Park	0	0	0	0	Nil
60	Hwy 20W near Maple St	25	100	500	18	Light
61	273 Church St	0	0	0	5	Nil
62	2 Brucewood St	0	0	0	0	Nil
63	Across from 1720 Pelham St	0	0	0	0	Nil
64	Roland Rd west of Maple St	0	0	0	0	Nil
66	1215 Maple St	0	0	0	0	Nil
67	420 Welland Rd	32	115	697	14	Light
68	2541 Cream St	0	0	0	0	Nil
69	7 Spencer Ln on Pinecrest Crt	0	0	0	0	Nil
70	Between 885 and 909 Metler Rd	0	0	0	0	Nil
71	653 Metler Rd	0	0	0	0	Nil
75	1354 Haist St	0	0	0	0	Nil
76	695 Sixteen Rd on Balfour St	0	0	0	0	Nil
77	2045 Hansler St	53	91	1951	31.4	Moderate
78	4 College St	0	0	0	0	Nil
79	575 Roland Rd	0	0	0	0	Nil
80	35 Luffman Dr	0	0	0	0	Nil
82	1050 Metler Rd	0	0	0	0	Nil
83	Across from 175 Sumbler Rd	0	0	0	0	Nil
84	770 Canboro Rd	2	0	0	3.2	Nil

Plot ID	Location	New Egg Masses per Site	Old Egg Masses per Site	Egg Mass/Ha	Average New Egg Mass Size (mm)	Defoliation Forecast
85	Sulphur Spring Dr south of Roland Rd	0	0	0	0	Nil
86	Balfour St north of Hwy 20W	0	0	0	0	Nil
87	10 Blackwood Cres	0	0	0	0	Nil
88	511 Sawmill Rd	17	65	352	11	Light
89	Lookout Point Country Club	0	0	0	0	Nil
92	209 Canboro Rd	14	61	261	18	Light
93	44 Hurricane Rd	0	0	0	0	Nil
94	Cream St and Webber Rd	0	0	0	0	Nil
95	23 Hwy 20E	0	0	0	0	Nil
96	Balfour St and Foss Rd	0	0	0	0	Nil
97	Shorthill Meadows Ponds	5	10	167	5	Light
98	627 Church St	3	0	0	3	Nil
99	25 Nusery Lane	0	21	0	0	Nil
100	1599 Pelham St	0	0	0	0	Nil
102	30 Roland Rd	7	29	136	9	Light
103	Church St north of River Rd	0	0	0	5	Nil
104	508 Welland Rd on Centre St	0	0	0	0	Nil
105	Across from 1010 Twenty Road	0	1	0	0.2	Nil
106	Behind 416 Pihach St	0	0	0	0	Nil
107	Near 860 Sixteen Rd	0	0	0	0	Nil
109	Hurleston Community Park	0	0	0	0	Nil
112	Old Pelham Town Hall	0	0	0	0	Nil
113	376 Caboro Rd	0	0	0	0	Nil
114	Centre St south of Tice Rd	0	0	0	0	Nil
115	Across from 212 Foss Rd	0	0	0	0	Nil
116	504 Kilman Rd	0	0	0	0	Nil
117	Across from 195 Effingham St	7	22	169	8	Light
118	34 Fallingbrook Dr	0	13	0	0	Nil
120	Centennial Park near the Lions Club of Fenwick	0	0	0	0	Nil
121	2605 Oille St	0	1	0	0	Nil

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- McCullough, D. and L.S. Bauer. 2002. Bt: One Option for LDD Moth Management. Michigan State University. Extension Bulletin. E-2724.
<https://archive.lib.msu.edu/dmc/ag.%ag20ext.%202007-chelsie/pdf/e2724.pdf>. Accessed January 2018.
- Nealis, V.G. and S. Erb. 1993. A sourcebook for management of the gypsy moth. For. Can. Ont. Reg., Great Lakes Forestry Centre.

Appendix 4: Team

Alex Weegen, R.P.F. is a Consulting Arborist with Davey Resource Group. They have obtained a Bachelor of Science in Ecology focusing on resource conservation from the University of Guelph, and later completed a Master of Forest Conservation at University of Toronto. They have over 10 years of varied work experience in forestry, arboriculture, tree inventory and tree risk assessment.

Certifications

- International Society of Arboriculture Certified Arborist® (ON-1951A)
- International Society of Arboriculture Tree Risk Assessment Qualification (TRAQ)
- Registered Professional Forester (#2558)
- Certified Ontario Tree Marker

Pawan Paudyal is Consulting Arborist with Davey Resource Group. His formal education includes a Bachelor of Science in forestry from Hemwati Nandan Bahuguna Garhwal University, India and a Master in forest Ecology and Management from Helsinki University. Mr. Paudyal has 10 years of varied work experience in forestry, climate change and environment assessment fields. Mr. Paudyal has worked with DRG as Consulting Arborist.


