



## REGULAR COUNCIL AGENDA

C-17/2024P

Wednesday, October 16, 2024

9:00 AM

Town of Pelham Municipal Office - Council Chambers  
20 Pelham Town Square, Fonthill

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

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Pages

1. **Call to Order and Declaration of Quorum**
2. **National Anthem**
3. **Land Recognition Statement**

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

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

<b>6.</b>	<b>Hearing of Presentation, Delegations, Regional Report</b>	
6.1	Tax Write-off Under Municipal Act, Section 357 & 358	5 - 5
6.2	Delegations	
6.2.1	Welland McMasterFamily Health Team - Request for Rent Assistance for Education Purposes	6 - 14
	Jennifer Mueller, Assistant Clinical Professor - Department of Family Medicine, McMaster University	
<b>7.</b>	<b>Adoption of Council Minutes</b>	
7.1	RC-16/2024 - October 2, 2024 - Regular Council	15 - 26
<b>8.</b>	<b>Request(s) to Lift Consent Agenda Item(s) for Separate Consideration</b>	
<b>9.</b>	<b>Consent Agenda Items to be Considered in Block</b>	
9.1	Staff Reports of a Routine Nature for Information or Action	
9.1.1	Q3 2024 Fire and By-law Department, 2024-0230-Fire Dept	27 - 34
9.1.2	Q3 2024 Corporate Services Quarterly Report, 2024-0201-Corporate Services	35 - 44
9.1.3	Q3 2024 RCW Quarterly Report, 2024-0208-Recreation	45 - 78
9.1.4	Q3 2024 Planning and Development Quarterly Report, 2024-0228-Planning	79 - 84
9.1.5	Q3 2024 Public Works COW Report, 2024-0218-Public Works	85 - 100
9.1.6	Q3 2024 Clerks Quarterly Report, 2024-0238-Clerks	101 - 107
9.1.7	Memo re Town of Pelham Staff Appointee to the Joint Board of Management - Niagara Regional Courts, 2024-0231-Clerks	108 - 108
9.1.8	Communities in Bloom Final Report, 2024-0222-	109 - 134

## Recreation

### 9.2 Action Correspondence of a Routine Nature

9.2.1 Royal Canadian Legion Branch #613 - Poppy Campaign Request 2024 135 - 135

9.2.2 Scouts 2024 Annual Apple Day Fundraiser 136 - 136

### 9.3 Information Correspondence

9.3.1 Notice of First Nation Traditional Deer Harvest in Short Hills Provincial Park 2024 137 - 138

### 9.4 Regional Municipality of Niagara Correspondence for Information or Action

9.4.1 Niagara Region Incentive Policy Review 139 - 199

9.4.2 Niagara Region Motion Respecting Municipal Codes 200 - 201

### 9.5 Advisory Committee Minutes for Information 202 - 215

9.5.1 Committee of Adjustment Minutes - August 6, 2024 216 - 240

9.5.2 Pelham Active Transportation Committee Minutes - June 26, 2024 and August 28, 2024 241 - 254

9.5.3 Pelham Finance and Audit Committee Minutes - September 10 2024 255 - 266

## 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 Proposed 2025 Council Meeting Schedule , 2024-0185- Clerks 267 - 272

11.2.2 Status of Fees and Charges Update, 2024-0227- 273 - 275

## Corporate Services

11.2.3	Cash Management and Debt Policy Updated, 2024-0223-Corporate Services	276 - 308
11.2.4	26T19-02-2024, AM-04-2024 - Recommendation Report - Maplewood Estates, 2024-0207-Planning	309 - 334
11.2.5	Wellspring Niagara - Lease and Municipal Capital Facility Agreement, 2024-0232-Town Solicitor	335 - 348
12.	Unfinished Business	
13.	New Business	
14.	Presentation and Consideration of By-Laws	349 - 364
	1. By-law 69-2024 - Being a By-law to regulate animal care and control in the Town of Pelham and repeal By-law Nos. 462(1978), 1450(1992), 97-2010, 2174(2000), 2254(2001) and 3448(2013).	
15.	Motions and Notices of Motion	
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 employees and (d) - labour relations or employee negotiations - 1 item (Consideration of Appointments to Advisory Committees)	
	(c) a proposed or pending acquisition or disposition of land by the municipality or local board - 2 items (Ward 1)	
17.	Rise From In Camera	
18.	Confirming By-Law	365 - 365
19.	Adjournment	

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

<b>Roll #</b>	<b>Address</b>	<b>Reason</b>	<b>From</b>	<b>To</b>	<b># of Days Effective</b>	<b>Property Class</b>	<b>Original Assessment</b>	<b>New Assessment</b>	<b>Increase/Decrease</b>	<b>Rate</b>	<b>Subtotal</b>	<b>Total Adjustment</b>
<b>2024</b>												
2732 020 003 05100	5 Mayfair Ave	Demolition	6/21/2024	12/31/2024	194	RT	214,000	207,000	(7,000)	0.01509401	(56.16)	(56.16)
<b>Total Taxes Written Off Under Section 357/358</b>											<u>(56.16)</u>	<u>(56.16)</u>

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](mailto:clerks@pelham.ca)

Name or Organization or Firm: Welland McMaster Family Health Team	
Name and Title of Presenter(s): Dr Jennifer Mueller MD, CCFP, FCFP, Assistant Clinical Professor Department of Family Medicine, McMaster University	
Address: 555 Prince Charles Drive, Welland ON	
Telephone:	Email:

Date of Meeting Requested: October 16, 2024

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:	funding for teaching space for family medicine residents, medical students and allied health students at Welland McMaster FHT
If not for information, identify the desired action requested:	

**Have you previously spoken on this issue?**                     Yes                     No

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

**Do you have presentation material or speaking notes?**                     Yes                     No

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

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

\_\_\_\_\_  
Signature

Aug 22, 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.