Appendix 5: OMNRF LDD Moth Defoliation Maps 2017-2022

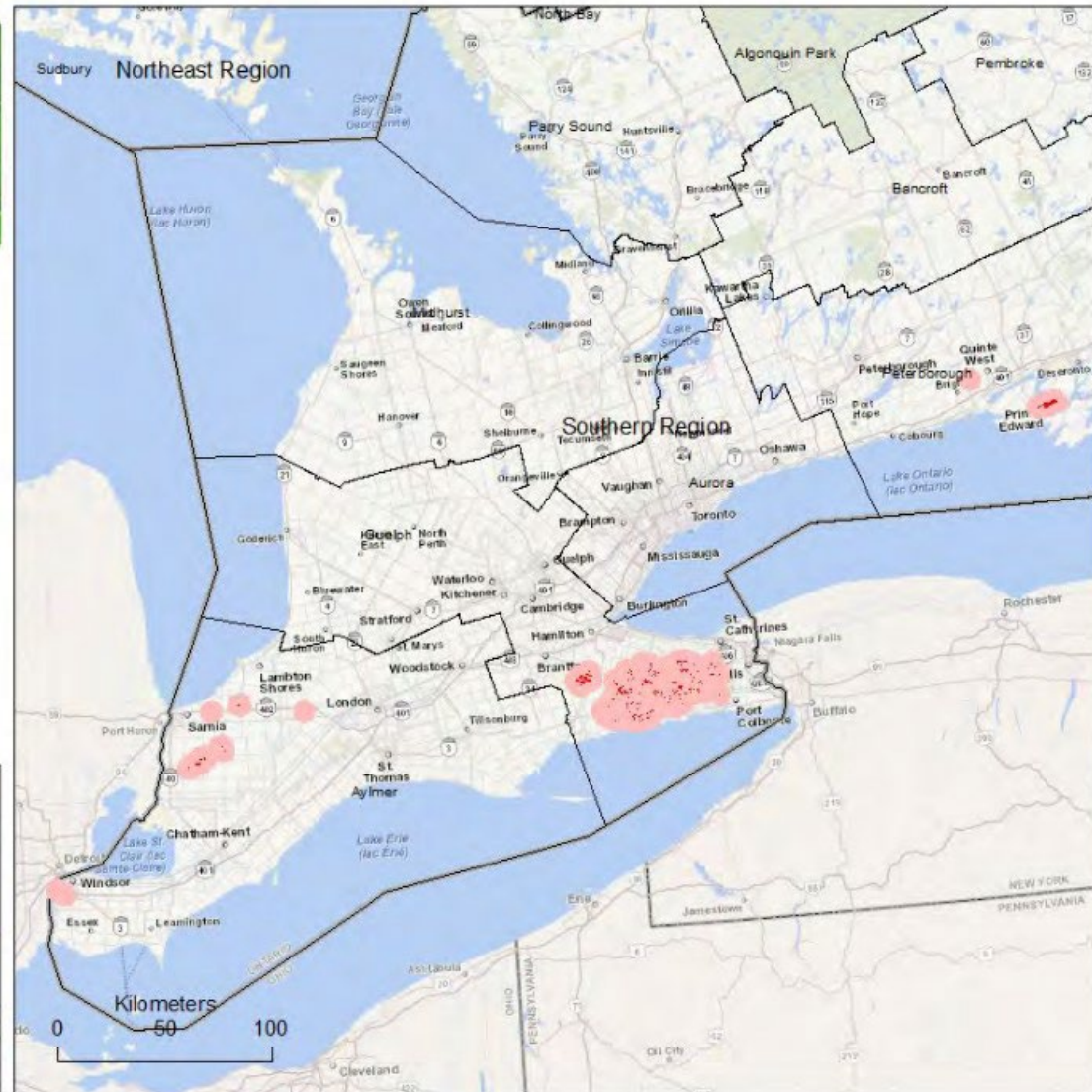


Gypsy Moth 2017

Southern Region
Areas-within-which gypsy
moth caused defoliation

Moderate-to-severe = 10,856 ha

 Area of moderate-to-severe
defoliation




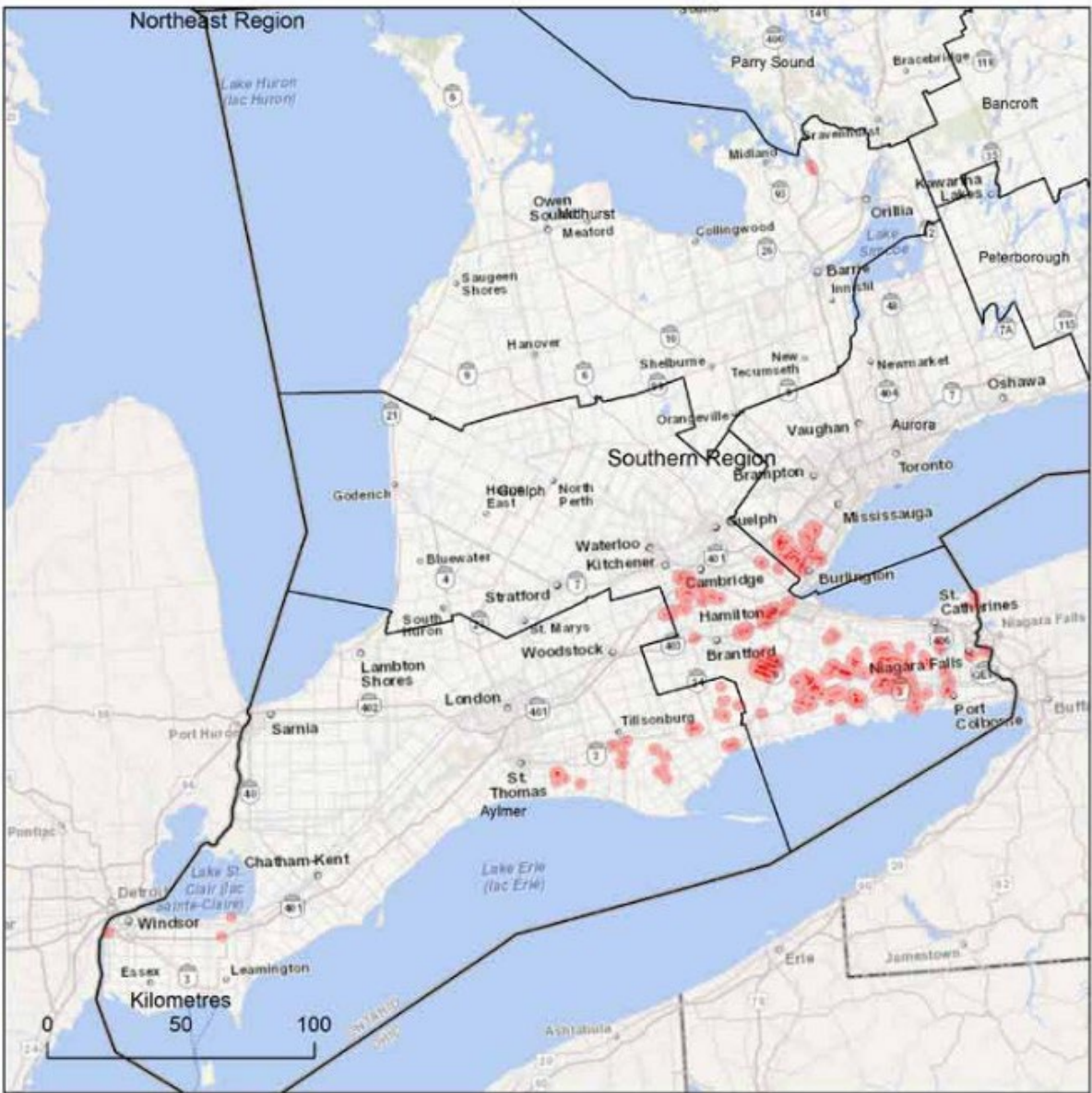


**Gypsy moth
2018**

Areas in the Southern Region
where gypsy moth caused
defoliation

Moderate to severe = 14,937 ha

 Area of moderate to severe
defoliation





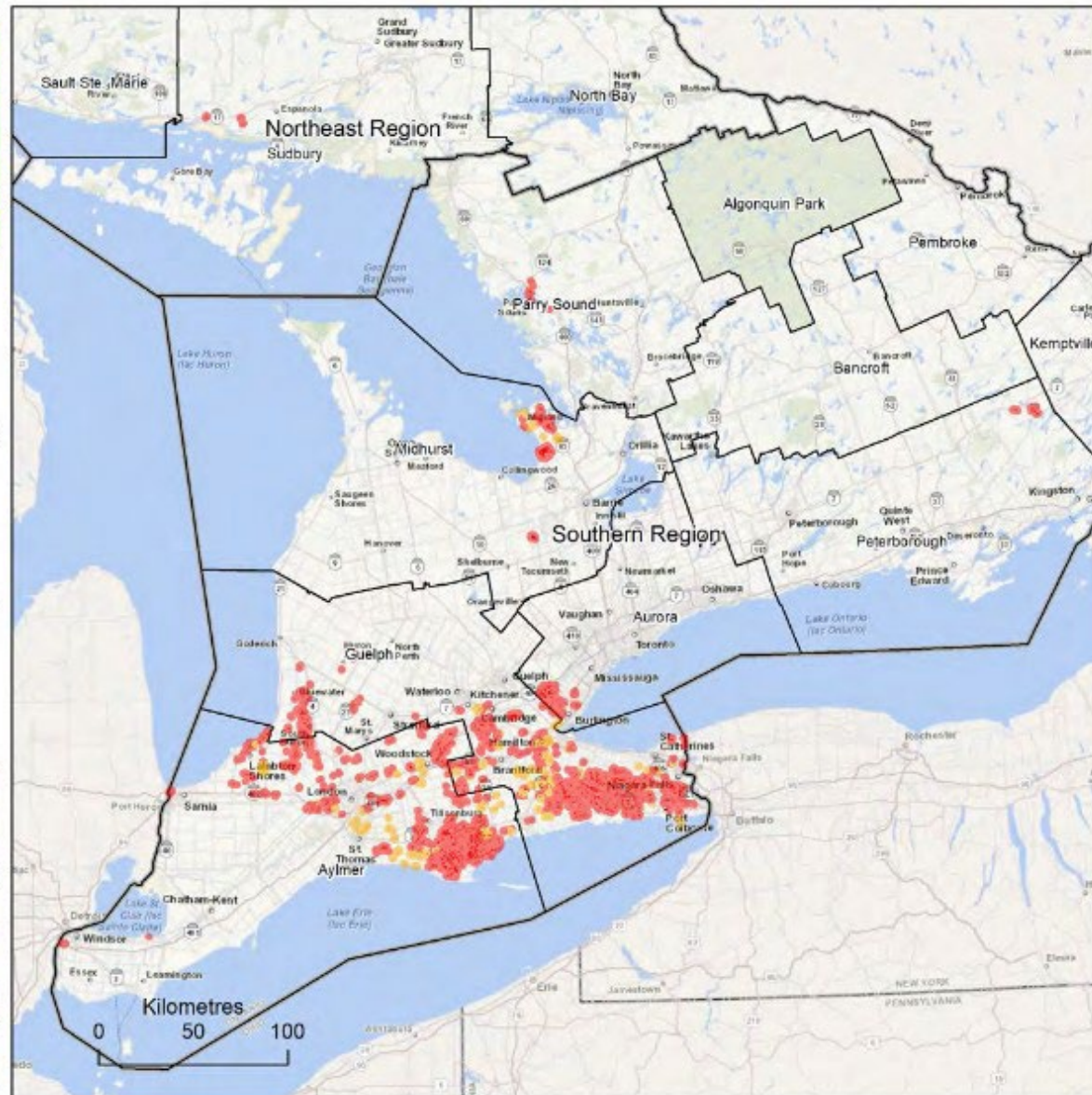


Gypsy moth 2019

Areas in the Ontario where gypsy moth caused defoliation

Light = 4,046 ha
Moderate to severe = 43,157 ha

-  Area of light defoliation
-  Area of moderate to severe defoliation



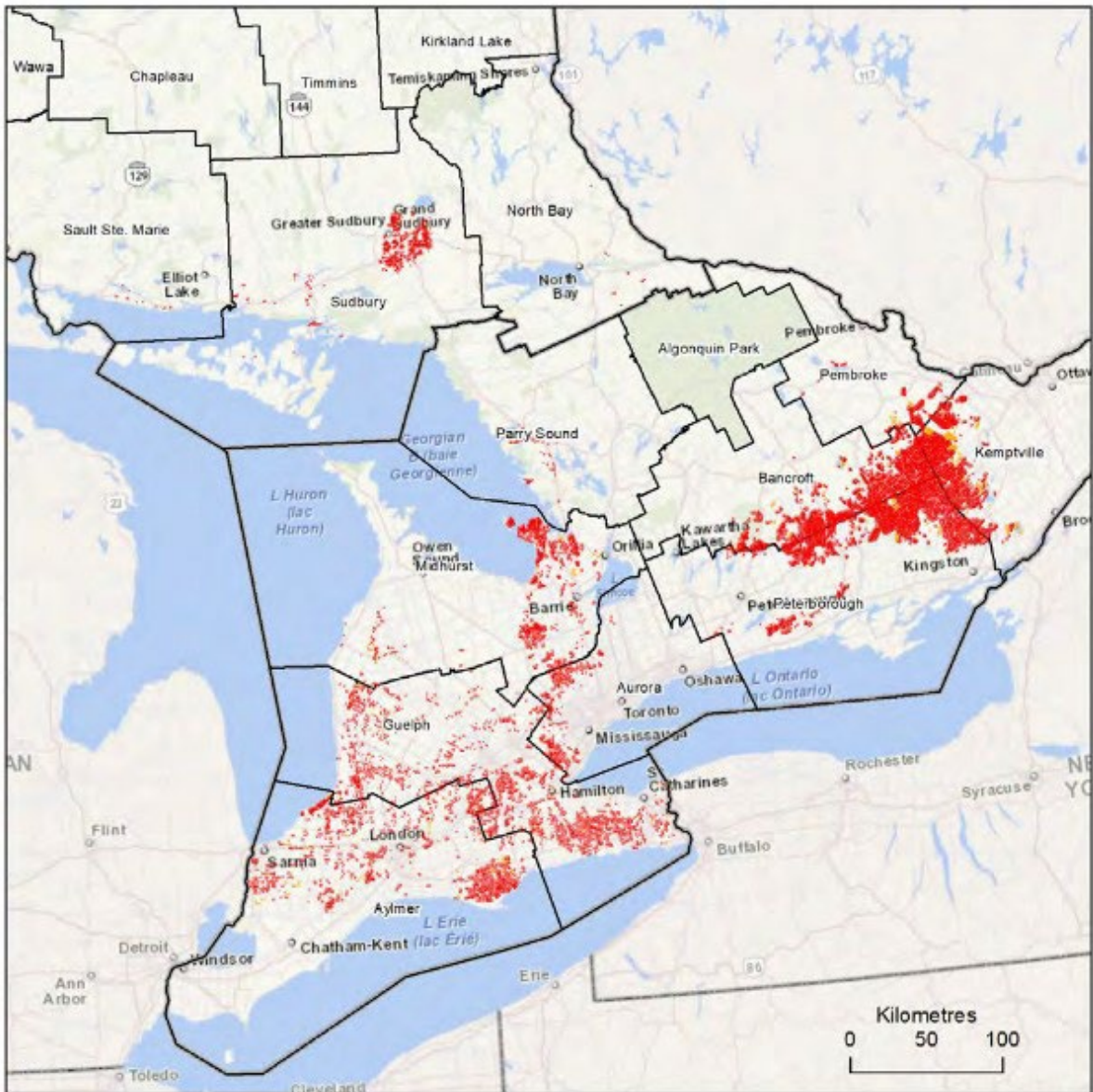


**Gypsy moth
2020**

Areas in Ontario where gypsy
moth caused defoliation

Light = 17,002 ha
Moderate to severe = 569,384 ha

- Area of light defoliation
- Area of moderate to severe defoliation



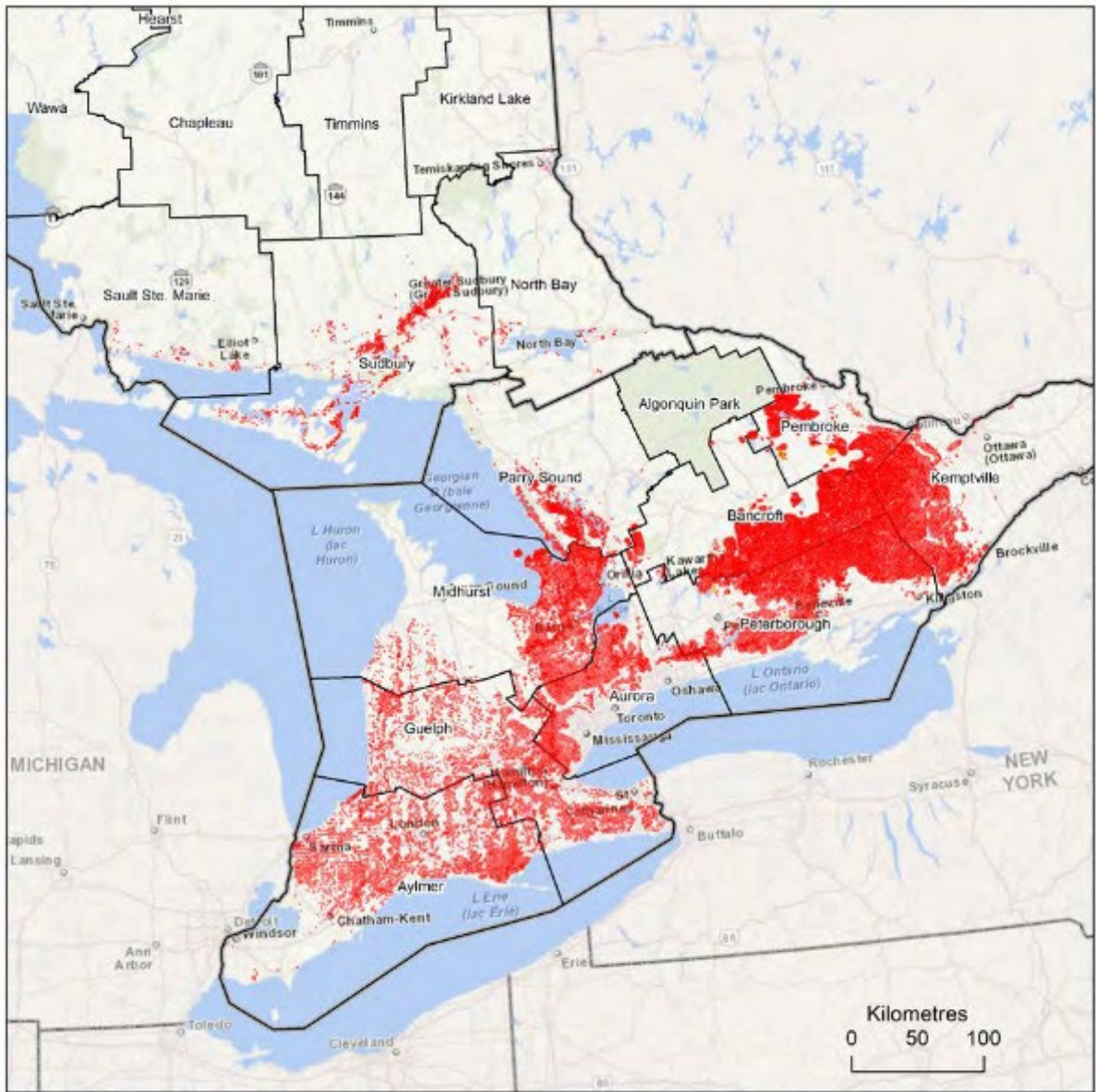


**Lymantria dispar dispar
2021**

Areas in Ontario where Lymantria
dispar dispar caused defoliation

Light = 9,101 ha
Moderate to severe = 1,779,744 ha

- Area of light defoliation
- Area of moderate to severe defoliation



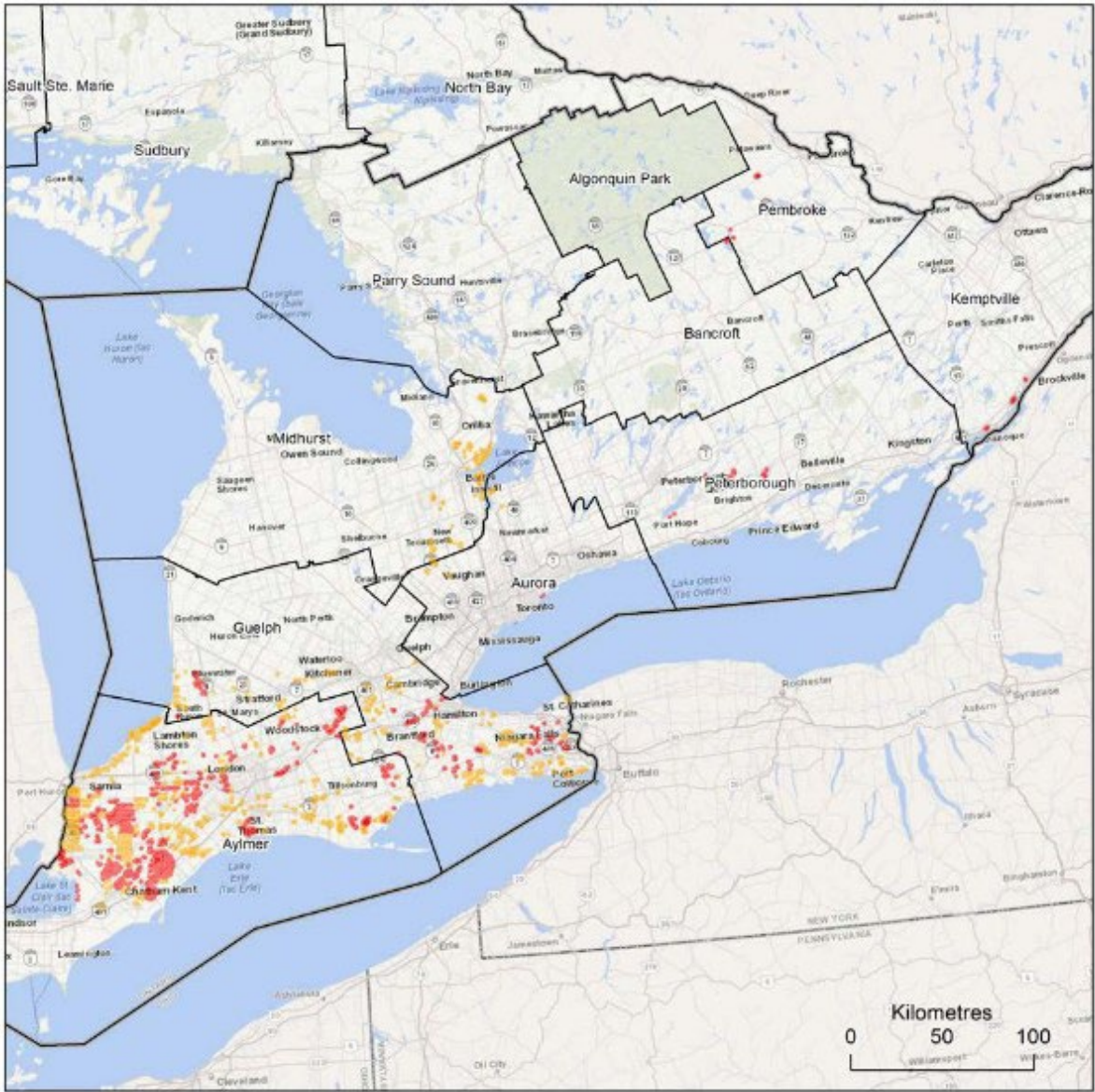


**Spongy moth
2022**

Areas in the Southern Region
where spongy moth caused
defoliation

Light = 35,604 ha
Moderate to severe = 22,427 ha

- Area of light defoliation
- Area of moderate to severe defoliation



Subject: Communities in Bloom Competition Update

Recommendation:

**BE IT RESOLVED THAT Council receive Report #2024-0069-
Communities in Bloom Competition Update, for information.**

Background:

The purpose of this report is to provide an update on the established Communities in Bloom Working Group 2024-2026 and its members to date, as well as reviewing the planning thus far for competition-related work within the working group. This report will also provide an update on confirmed 2024 Judging Tour dates and financial considerations to date.