# Medical Education at Welland McMaster Family Health Team

Presentation to  
Pelham City  
Council



Dr. Amanda Bell and Dr  
Jennifer Mueller

October 16, 2024





# Welland-McMaster Family Health Team

- Incorporated in 2011 after a successful bid to the MOH with assistance from McMaster
- Non-profit, run by a volunteer board of directors including community members and physicians
- Provides care to 18 000 patients (17% are from Pelham) and expanded community care in mental health, care for older adults, chronic pain
- City of Welland currently funds 3000 square feet of teaching space at the clinic at a cost of \$81000 per year- commitment ends November 30, 2025



# Niagara Regional Campus

- 96 undergraduate MD students (32 per year x 3)
- 31 postgraduate residents and fellows (22 Family Medicine, 5 General Surgery, 2 Family Med/ER, 2 Diagnostic Imaging)
- Care of the Elderly residency training spot beginning July 2025
- 450 faculty members across all disciplines
- Over 50% of those who train in Niagara (residency) remain in Niagara to practice
- Over 100 physicians who have been trained at NRC now practice in Niagara



# Why Does This Matter?

- Niagara is short family physicians
- Pelham's population is growing
- Allied Health professionals are also in short supply



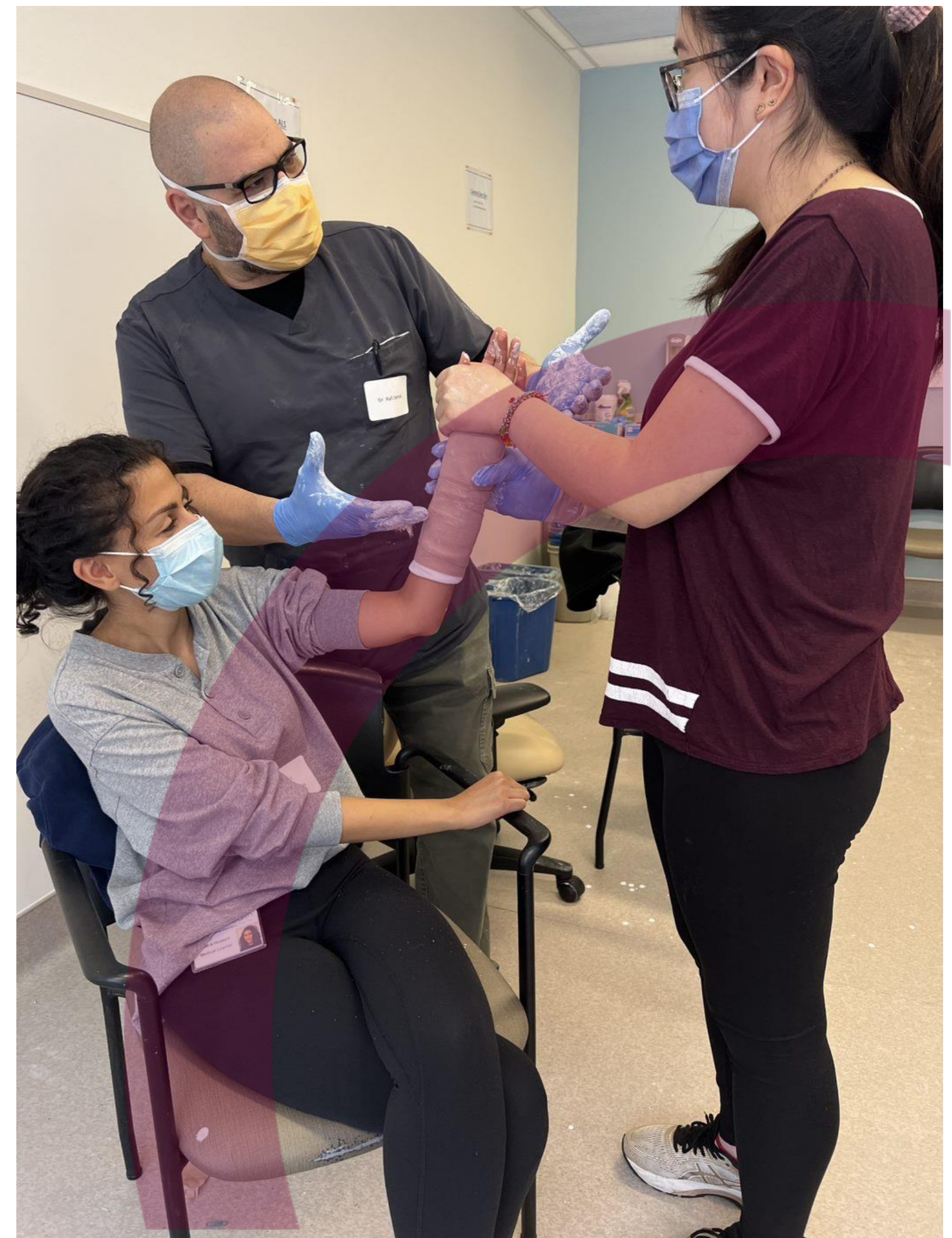
# Teaching at Welland-McMaster Family Health Team

- We have taught over 100 medical learners, including 15 Family Medicine residents, since 2011
- 13 of our students now practice medicine in the Niagara Region
- Our clinic hosts “OSCE” medical school clinical skills exams 3 times per year for the Niagara Regional Campus
- We also teach nurse practitioners and nurses, among others



# Future Directions

- We believe teaching is one of the most effective methods of recruiting and retaining new graduates to our community
- The cost for the space to teach one learner per year is approx. \$10 000
- We are looking for funding for one learner per year over the next five years



# Thank you!

## Dr. Jennifer Mueller

- Family Physician, Welland McMaster FHT
- [jlmuellerccfp@gmail.com](mailto:jlmuellerccfp@gmail.com)

## Dr. Amanda Bell

- Regional Assistant Dean, Niagara Regional Campus
- [bellam@mcmaster.ca](mailto:bellam@mcmaster.ca)
- September 17, 2024

## REGULAR COUNCIL MINUTES

**Meeting #:** C-16/2024  
**Date:** Wednesday, October 2, 2024  
**Time:** 9:00 AM  
**Location:** Town of Pelham Municipal Office - Council  
Chambers  
20 Pelham Town Square, Fonthill

**Members Present:** Mayor Marvin Junkin  
Councillor Bob Hildebrandt  
Councillor Wayne Olson  
Councillor John Wink  
Councillor Kevin Ker  
Councillor Shellee Niznik (part time)  
Councillor Brian Eckhardt

**Staff Present:** David Cribbs  
Bob Lymburner  
Jason Marr  
Teresa Quinlin-Murphy  
Jennifer Stirton  
Holly Willford  
Jodi Legros  
Pamela Duesling  
Ryan Cook  
Usama Seraj

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

Noting that a quorum was present, the Mayor called the meeting to order at approximately 9:00 am.

### 2. National Anthem

### 3. Land Recognition Statement

Deputy Mayor Wink read the land recognition statement into the record.

### 4. Approval of the Agenda

The Mayor stated a resident contacted him to say he was very impressed and thankful for Council's actions on installing speedbumps on Pancake Lane. The resident indicated there has been a reduction in speeding on the street.

**Moved By** Councillor John Wink  
**Seconded By** Councillor Brian Eckhardt

**BE IT RESOLVED THAT the agenda for the October 2, 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 Niagara Regional Police Service**

Chief Fordy and Inspector Gomez provided Council a presentation with respect to policing within Niagara and the Town of Pelham. Chief Fordy answered various questions of Council.

**Moved By** Councillor Bob Hildebrandt

**Seconded By** Councillor Shellee Niznik

**BE IT RESOLVED THAT Council receive the policing presentation from Niagara Regional Police, for information.**

**Carried**

**6.1.2 Delegations for Budget Open House**

**6.1.2.1 Amy Redekop - Budget Request for New Park Equipment at Lookout Subdivision**

Ms. Redekop was unable to attend the meeting. The Clerk's Department stated they would reach out to Ms. Redekop to determine specifically what type of equipment Ms. Redekop is requesting.

**Moved By** Councillor John Wink

**Seconded By** Councillor Kevin Ker

**BE IT RESOLVED THAT Council receive the presentation and 2025 Budget Submission from Amy D'Amico regarding upgrade of park equipment in the Lookout Subdivision, for information;**

**AND THAT the request be referred to staff for inclusion in the budget considerations.**

**Carried**



**6.1.2.2 Special Olympics Welland/Pelham - Budget Request for Bocce Ball Courts**

Mr. Belmore requested the addition of four (4) gravel bocce ball courts. He further requested some trees or shade options be considered for the courts.

**Moved By** Councillor Wayne Olson

**Seconded By** Councillor Bob Hildebrandt

**BE IT RESOLVED THAT Council receive the presentation and 2025 Budget Submission from Special Olympics Welland Pelham regarding bocce courts for recreational use, for information;**

**AND THAT the request be referred to staff for inclusion in the budget considerations.**

**Carried**

**6.1.2.3 Pelham Art Festival - Request for Grant Money**

Ms. Tammy van den Brink requested \$6,000.00 to store artboards.

**Moved By** Councillor Shellee Niznik

**Seconded By** Councillor Brian Eckhardt

**BE IT RESOLVED THAT Council receive the presentation and 2025 Budget Submission from the Pelham Art Festival regarding storage of art boards, for information;**

**AND THAT the request be referred to staff for inclusion in the budget considerations.**

**Carried**

**6.1.2.4 Pelham Minor Baseball Association - Budget Request for Facility Alterations**

Mr. Peters requested funding for baseball facility improvements, including lights at Harald Black Park and transitioning a softball field and baseball field, resurfacing diamonds, etc. He stated the priority is lights at Harald Black Park, upgrades to North Pelham Park and covers for benches.

**Moved By** Councillor John Wink

**Seconded By** Councillor Wayne Olson

**BE IT RESOLVED THAT Council receive the presentation and 2025 Budget Submission from Pelham Minor Baseball Association regarding baseball facility improvements, for information;**

**AND THAT the request be referred to staff for inclusion in the budget considerations.**

**Carried**

**6.1.2.5 Fenwick Pickleball Courts - Budget Request for Improvements**

Mr. Hall stated the courts are dusty from the gravel from the roadway and requested it be removed and to install speedbumps, requested shade shelters, and requested lights for the courts.

He further commented that the windows at the MCC for the pickleball courts do not block the sun effectively.

**Moved By** Councillor Brian Eckhardt

**Seconded By** Councillor Kevin Ker

**BE IT RESOLVED THAT Council receive the presentation and 2025 Budget Submission from Mr. Ron Hall regarding improvements to the Fenwick pickle ball courts, for information;**

**AND THAT the request be referred to staff for inclusion in the budget considerations.**

**Carried**

**6.1.2.6 Pelham Active Transportation Committee - General Funding Request**

Mr. Brian Baty and Mr. Frank Adamson requested financial support.