Communities in Bloom is a volunteer and partnership-driven organization that uses a multi-tiered competitive evaluation process to foster community strength, involvement, and continuous improvement. This is accomplished by nurturing environmental sustainability, enhancement of green spaces, and heritage conservation in cultural and natural environments encompassing municipal, residential, commercial, and institutional spaces.

Analysis:

The Communities in Bloom working group began meeting in January of 2024, once registration for the Communities in Bloom Ontario Judging Program was completed. The working group consists of both municipal employees and community members that provide a wonderful variety of perspectives and representation. Members are listed below:

- Lois LaCroix, Volunteer Member
- Heather Wilson, Volunteer Member
- Heather Hamilton, Volunteer Member
- Vilma Moretti, Volunteer Member
- Katie Kilbreath, Seniors and Community Services Programmer, Staff Representative

- Vickie vanRavenswaay, Director of Recreation, Culture and Wellness, Staff Member
- Halee Braun, Supervisor of Recreation Programs, Staff Member
- Dave Nichols, Supervisor of Beautification, Staff Member
- Ryan Cook, Manager Public Works, Staff Member
- Jason Marr, Director of Public Works, Staff Member
- Leah Letford, Communications and Public Relations Specialist, Staff Member
- David Cribbs, CAO, Staff Member

To date, the working group has been able to review previous competition results (2000-2004) for the Town of Pelham and use that information to compare to current evaluation criteria to best plan the itinerary for visiting judges and the route of the judging tour.

Confirmed dates have been approved for July 11th and July 12th, 2024, for the Judging Tour. Two judges will be visiting and evaluating Pelham during these dates, and accommodations for overnight stay have been made.

With the vast backgrounds and experience of members on the working group, current focus is on mapping out the route and including areas, buildings and stops that are essential in highlighting the key criteria that judges are evaluating. The six key criteria are:

- Community Appearance
- Environmental Action
- Heritage Conservation
- Tree Management
- Landscape
- Plant/Floral Display