**Moved By** Councillor John Wink

**Seconded By** Councillor Bob Hildebrandt

**BE IT RESOLVED THAT Council receive the presentation and 2025 Budget Submission from Brian Baty, regarding General Funding for the Pelham Active Transportation Committee, for information;**

**AND THAT the request be referred to staff for inclusion in the budget considerations.**

**Carried**

**6.1.2.7 Additional Public Speakers**

There were no speakers.

**7. Adoption of Council Minutes**

Council took a short recess.

Councillor Niznik left the meeting.

**Moved By** Councillor John Wink

**Seconded By** Councillor Brian Eckhardt

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

**1. RC-15/2024 - Regular Council - September 18, 2024**

**2. SC-03/2024 - Special Council - September 25, 2024**

**Carried**

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

Items 9.4.1 and 9.4.2 were lifted by Councillor Eckhardt.

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

**Moved By** Councillor Wayne Olson

**Seconded By** Councillor Kevin Ker

**BE IT RESOLVED THAT the Consent Agenda items as listed on the October 2, 2024, Council Agenda be received and the recommendations contained therein be approved, save and except items 9.4.1 and 9.4.2:**

**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:**

**PCOW-06/2024 - Public Meeting under the Planning Act - September 11, 2024**

**9.2 Minutes Approval - Committee of Council**

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

**PCOW-06/2024 - Public Meeting under the Planning Act - September 11, 2024**

**9.3 Information Correspondence**

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

~~**9.4.1 Provincial Offences Court Request for Board Appointment for 2025**~~

~~**BE IT RESOLVED THAT Council receive correspondence from the Provincial Offences Court dated September 18, 2024 requesting the Town of Pelham appoint a board member to the Joint Board of Management Niagara Region Courts for a term commencing January 1, 2025, ending on December 31, 2025;**~~

~~**AND THAT Council appoint \_\_\_\_\_  
to the said board;**~~

~~**AND THAT Council direct the Town Clerk to advise of the said appointment prior to November 20, 2024.(lifted)**~~

~~**9.4.2 Council Request to Reduce Speed on Effingham Street between River Road and Webber Road**~~

~~**BE IT RESOLVED THAT Council receive correspondence from Niagara Region regarding Town of Pelham Council request to reduce speed on Effingham Street between River Road and Webber Road, for information.(lifted)**~~

Carried

**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-06/2024 - Public Meeting under the Planning Act - September 11, 2024**

**9.2 Minutes Approval - Committee of Council**

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

- 1. PCOW-06/2024 - Public Meeting under the Planning Act - September 11, 2024**

**9.2.1 PCOW-06/2024 - Public Meeting under the Planning Act - September 11, 2024**

**9.3 Information Correspondence**

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

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

**10.1 Provincial Offences Court - Request for Board Appointment for 2025**

Council unanimously agreed that Councillor Eckhardt would be appointed to the board.

**Moved By** Councillor Bob Hildebrandt

**Seconded By** Councillor Wayne Olson

**BE IT RESOLVED THAT Council receive correspondence from the Provincial Offences Court dated September 18, 2024 requesting the Town of Pelham appoint a board member to the Joint Board of Management - Niagara Region Courts for a term commencing January 1, 2025, ending on December 31, 2025;**

**AND THAT Council appoint Councillor Eckhardt to the said board;**

**AND THAT Council direct the Town Clerk to advise of the said appointment prior to November 20, 2024.**

**Carried**

**10.2 Council Request to Reduce Speed on Effingham Street between River Road and Webber Road**

**Moved By** Councillor Wayne Olson

**Seconded By** Councillor John Wink

BE IT RESOLVED THAT Council receive correspondence from Niagara Region regarding Town of Pelham Council request to reduce speed on Effingham Street between River Road and Webber Road, for information.

**Amendment:**

**Moved By** Councillor Brian Eckhardt

**Seconded By** Councillor Bob Hildebrandt

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

**AND THAT the Town Clerk be directed to formally respond to the Niagara Region requesting the Region further consider the Town of Pelham's request to further reduce the speed on the portion of road requested;**

**AND THAT the correspondence stress within the letter that the portion of the road contemplated is a cycling route.**

**Carried**

**Main Motion as Amended:**

**Moved By** Councillor Brian Eckhardt

**Seconded By** Councillor Bob Hildebrandt

**BE IT RESOLVED THAT Council receive correspondence from Niagara Region regarding Town of Pelham Council request to reduce speed on Effingham Street between River Road and Webber Road, for information;**

**AND THAT the Town Clerk be directed to formally respond to the Niagara Region requesting the Region further consider the Town of Pelham's request to further reduce the speed on the portion of road requested;**

**AND THAT the correspondence stress within the letter that the portion of the road contemplated is a cycling route.**

**Carried**

## **11. Presentation and Consideration of Reports**

### **11.1 Members of Council Reports**

### **11.2 Staff Reports Requiring Action**

#### **11.2.1 Proposed Animal Control By-law, 2024-0213-Town Solicitor**

**Moved By** Councillor Bob Hildebrandt

**Seconded By** Councillor Wayne Olson

**BE IT RESOLVED THAT Council receive Report #2024-0213 – Town Solicitor, Proposed Animal Control By-Law, for information;**

**AND THAT Council approve, in principle, the proposed Animal Control By-law as presented;**

**AND THAT Council direct that the proposed Animal Control By-law be presented to Council for consideration at the next regular meeting of Council.**

**Carried**

#### **11.2.2 Community Sport and Recreation Infrastructure Fund – Stream 1 Repair and Rehabilitation Grant, 2024-0220-Corporate Services**

**Moved By** Councillor Brian Eckhardt

**Seconded By** Councillor John Wink

**BE IT RESOLVED THAT Council receive Memo 2024-0220 entitled Community Sport and Recreation Infrastructure Fund – Stream 1: Repair and Rehabilitation Grant, for information;**

**AND THAT Council approve the grant application to the Ontario Ministry of Sport's Community Sport and**

**Recreation Infrastructure Fund – Stream 1: Repair and Rehabilitation Grant Program with a request for special consideration as a municipality with a population of under 20,000;**

**AND THAT Council approve \$880,000 or 50% of the total cost of the**

**Centennial Park rehabilitation projects in the 2025-2026 capital budget(s). These projects are currently in the Town’s 10-year Capital Plan.**

**Carried**

**11.2.3 Community Sport and Recreation Infrastructure Fund – Stream 2 New Builds, Signature New Builds, 2024-0219-Corporate Services**

**Moved By** Councillor Kevin Ker

**Seconded By** Councillor Bob Hildebrandt

**BE IT RESOLVED THAT Council receive Memo Community Sport and Recreation Infrastructure Fund – Stream 2: New Builds/Signature New Builds, for information;**

**AND THAT Council approve the grant application to the Ontario Ministry of Sport’s Community Sport and Recreation Infrastructure Fund – Stream 2: New Builds/Signature New Builds Grant Program and a request for special consideration as a municipality with a population of under 20,000;**

**AND THAT Council approve \$1,000,000 or 50% of the total cost of the Centennial Park new build grant project in the 2025 and/or 2026 budget(s). These projects are currently in the Town’s 10-year Capital Plan.**

**Carried**

**11.2.4 Beatification Options for the Pelham Arches Concrete Bases, 2024-0214-Public Works**

**Moved By** Councillor Bob Hildebrandt

**Seconded By** Councillor Brian Eckhardt

**BE IT RESOLVED THAT Council receive Report #2024-0214 Beautification Options for the Pelham Arches Concrete Bases, for information;**

**AND THAT Council direct staff to propose a budget adequate for the purpose of beautifying the Pelham Arches concrete bases as recommended by the Pelham Culture Advisory Committee;**

AND THAT \$44,000 be transferred from the capital project RD 12-24 Church Street Culvert Replacement to fund the Pelham Arches Concrete Bases.

**Amendment:**

**Moved By** Councillor Kevin Ker

**Seconded By** Councillor Wayne Olson

**THAT the motion be amended to:**

- **Strike \$44,000 and insert \$35,000;**
- **And include "AND THAT Council approve and endorse option 3 presented within the report"**
- **AND THAT Council direct staff to have donor recognition pavers be placed within the sidewalk**

**Carried**

**Amendment:**

**Moved By** Councillor Kevin Ker

**Seconded By** Councillor Wayne Olson

**BE IT RESOLVED THAT Council receive Report #2024-0214 Beautification Options for the Pelham Arches Concrete Bases, for information;**

**AND THAT Council direct staff to propose a budget adequate for the purpose of beautifying the Pelham Arches concrete bases as recommended by the Pelham Culture Advisory Committee;**

**AND THAT \$35,000 be transferred from the capital project RD 12-24 Church Street Culvert Replacement to fund the Pelham Arches Concrete Bases;**

**AND THAT Council approve and endorse option 3 presented within the report;**

**AND THAT Council direct staff to have donor recognition pavers be placed within the sidewalk.**

**Carried**

**12. Unfinished Business**

**13. New Business**

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

**Moved By** Councillor John Wink

**Seconded By** Councillor Brian Eckhardt



**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. 64-2024 - Being a by-law to appoint Andrew McMurtrie as a Provincial Offences Officer for the Corporation of the Town of Pelham.**

**2. 65-2024 - Being a by-law to appoint David Christensen as Acting Chief Building Official and a Building Inspector for the Corporation of the Town of Pelham.**

**3. 66-2024 - Being a by-law to appoint Sarah Conidi as Deputy Clerk for the Corporation of the Town of Pelham.**

**4. 67-2024 - Being a By-law to remove the Holding (H) Provision enacted by By-law No. 4465 (2022) for the lands located at 690 Quaker Road, legally described as Part of Township Lot 177, Geographic Township of Thorold, Part 1 on Registered Plan 59R-16661, Town of Pelham, Regional Municipality of Niagara.**

**Carried**

**15. Motions and Notices of Motion**

**15.1 Councillor Olson Motion re: Specification of Design and Build Projects**

**Moved By** Councillor Wayne Olson

**Seconded By** Councillor Bob Hildebrandt

**WHEREAS the Town of Pelham is committed to undertaking capital projects in a cost-effective and efficient manner;**

**AND WHEREAS design-build procurement can, under appropriate circumstances, enhance project efficiency by integrating the design and construction phases under a single contract;**

**AND WHEREAS the design-build approach can offer potential savings, simplify communication, expedite project delivery, and support the timely completion of capital projects when feasible;**

**AND WHEREAS Council acknowledges that a design-build method may not be appropriate in all instances;**

**NOW THEREFORE BE IT RESOLVED THAT Council direct staff to report on the process for design-build procurement of capital projects in the Town of Pelham**

**AND FURTHER THAT staff provide a comprehensive report to Council in early Q1 of 2025, outlining the benefits and limitations of design-build procurement, offering recommendations for its application, proposing amendments to Procurement Policy No. S402-00 to incorporate guidance on the use of design-build for capital projects.**

**Carried**

**16. Resolution to Move In Camera**

**17. Rise From In Camera**

**18. Confirming By-Law**

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

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

**Being a By-law No. 68-2024 to Adopt, Ratify and Confirm the proceedings of Council of the Town of Pelham at its Regular Meeting held on the 2nd day of October, 2024.**

**Carried**

**19. Adjournment**

The meeting was adjourned at 12:22 pm.