Some examples to highlight above include Comfort Maple, Marlene Stewart Streit Park, Sulphur Springs, Flagpole (Fenwick), Old Pelham Town Hall, etc.

Financial Considerations:

Approved funds were built into the 2024 budget through Beautification and Recreation, Culture and Wellness to be utilized towards the Communities in Bloom working group initiatives.

Strategic Plan Relationship: Environmental and Climate Change Adaptation

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

Consultation:

Martin Quinn, Communities in Bloom Ontario

Pelham Garden Club

Other Pertinent Reports/Attachments:

NIL

Prepared and Recommended by:

Katie Kilbreath
Seniors and Community Services Programmer

Vickie vanRavenswaay, CRFP
Director of Recreation, Culture and Wellness

Prepared and Submitted by:

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

Subject: Status of Assessment Review Board Appeals

Recommendation:

BE IT RESOLVED THAT Council receive Report #2024-0077 Status of Assessment Review Board Appeals, for information.

Background:

In early 2023 the Divisional Court upheld a 2021 decision of the Assessment Review Board (ARB) that had a substantial impact on how gravel pits and quarries are valued by the Municipal Property Assessment Corporation (MPAC). The ARB decision set out new guidance for how such lands are to be classified as Industrial or Residential for property tax purposes. Industrial lands are taxed at a significantly higher rate than Residential lands. There are multiple such properties located within the Town of Pelham.

Analysis:

As a result of the Divisional Court decision, many municipalities launched appeals to the ARB challenging the MPAC classification and valuation of gravel pits and quarries within their boundaries. There are eight such properties in Pelham. Niagara Region commenced appeals in relation to six of them and the Town brought appeals for the remaining two properties. The two appeals brought by the Town are anticipated to settle in the next few months. It is hoped that resolution will result in a revised land classification and a corresponding increase of tax revenues for the Town.

By conducting this work in house, Pelham saved more than \$10,000.