**Moved By** Councillor John Wink  
**Seconded By** Councillor Brian Eckhardt

**BE IT RESOLVED THAT this Regular Meeting of Council be adjourned until the next regular meeting scheduled for October 16, 2024 at 9:00 am.**

**Carried**

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Mayor: Marvin Junkin

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Town Clerk: Holly Willford

**Reporting Period:** Fire and By-law Enforcement Department Quarterly Report for the period: Quarter – July, August, September 2024

**Recommendation:**

**BE IT RESOLVED THAT the Q3/2024 Fire and By-law Enforcement Department Report be received for information.**

**Department Overview and Statistics:**

**Fire Prevention**

Fire prevention has experienced an increase in smoke alarm checks, after the distribution of the Pelham 72hour be prepared brochure. In three months, fire prevention has performed 18 smoke alarm checks within Town.

The summer has been wetter than normal, which resulted in a lower number of grass fires, the department did not issue any burn bans this season.

Fire prevention continues to provide Town employees with masks, wipes, and hand sanitizers when requested.

With Fire prevention week in October, please make sure to check your smoke and CO alarms in your home, if you or anyone you know has any questions or concerns please contact the fire department.

Fire prevention and training welcomed Councillor Wayne Olson with an afternoon of education for a special needs group.

**Training**

Pelham fire department held its annual Junior Firefighter Camp again this year with 13 campers. The campers learned a variety of skills used by firefighters ranging from search and rescue, flowing water using handlines, a visit from NRP K9 unit and EMS.

The training department conducted a First Aid course for the NRP Youth in Policing group.

On-boarding of Pelham Firefighters into the new OFM Learning and Certification portal began.

Attended GRTC for a demonstration on new drone and robotic technology for the Fire Services.

In-house NFPA 1041 fire services Instructor level 1 course has started, this is one of the provincial mandatory courses for department officers.

### **By-law**

The bylaw department received 79 complaints in the 3<sup>rd</sup> quarter of 2024.

Bylaw received a total 11 Cannabis Odour complaints for the 3<sup>rd</sup> quarter of 2024 all of which were repeat complaints from residents who had previously filed complaints in the past.

A total of 30 parking infractions were issued for July, August, and September 2024.

Bylaw completed 48 Random Cannabis Odour tests with no violations recorded.

### **Emergency Management**

Nothing to report.

### **Suppression**

Incident responses were at normal levels, two structural fire responses, one in an abandoned house and the second a single-family home. Both buildings were a total loss. No injuries or deaths to report.

### **Projects:**

New pumper/tanker 3 was delivered last week of September. Training on the new pumper will take place over the next month before the apparatus goes into service.

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

Nothing to report.

### **Employee Updates:**

In quarter 3, Pelham fire department celebrated two (2) anniversaries.

- 30 years, firefighter Terry Beckett, from Pelham station 3

- 10 years, firefighter Craig Genesse, from Pelham station 1

Crossing guards completed their annual training, welcoming 3 new guards to the team.

New co-op student from EL Crossley started in September to start his introduction to the fire service.

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

A Safe Community Project Assist grant was awarded to Pelham fire department. This Enbridge Gas campaign provides selected fire departments to receive a \$5,000.00 credit to Fire Marshals Safety Councils to purchase firefighting and carbon monoxide training materials.

Pelham fire department has purchased the following learning materials through Fire Marshals Safety Council amounting \$5,000.00.

- IFSTA Hazardous Materials for First Responders 6<sup>th</sup> Edition - 15 books (\$121.12 each)
- IFSTA Essentials of Firefighting 8<sup>th</sup> Edition FF I&II bundle - 15 of each book (\$151.62 each bundle)
- IFSTA Essentials of Firefighting 8<sup>th</sup> Edition FF I&II eBook - 2 eBooks (\$132.90 each)
- IFSTA Fire Investigator 3<sup>rd</sup> Edition - 1 book (\$108.69 each)
- IFSTA Fire Inspection and Code Enforcement 9<sup>th</sup> Edition - 1 book (\$95.10 each)
- IFSTA Chief Officer 4<sup>th</sup> Edition - 2 books (\$107.44 each)
- Plans Examiner for Fire and Emergency Services 2<sup>nd</sup> Edition - 1 book (\$93.80 each)
- Exam Prep Hazardous Materials for First Responders 6<sup>th</sup> Edition - 1 book (\$40.37 each)
- Exam Prep Fire Service Instructor 9<sup>th</sup> Edition - 1 book (\$40.37 each)
- Exam Prep Chief Officer 4<sup>th</sup> Edition - 1 book (\$38.76 each)

FIRE RESPONSES										
	Total	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP
BURNING COMPLAINT	9	0	2	0	0	0	1	1	3	2
CO INVESTIGATIONS	15	1	2	1	2	1	2	2	3	1
EMERGENCY ASSISTANCE	13	1	2	0	3	2	2	2	1	
GRASS / TREE / BUSH FIRE	1	0	0	1	0	0	0			
HAZMAT	0	0	0	0	0	0	0	0	0	0
MEDICAL ASSIST	165	19	16	21	15	23	14	15	23	19
MVC	62	7	4	7	6	8	13	4	7	6
NON EMERGENCY ASSIST	7	1	0	0	1	2	0		2	1
NON EMERGENCY MEDICAL	9	3	0	0	2	1	1		1	1
OTHER FIRE / MUTUAL AID OTHER D	4	1	0	0	0	1	0	1	1	
PRELIMINARY ASSIGNMENT	5	1	0	1	0	1	0	1		1
REMOTE ALARMS	44	6	3	1	5	9	11	7	1	1
RESCUES	0	0	0	0	0	0	0	0	0	0
STRUCTURE FIRE	13	1	3	0	1	3	3	1	1	
UNKNOWN 911	0	0	0	0	0	0	0	0	0	0
VEHICLE FIRE	6	1	0	0	0	2	2		1	
WATER RESCUE	0	0	0	0	0	0	0	0	0	0
<b>Monthly Totals</b>		<b>42</b>	<b>32</b>	<b>32</b>	<b>35</b>	<b>53</b>	<b>49</b>	<b>34</b>	<b>44</b>	<b>32</b>
<b>Annual Total 2024</b>	<b>353</b>									
<b>Total Responses for 2023</b>	<b>511</b>									