Financial Considerations:

As above.

Alternatives Reviewed:

None.

Strategic Plan Relationship: Financial Health

Ensuring that properties in Pelham are appropriately classified and taxed accordingly promotes the financial health of the Town.

Consultation:

None.

Other Pertinent Reports/Attachments:

None.

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

Memo

To: Town of Pelham Council

From: Leah Letford, Communications Specialist

Date: March 27, 2024

RE: Public Consultation Sessions re: Future of Meridian Community Centre Adjacent Lands

BE IT RESOLVED THAT Council receive the Memo 2024-0075 titled Public Consultation Sessions re: Future of Meridian Community Centre Adjacent Lands, for information.

Following the direction of Council provided in October of 2023, staff have coordinated to develop multiple opportunities for residents to review options and provide feedback on the future use of Town-owned lands adjacent to the Meridian Community Centre. A dedicated website page has been created on the Engaging Pelham site and can be accessed at www.pelham.ca/HopeLaneLandUse.

The Engaging Pelham site includes additional information on the timeline and history of the lands and the proposed options for resident consideration for future use of the lands. Within the website, a feedback survey for residents will be available. In addition to the dedicated website, the Life in Pelham Issue #9 was distributed to Pelham households via the neighbourhood mailing with Canada Post and highlighted that the community would have the opportunity for feedback. Printed signage is on display at the Meridian Community Centre and a social media campaign will be launched to support community awareness of the project and ways for residents to provide feedback.

Display boards will be available at the Meridian Community Centre during the month of April, which will showcase an artist rendering of potential options and uses of the Hope Lane Lands. The boards will also have options for residents to complete the online survey and additional hard copies will be available until April 30, 2024.

Two open public consultation events are scheduled at the Meridian Community Centre from 6:00 – 8:00 p.m. on Monday, April 15 and Thursday, April 18, 2024.

February 28, 2024

**Town of Pelham
Regional Municipality of Niagara**

SENT ELECTRONICALLY

Report No. FA-05-24 RE: Completed Acquisition – Lathrop Parcel

At the Board of Directors meeting held on February 16, 2024, the Board passed the following recommendation:

Resolution No. FA-08-24

THAT Report No. FA-05-24 RE: Completed Acquisition – Lathrop Parcel BE RECEIVED; AND THAT the Town of Pelham and Regional Municipality of Niagara BE INFORMED.

A copy of Report No. FA-05-24 has been enclosed for your reference.

Sincerely,



Melanie Davis
Manager, Office of the CAO & Board
Niagara Peninsula Conservation Authority

cc: Eric Baldin, Manager, Land Planning
Leilani Lee-Yates, Director, Planning & Development, A/Director Watershed Strategies & Climate Change

Report To: Board of Directors

Subject: Completed Acquisition – Lathrop Parcel

Report No: FA-05-24

Date: February 16, 2024

Recommendation:

THAT Report No. FA-05-24 RE: Completed Acquisition – Lathrop Parcel **BE RECEIVED;**

AND THAT the Town of Pelham and Regional Municipality of Niagara **BE INFORMED.**

Purpose:

The purpose of this report is to update the Board of Directors on the completed acquisition of the Lathrop Parcel located at 130 Luffman Drive, Part Lot 3 Concession 4, Town of Pelham, Regional Municipality of Niagara. The report further recommends that NPCA's local and regional municipality, within which the property is located, be informed of this acquisition.

Background:

The Niagara Peninsula Conservation Authority (NPCA) Board of Directors approved the Land Securement Strategy (LSS) in December 2022 via Resolution No. FA-128-2022. Approval of the LSS was a significant achievement for NPCA and supports Goal 1.4 of NPCA's 2021-2031 Strategic Plan – Managing NPCA lands to increase biodiversity, habitat connectivity, and natural cover. The NPCA has adopted a minimum of 180 hectares by 2031.

Through two separate Resolutions in 2023 (No. FA-59-2023 and No. FA-95-2023), the NPCA Board of Directors directed staff to pursue and negotiate the acquisition of 8 parcels throughout the watershed based on an estimated value for each property and an overall upset limit for all priority parcels. One potential acquisition, the Lathrop successfully negotiated in 2023, with final transfer on January 12, 2024.

Discussion:

The Lathrop Parcel is 26 hectares (64 acres) that includes a mix of natural features, agricultural land, and residential improvements. The landowner is from the same family that sold the original Lathrop Conservation Area to NPCA in 2011. NPCA was interested in a roughly 18 hectare (44 acre) portion of the property that included most of the natural features, while the landowner would retain 8 hectares (20 acres) that included their residence and other property improvements.

The parcel is located within the Niagara Escarpment Plan area and designated Escarpment Natural and Escarpment Protection. The parcel is also part of the Effingham Forest Life Science ANSI. It provides cold water fish habitat and has presence of one Species at Risk (American Chestnut) on the north part of the parcel. Informal trails already exist and may be ideal to connect to adjacent NPCA properties with additional acquisitions. This property is also within one of the six landowner outreach focus areas (St. Johns/Shorthills) as identified in the LSS.

The landowner connected with NPCA staff in late 2022 and expressed interest in selling a portion of their escarpment property. After an appraisal was completed to determine fair market value, NPCA staff were able to negotiate a per acre purchase price within market value. With verbal agreement on the per acre value, NPCA staff completed several due diligence studies including a Phase 1 Environmental Site Assessment and legal survey. After the property survey was completed the final property size to be purchased by NPCA was assessed at 17.8 hectares or 43.96 acres.

There are no immediate plans to open the property for public access. Future uses will be determined through a management plan process. Land Care staff will ensure property boundaries are marked with NPCA signage as needed to limit risk and liability.

The landowner intends to work with NPCA and Niagara Peninsula Conservation Foundation (NPCF) staff to share their story and connection to the watershed. This story will be one part of support materials used by staff and Board members from NPCA and NPCF to secure additional acquisition opportunities and solicit private donations in support of NPCA's Land Securement Strategy and the NPCF Nature For All campaign.

Financial Implications:

Funding to support this project was leveraged between two funding sources – the 2023 Niagara Region land acquisition support of \$234,000 and the Ministry of Environment and Climate Change Canada (MOECCC).

With support from Conservation Ontario, the MOECCC is providing acquisition funding through the Nature Smart Climate Solutions Fund (NSCSF). The NSCSF is a funding

program implemented to help achieve several Federal targets for habitat enhancement, restoration, stewardship, protection, and others. This includes Canada's 30x30 targets to protect 30% of lands and waters by 2030. The Lathrop parcel will further enhance NPCA's existing contribution of over 1600 hectares to the 30x30 initiative.

Links to Strategic Plan:

Securement of the Lathrop Property supports the NPCA strategic plan that led to the development and implementation of a LSS to achieve Goal 1.4: "*Manage lands to increase biodiversity, habitat connectivity, and natural cover*". Implementing the LSS through securement of properties also directly supports achieving Goal 3.1 "*Create equitable access to greenspace for the health and well-being of people*" as well as several other NPCA strategic goals and performance measures related to natural hazard protection, ecosystem improvements, and building relationships with partners, stakeholders, and Indigenous peoples.

Related Reports and Appendices:

None.

Authored by:

Original Signed by:

Eric Baldin
Manager, Land Planning

Submitted by:

Original Signed by:

Chandra Sharma MCIP RPP
Chief Administrative Officer/Secretary-Treasurer

February 28, 2024

**City of Hamilton
Haldimand County
Regional Municipality of Niagara
Local Area Municipalities**

SENT ELECTRONICALLY

Report No. FA-07-24 RE: NPCA Annual General Meeting 2024

At the Board of Directors meeting held on February 16, 2024, the Board passed the following recommendation:

Resolution No. FA-09-24

THAT Report No. FA-07-24 RE: NPCA Annual General meeting BE RECEIVED;
AND THAT the NPCA Annual General Meeting BE SCHEDULED April 19, 2024
as an exemption to the NPCA Administrative By-Law;
AND FURTHER THAT the NPCA Meeting Schedule approved December 15,
2023 BE REVISED and circulated to participating local area municipalities for
information.

The revised NPCA Board of Directors' Meeting Calendar has been attached, along with a copy of Report No. FA-07-24 for your reference.