## 2024 FIRE PREVENTION

INSPECTIONS										
	Total	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEPT
Inspections	82	4	5	7	10	3	6	10	15	22
Town Monthly Building Inspect.	117	13	13	13	13	13	13	13	13	13
Plan reviews	0	0	0	0	0	0	0	0	0	0
Tapp-C	3	2	0	0	1	0	0	0	0	0
Fireworks Permit	5	0	0	1	2	1	1	0	0	0
Open Air Burning Permit	186	15	22	26	29	55	24	7	6	2
Observed fire drill	4	1	0	0	1	0	0	1	0	1
Court appearance	0	0	0	0	0	0	0	0	0	0
<b>Monthly Totals</b>		<b>35</b>	<b>40</b>	<b>47</b>	<b>56</b>	<b>72</b>	<b>44</b>	<b>31</b>	<b>34</b>	<b>38</b>

<b>Annual Total 2024</b>	<b>397</b>									
<b>Total Responses for 2023</b>	<b>474</b>									
<b>MONTHLY COMMITTEE/ASSOCIATION MEETINGS</b>										
	<b>Total</b>	<b>JAN</b>	<b>FEB</b>	<b>MAR</b>	<b>APR</b>	<b>MAY</b>	<b>JUN</b>	<b>JUL</b>	<b>AUG</b>	<b>SEPT</b>
OMFPOA	7	1	1	1	1	1	1	0	0	1
Arson Committee	1	0	0	0	0	1	0	0	0	0
TAPP-C	1	0	0	0	1	0	0	0	0	0
Development Coordinator Meeting	14	1	2	3	1	1	2	3	0	1
Town staff meeting	3	0	0	1	0	0	1	0	0	1
<b>Monthly Totals</b>		<b>2</b>	<b>3</b>	<b>5</b>	<b>3</b>	<b>3</b>	<b>4</b>	<b>3</b>	<b>0</b>	<b>3</b>
<b>Annual Total 2024</b>	<b>26</b>									
<b>Total Responses for 2023</b>	<b>101</b>									
<b>FIRE INVESTIGATIONS</b>										
	<b>Total</b>	<b>JAN</b>	<b>FEB</b>	<b>MAR</b>	<b>APR</b>	<b>MAY</b>	<b>JUN</b>	<b>JUL</b>	<b>AUG</b>	<b>SEPT</b>
	4	0	1	0	1	0	2			
<b>Monthly Totals</b>		0	1	0	1	0	2	0	0	0
<b>Annual Total 2024</b>	<b>4</b>									
<b>Total Responses for 2023</b>	<b>1</b>									
<b>PUBLIC EDUCATION</b>										
	<b>Total</b>	<b>JAN</b>	<b>FEB</b>	<b>MAR</b>	<b>APR</b>	<b>MAY</b>	<b>JUN</b>	<b>JUL</b>	<b>AUG</b>	<b>SEPT</b>
Station Visit School	9	0	0	0	1	1	2	3	0	2
Fire Prevention Education Event	13	1	0	2	1	3	1	2	1	2
Child / Children Visit Station	3	0	0	0	0	0	0	1	1	1
Public Education Presentation	5	2	1	0	1	0	0	0	0	1
General inquiries	95	10	8	7	12	14	11	10	9	14
Facebook Public Education Posts	200	28	32	26	33	42	39			
<b>Monthly Totals</b>		<b>41</b>	<b>41</b>	<b>35</b>	<b>48</b>	<b>60</b>	<b>53</b>	<b>16</b>	<b>11</b>	<b>20</b>
<b>Annual Total 2024</b>	<b>325</b>									
<b>Total Responses for 2023</b>	<b>397</b>									
<b>OTHER ACTIVITIES</b>										
	<b>Total</b>	<b>JAN</b>	<b>FEB</b>	<b>MAR</b>	<b>APR</b>	<b>MAY</b>	<b>JUN</b>	<b>JUL</b>	<b>AUG</b>	<b>SEP</b>
Compliance Letter	12	2	1	3	1	1	3	1	0	0

Fire safety plan/drill scenario reviews	13	1	1	2	2	2	1	1	2	1
Training for firefighters	18	3	3	3	3	4	2			
<b>Monthly Totals</b>		6	5	8	6	7	6	2	2	1
<b>Annual Total 2023</b>	43									
<b>Total Responses for 2023</b>	27									

**BY-LAW SERVICES REPORT**

**BY-LAW COMPLAINTS RECEIVED**

	TOTAL	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEPT
Complaints Received		13	13	29	24	52	37	32	22	25
<b>Monthly Total</b>		13	13	29	24	52	37	32	22	25
<b>Y-T-D Total 2024</b>	247									
<b>2023 Total</b>	261									