Sincerely,



Melanie Davis
Manager, Office of the CAO & Board
Niagara Peninsula Conservation Authority

cc: Chandra Sharma, CAO / Secretary - Treasurer
Gina Shaule, Administrative Assistant, Corporate Administration

NPCA Board of Directors' Meeting Calendar 2024

January

S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

February

S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29		

March

S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

April

S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

May

S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

June

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						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

July

S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

August

S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

September

S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

October




S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		



November

S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

December

S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13*	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

 Full Authority Board Meeting
 Public Advisory Committee
 Statutory Holiday / Office Closure

 Governance Committee, following Full Authority
 Finance Committee

Full Authority Board Meetings

Friday February 16
Friday, March 22
Friday, April 19 – **Annual General Meeting**
Friday, May 17
Friday, June 21
Friday, July 19
Friday, September 20
Friday, October 18
Friday, November 15
Friday, December 13 *(if required)

Note: there will be a Source Protection Authority Board meeting scheduled for Friday April 19th to coincide with the Full Authority Board meeting.

Committees of the Board

Finance Committee Meetings

Wednesday, April 3
Wednesday, July 24
Wednesday, September 25

Governance Committee Meetings

Friday, February 16
Friday, May 17
Friday, October 18

Public Advisory Committee Meetings

Tuesday, February 27
Tuesday, May 28
Tuesday, September 17
Tuesday, November 26

Report To: Board of Directors

Subject: NPCA Annual General Meeting 2024

Report No: FA-07-24

Date: February 16, 2024

Recommendation:

THAT Report No. FA-07-24 RE: NPCA Annual General Meeting 2024 Meeting **BE RECEIVED**;

AND THAT the NPCA Annual General Meeting **BE SCHEDULED** April 19, 2024 as an exemption to NPCA Administrative By-Law;

AND FURTHER THAT NPCA Meeting Scheduled approved December 15, 2023 **BE REVISED** and circulated to participating and local area municipalities for information.

Purpose:

This report seeks approval from the Board of Directors to change the 2024 Annual General Meeting (AGM) date to April 19, 2024, as an exemption to NPCA's Administrative By-Law.

Background:

As per Section 3.1 of the NPCA Administrative By-Law "The annual meeting of the NPCA Board will occur on the third Friday of February."

At the December 15, 2023 meeting of the Board, members verbally agreed to move the AGM to coincide with the grand opening of the Authority's head office relocation at 3350 Merrittville Hwy in March 2023.

Discussion:

The NPCA Head Office Transition Team has been working diligently on a seamless relocation for staff and regularly provides status updates internally. It was recently

indicated that work required to ensure technological requirements are in place and tested would not be completed to appropriately facilitate the AGM at the new location by March 22, 2024. Staff anticipate that all work required will be completed in early April and suggest that the Board consider revising the date of the AGM to April 19, 2024.

The proposed April 2024 date also coincides with the 65th anniversary of the establishment of NPCA in April 1959, presenting an excellent opportunity to include the celebration along with the head office relocation.

The recommendation does not alter the number or frequency of meetings for the Board. Full Authority Meeting would carry on as scheduled for both February 16, and March 22, 2024.

Financial Implications:

There are no financial implications pertaining to the proposed recommendations.

Links to Policy/Strategic Plan

Recommendations outlined in this report promote Organizational Excellence by promoting transparency and effectively communicating scheduling changes with participating and local area municipalities.

Related Reports and Appendices:

Report No. FA-51-23 RE: Board of Directors' 2024 Meeting Schedule

Authored by:

Original Signed By:

Melanie Davis

Manager, Office of the CAO & Board

Submitted by:

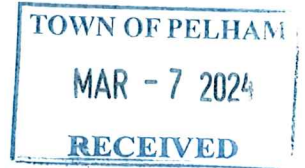
Original Signed By:

Chandra Sharma

Chief Administrative Officer/Secretary-Treasurer

March 5, 2024

Vicki vanRavenswaay
Town of Pelham
20 Pelham Town Square, PO Box 400
Fonthill, ON L0S 1E0



Dear Vicki:

Thank you for showing such personal generosity to Pathstone. We continue to see more kids year after year. Over the past 12 months, our services were accessed more than 12,000 times!

I am excited to share more with you about the impact our walk-in clinic program is making. Here is what we have learned from the data we have collected.

- The average walk-in clinic client is **11.5 years** old.
- **49%** want to learn coping strategies. *This is the #1 reason why the program was created!*
- **21%** are struggling with Anxiety.
- **12%** are looking for ongoing counselling from Pathstone. *These are youth on our waiting list.*
- **98%** of clients say they felt heard in their walk-in clinic session
- **100%** said they would come back and **100%** said they would refer a friend.

Your donation allows us to continue moving forward and to get ahead of the needs of our community.

Your **\$15,000.00** gift to Pathstone helps fulfill our mission to support kids and their families. To get them the help they need as soon as possible, and always at no cost.

I am happy to connect with you at any time to share more about how your giving can make an impact that will last a lifetime.

With immense thanks and gratitude,



Lorraine Snihur
Director, Foundation & Communications
Pathstone Mental Health
1338 Fourth Avenue, St. Catharines, ON, L2S 0G1
Lsnihur@Pathstone.ca | 905.688.6850 x102

Thank you from the
bottom of our hearts
for this continued
support!

P.S – River House, our newest location at 102 River Road in Welland is NOW OPEN! This site will make it easier for kids and families to get the mental health care they need, closer to home.

Committee of Adjustment
Minutes

Meeting #: 02-2024
Date: Monday, February 5, 2024
Time: 4:00 pm
Location: Town of Pelham Municipal Office - Council Chambers
20 Pelham Town Square, Fonthill

Members Present Colin McCann
Don Rodbard
John Cappa

Members Absent Brenda Stan
Isaiah Banach

Staff Present Sarah Leach
Andrew Edwards
Jodi Legros
Barbara Wiens
Gimuel Ledesma

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, Ms. Sarah Leach, Secretary-Treasurer, called the meeting to order at approximately 4:00 pm. The Secretary-Treasurer 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. Leach recited the land recognition statement.

4. Approval of Agenda

Moved By Colin McCann
Seconded By Don Rodbard

THAT the agenda for the February 5, 2024 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. Leach stated no requests for withdrawal or adjournment have been made.

7. Applications for Minor Variance

7.1 A1-2024P - 1334 Pelham Street

Purpose of the Application

Application for relief is made, to facilitate the construction of a single-detached dwelling. The applicant seeks relief from the following section(s) of the Zoning By-law: Section 6.1.3 "Maximum Front Yard" – to permit a maximum front yard setback of 50.2m whereas the By-law permits a maximum front yard of 6.0m.

Representation

The Applicant, Laura Schilstra was viewing via Livestream.

Correspondence Received

1. Town of Pelham Planning
2. Town of Pelham Public Works
3. Town of Pelham Building
4. Karen Saylor
5. Anthony Eaton

Applicants Comments

None.

Public Comments

Ms. Leach, Secretary-Treasurer indicated there were no pre-registered members of the public or individuals present in the gallery. She checked the clerks@pelham.ca email address at 4:16 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.

Member Comments

A Member expressed that without the variance, the Applicant would be unable to build the structure. The Member identified the strategic placement of windows to ensure no privacy encroachment. The Member stated the requirement for the installation of property fencing is reasonable.

Moved By Colin McCann

Seconded By Don Rodbard

THAT the public portion of the meeting be closed.

Carried

Moved By John Cappa

Seconded By Don Rodbard

THAT Application A1-2024P for relief to facilitate the construction of a single-detached dwelling, seeking relief from the following section(s) of the Zoning By-law: Section 6.1.3 “Maximum Front Yard” – to permit a maximum front yard setback of 50.2m whereas the By-law permits a maximum front yard of 6.0m, is hereby, GRANTED:

The above decision is based on the following reasons:

- 1. The variance is minor in nature as the rear of the site has ample space for the proposed dwelling and detached garage, while other yard setbacks remain unchanged. The dwelling is designed to minimize impact on adjacent development with limited windows on the eastern face and a screened outdoor 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 it aligns with appropriate development standards and makes efficient use of underutilized urban land with full municipal services.
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.
7. The Applicant is aware modification of a driveway entrance will require an entrance permit for Public Works, at the expense of the Applicant.

The above decision is subject to the following conditions:

1. To the Satisfaction of the Director of Community Planning and Development
 1. Construct a board-on-board privacy fence along Lot Lines #5 and #6 where the existing fence was damaged and removed to the satisfaction of the Director of Community Planning and Development.
2. To the Satisfaction of the Director of Public Works
 1. Submit a comprehensive Lot Grading & Drainage Plan demonstrating that the drainage neither relies, nor negatively impacts neighbouring properties, to the satisfaction of the Director of Public Works, or designate.

8. Minutes for Approval

Moved By Colin McCann

Seconded By John Cappa

THAT the Committee of Adjustment minutes dated December 4, 2023, be approved.

Carried

9. Adjournment

The hearing was adjourned at 4:21 pm.

Moved By Colin McCann

Seconded By Don Rodbard

BE IT RESOLVED THAT this Meeting of the Committee of Adjustment be adjourned until the next regular meeting scheduled for March 4, 2024, at 4:00 p.m.

Carried



John Cappa, Chair



Sarah Leach, Secretary-Treasurer

Subject: Fence Variance 27 Milburn Drive

Recommendation:

BE IT RESOLVED THAT Council receive Report #2024-0066 Fence Variance – 27 Milburn Drive, for information;

AND THAT Council approve the requested 6-foot, wooden fence to be erected on a small area considered the front yard of the property to conform to the Town's Pool By-law regulations.

Background:

27 Milburn Drive is a unique property within Pelham for the fact that it's property lines border onto three streets including Welland Road, Milburn Drive and Woodside Square and the property does not have a rear yard or a conventional front yard.

This Application is made in conjunction with a Pool Permit Application the Town has received for this property. This Fence Exemption Application, if approved, will conform to the regulations and requirements for security fencing around a pool.

Analysis:

This exemption consideration requests relief to Section 6 of the Towns Fence Bylaw 4157(2019) relating to *"no fence of a greater height than 1.22 m (4'-0") above the adjoining ground level shall be erected or caused to be erected or maintained or caused to be maintained in any front yard"*. This would permit the owners to install a 6 ft high wooden fence on a small area designated as the front yard of the property. A portion of this new fencing would mirror and attach to the existing fencing which is currently along the east side of the property and will also form part of the fencing required for security around a pool.

It should be noted that the owners of the property also applied for Minor Variances from the Town for structures including a pool equipment room, change room and covered patio which were presented to the Committee of Adjustment through the Planning Department and was approved on March 4, 2024. Permit Applications for these structures are now in progress. The proposed new fencing (which is covered under this exemption request) will also be attached to these new structures and will allow the footprint of the new fencing to be kept to a minimum. Site lines have also been considered in this application and have been adhered to.

Due to the uniqueness of this property and the owners willingness to work with the Bylaw Department in regard to this application, the Bylaw Department fully supports this Application for an Exemption to the Fence Bylaw at 27 Milburn Drive, Fonthill, to allow a 6 ft high wooden fence to be erected on a small area considered the front yard of the property in order to conform to the Towns Pool Bylaw regulations.

Financial Considerations:

There are no direct costs associated with this report.

Alternatives Reviewed:

Smaller size fence or fencing directly around pool.

Strategic Plan Relationship: Community Development and Growth

No concerns with fence as per by-law, planning, building and public works departments.

Consultation:

Owners of the property, Bylaw Department, Planning and Development Department, Public Works

Other Pertinent Reports/Attachments:

Final inside and outside picture of proposed fence
Final Landscape concept drawing 5
Final revised drawing
Letter to council
Satellite images x2
Schematic diagram of approximate new fence location x2
Town of Pelham, Notice of decision, A3-2024 NOD

Prepared and recommended by:

Bob Lymburner, Fire Chief
Director of Fire and By-law Services

Prepared and Submitted by:

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



Will Match fencing
currently on
property.

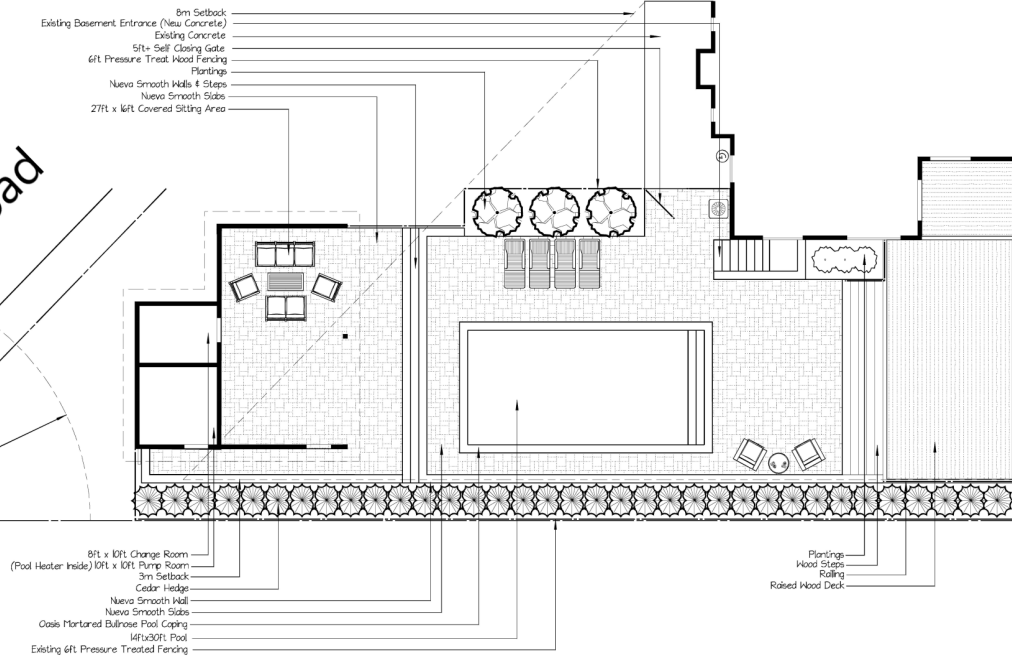
Will match fencing
currently existing
on property



Milburn Drive

Welland Road

Woodside Square



NOTES

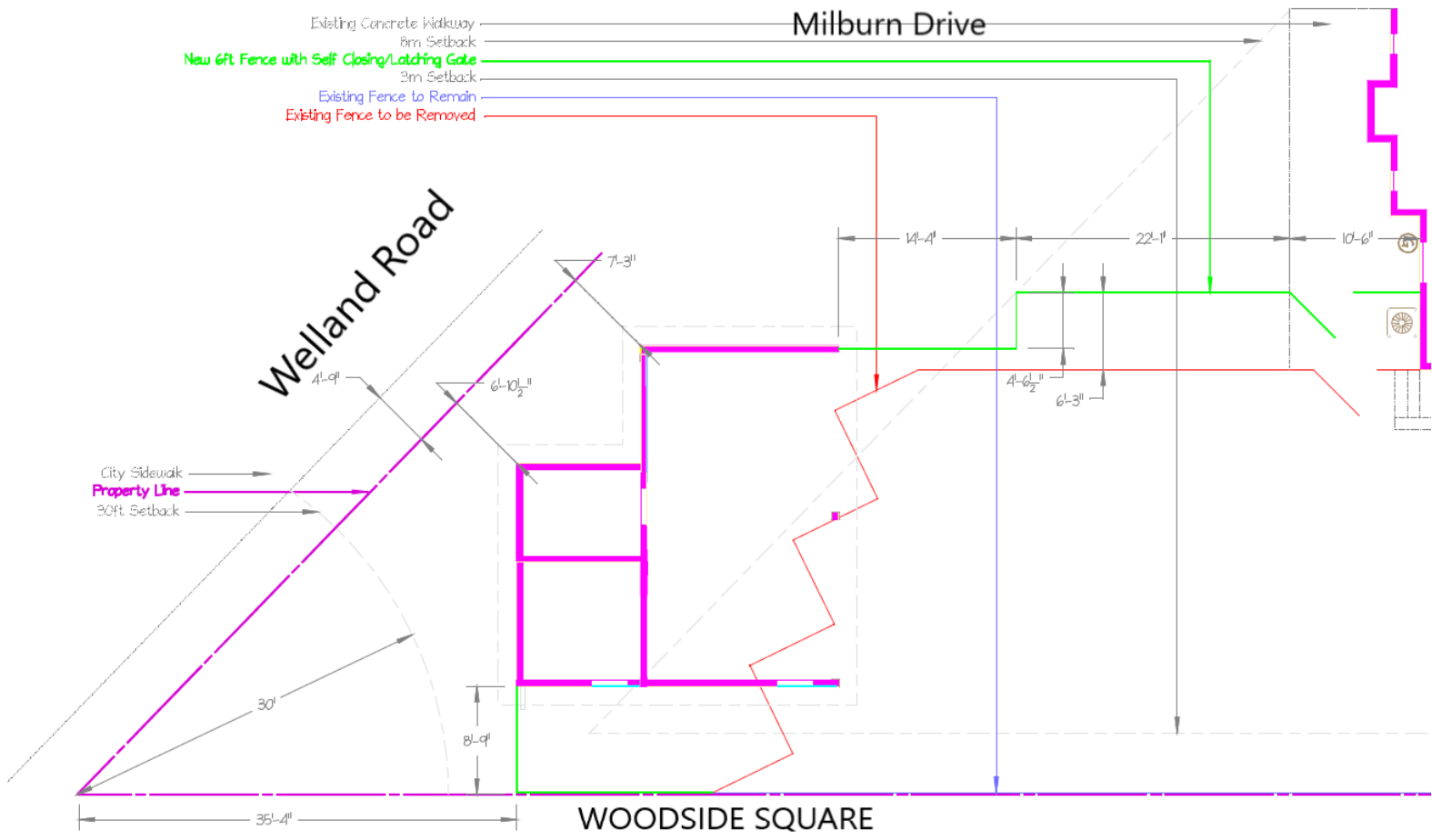
Nature's Own Landscape & Design
Quality service inspired by nature

This drawing was provided free of charge by Nature's Own Landscape & Design LLC, and is not to be used without the written consent of either Ryan or Steven Van Lochem.

Dolce Residence
27 Milburn Dr. Fonthill

SCALE: 1"=8'	PROJECT NO: 2023-018021
DRAWN BY: Ryan VL	CHECKED BY: Homeowners
DATE: Oct. 2023	REVISION: 5
DATE OF PLOT:	

Drawn by RyanVL







Legend

- Override 1
- Address Points
- Municipal Boundaries
- Road Labels
- Assessment Parcels

0 0.010.01 0.03 0.04 0.06

Date: 2024-02-02 Time: 2:08 PM km

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Joanna & Blake Dolce

27 Milburn Drive
Fonthill, ON, L0S 1E4
905-246-9925

Town of Pelham Council
20 Pelham Town Square
P.O. Box 400
Fonthill, ON, L0S 1E0

January 31, 2024

Dear Council Members,

We would like to request an exemption to the Town's Fence Bylaw 4157(2019) Section 6 relating to "no fence of a greater height than 1.22 m (4'-0") above the adjoining ground level shall be erected or caused to be erected, or maintained or caused to me maintained in any front yard".

We are requesting this exemption to allow for a 6 foot fence in our front yard, as we are wanting to put in a pool and need at least a 5 foot fence to meet the pool permit requirements. We would also like the new sections of the fence to be 6 foot to mimic our existing fence (picture included).

Due to the unique nature of our property, we have worked together with the Bylaw department to come to an agreeable proposal.

As per the included drawings, the red lines indicate the existing fence and the green lines indicate the new proposed 6 foot fence. The purple line shows the existing fence that will stay as is. Part of the existing fence needs to be moved to accommodate the pool and pool house.

We would like to thank you in advance for the consideration of this proposal.

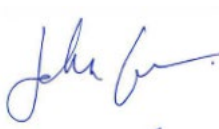
Should you have any questions or require further information, please let us know.

Warm Regards,

Joanna & Blake Dolce

NOTICE OF DECISION**File Number: A3-2024P****Subject Lands: 27 Milburn Drive, Pelham****Legal Description: PCL 18-5 SEC 59M-128, PT BLK 18, Plan 59M-128 being Part 4 on 59R-6755****Date of Decision: March 4, 2024****For minor variance and relief from restricted area Zoning By-law #4481(2022), as amended:****Application for relief of Section 3.1(c) “Accessory Uses, Buildings and Structures” – requesting an accessory building be permitted a front yard setback of 2.18m, whereas accessory structures are not to be located in any front yard, is hereby:****Decision:****X** Granted☐ Refused**GRANTED**

Isaiah Banach, Chair



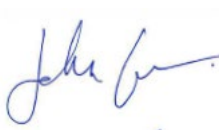
John Cappa, Member



Don Rodbard, Member

Application for relief of Section 3.33(b) “Swimming Pools” – to permit a setback of 3.33m to a front lot line for pool circulating equipment in an enclosed building, whereas circulating equipment is not permitted closer to any street than the required yard for the main building or structure, is hereby:**Decision:****X** Granted☐ Refused**GRANTED**

Isaiah Banach, Chair



John Cappa, Member



Don Rodbard, Member

I hereby certify this to be a true copy of the decision of the Committee of Adjustment for the Town of Pelham in the Regional Municipality of Niagara and this decision was concurred in by the majority of the members who heard the application.

Date of Mailing: March 5, 2024Sarah Leach, BA
Deputy Clerk/Secretary-Treasurer**Important Information!****Last day for filing an appeal of this decision to the Ontario Land Tribunal is Monday, March 25, 2024.**

Procedure for Appeal: The *Planning Act*, R.S.O. 1990, Section 45(12), as amended states that an appeal may be filed by the applicant, the Minister of Municipal Affairs and Housing, a “specified person” and/or any “public body” (as defined by *Planning Act* Section 1(1)) within twenty (20) days of the making of the decision. Appeals must be filed with the Secretary-Treasurer using the prescribed Appellant Form (A1) available on the Ontario Land Tribunal (“OLT”) website at <https://olt.gov.on.ca/appeals-process/forms/> together with the fee prescribed by the Municipal Board under the Ontario Land Tribunal Act, 2021. The prescribed fee for an appeal to the OLT is \$400.00 payable to the Minister of Finance. Appeals must be received no later than the end of business on the last date of appeal listed on the Notice of Decision.

Please note, neighbours and other interested parties not defined are no longer eligible to file *Planning Act* Section 45(12) appeals. See Bill 23, *More Homes Built Faster Act*, 2022 for more information.

Schedule A – Page 2 of 2

The above decision is based on the following reasons:

1. The variance is minor in nature as no adverse impact on the streetscape is anticipated.
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 maintain adequate outdoor amenity area for the property owners. Locating the circulating equipment in the accessory structure will provide a visual and noise-attenuating buffer for the machinery.
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 decision is 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.
2. That the Applicant obtain a pool permit, through the By-law Division.

Prior to Building Permit:

1. To the Satisfaction of the Director of Community Planning and Development
 - a. Obtain approval for a fence variance.
2. To the Satisfaction of the Director of Public Works
 - a. The Applicant must submit a comprehensive Lot Grading & Drainage Plan demonstrating that the drainage neither relies, nor negatively impacts neighboring properties, and that all drainage will be contained within the respective lot.



Sarah Leach, BA
Deputy Clerk/Secretary-Treasurer

Date of Decision: March 4, 2024

Date of Mailing: March 5, 2024

Last day for filing an appeal of this decision to the Ontario Land Tribunal is Monday, March 25, 2024.



The Corporation of the Town of Pelham

By-law No. 19-2024

Being a By-law to establish certain lands as a public highway.

WHEREAS the Corporation of the Town of Pelham has authority under the *Municipal Act, 2001*, S.O. 2001, c. 25 to pass by-laws establishing public highways in the municipality;

AND WHEREAS the Corporation of the Town of Pelham is the registered owner of lands that are legally described as Lot 36, Plan 707 and that can further be described as a one-foot reserve immediately adjacent to an established public highway known as Haist Court ("the Lands");

AND WHEREAS the Corporation of the Town of Pelham deems it necessary and expedient to establish the Lands as a public highway and to designate and dedicate the Lands for this purpose;

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

1. **THAT** the Lands are hereby designated and dedicated as part of the public highway known as Haist Court.
2. **THAT** the Lands are hereby established as a public highway.
3. **THAT** all By-laws of the Corporation of the Town of Pelham presently in force with respect to public highways shall apply to the Lands.
4. **THAT** this By-law shall come into effect on the date that it is passed.

Read, enacted, signed and sealed this 27th day of March, 2024.

Marvin Junkin, Mayor

William Tigert, Town Clerk



The Corporation of the Town of Pelham

By-law No. 20-2024

Being a by-law to adopt, ratify and confirm the actions of the Council at its regular meeting held on the 27th day of March 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 27th day of March, 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 27th day of March 2024.

Marvin Junkin, Mayor

William Tigert, Town Clerk