**PARKING INFRACTIONS ISSUED**

	TOTAL	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEPT
Tickets Issued		35	8	5	1	19	25	15	12	3
<b>Monthly Total</b>		35	8	5	1	19	25	15	12	3
<b>Y-T-D Total 2024</b>	123									
<b>2023 Total</b>	247									

**PARKING WARNINGS ISSUED**

	TOTAL	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEPT
Warnings issued		0	0	0	0	0	0	0	0	0
<b>Y-T-D Total 2024</b>	0									
<b>2023 Total</b>	15									

**ENVIRONMENTAL BY-LAW FILL APPLICATIONS RECEIVED**

	TOTAL	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEPT
Received	9	0	0	2	1	2	1	1	1	1
Authorized	7					1	2	2	1	1
Properties Exempt	0									
Denied	2			1			1			



<b>Monthly Total</b>		0	0	2	1	2	1	1	1	1
<b>Y-T-D Total 2024</b>	9									
<b>2023 Total</b>	9									
<b>POLICE REPORTS FILED</b>										
	<b>TOTAL</b>	<b>JAN</b>	<b>FEB</b>	<b>MAR</b>	<b>APR</b>	<b>MAY</b>	<b>JUN</b>	<b>JUL</b>	<b>AUG</b>	<b>SEPT</b>
Mischief	0	0	0	0	0	0	0	0	0	0
Vandalism	0									
Trespassing	0									
Graffiti	0									
Other	0									
<b>Monthly Total</b>		0	0	0	0	0	0	0	0	0
<b>Y-T-D Total 2024</b>	0									
<b>2023 Total</b>	0									
<b>CANNABIS ODOUR COMPLAINTS RECEIVED</b>										
	<b>TOTAL</b>	<b>JAN</b>	<b>FEB</b>	<b>MAR</b>	<b>APR</b>	<b>MAY</b>	<b>JUN</b>	<b>JUL</b>	<b>AUG</b>	<b>SEPT</b>
NEW Complaints	5	0	2	1	0	1	0	1	0	0
REPEAT Complaint	56	6	6	18	5	5	5	4	6	1
Number of Violations		0	0	0	0	0	0	0	0	
Nasal Ranger detection	0	0		0	0	0	0	0	0	
fresh air detection	0	0		0	0	0	0	0	0	
From PELHAM	32	4		7	4	4	5	4	3	1
From WELLAND	21	2		12	1	2	0	1	3	
<b>Monthly Total</b>		6	8	19	5	6	5	5	6	1
<b>Y-T-D Total 2024</b>	61									
<b>2023 Total</b>	96									
<b>RANDOM CANNABIS ODOR TESTING</b>										
	<b>TOTAL</b>	<b>JAN</b>	<b>FEB</b>	<b>MAR</b>	<b>APR</b>	<b>MAY</b>	<b>JUN</b>	<b>JUL</b>	<b>AUG</b>	<b>SEPT</b>
Tests Completed		25	22	18	19	40	23	23	20	5
Number of Violations		0	0	0	0	0	0	0	0	0
Nasal Ranger detection		1	0	1	0	1	2	2	1	0
fresh air detection		3	5	2	3	10	3	3	2	1
<b>Monthly Total</b>		25	22	18	19	40	23	23	20	5
<b>YTD Total 2024</b>	195									

<b>2023 Total</b>	<b>354</b>									
<b>CANNABIS OPERATIONS LIGHT POLLUTION COMPLAINTS RECEIVED</b>										
	<b>TOTAL</b>	<b>JAN</b>	<b>FEB</b>	<b>MAR</b>	<b>APR</b>	<b>MAY</b>	<b>JUN</b>	<b>JUL</b>	<b>AUG</b>	<b>SEPT</b>
<b>NEW Complaints</b>	1	1	0	0	0	0	0	0	0	0
<b>REPEAT Complaints</b>	0									
<b>From PELHAM</b>	0	1								
<b>From WELLAND</b>	0									
<b>Monthly Total</b>		1	0	0	0	0	0	0	0	0
<b>Y-T-D Total 2024</b>	1									
<b>2023 Total</b>	0									
<b>NOISE COMPLAINTS</b>										
	<b>TOTAL</b>	<b>JAN</b>	<b>FEB</b>	<b>MAR</b>	<b>APR</b>	<b>MAY</b>	<b>JUN</b>	<b>JUL</b>	<b>AUG</b>	<b>SEPT</b>
<b>NEW Complaints</b>	15	1	1	1	1	3	3	3	0	2
<b>REPEAT Complaints</b>	1	1								
<b>Monthly Total</b>		2	1	1	1	3	3	3	0	2
<b>Y-T-D Total 2024</b>	16									
<b>2023 Total</b>	19									
<b>NON-PARKING AMP CITATIONS ISSUED</b>										
	<b>TOTAL</b>	<b>JAN</b>	<b>FEB</b>	<b>MAR</b>	<b>APR</b>	<b>MAY</b>	<b>JUN</b>	<b>JUL</b>	<b>AUG</b>	<b>SEPT</b>
<b>AMPS ISSUED</b>		0	1	1	2	0	0	0	0	0
<b>Y-T-D Total 2024</b>	4									
<b>2023 Total</b>	5									

**Reporting Period:** Corporate Services Department Quarterly Report for the period: July, August and September 2024

**Recommendation:**

**BE IT RESOLVED THAT the Q3/2024-0201 Corporate Services Department Report be received for information.**

**Department Overview and Statistics:**

**Overview**

Various meetings were held with FH Black Consultants to continue with the SAP Concur project implementation. The meetings were attended by the Deputy Treasurer and other Finance staff as needed. The project is in the final stages of testing and training and Finance staff have commenced using the system. The next steps would be to roll out the training to the rest of the department in Q4 and a full complete switch over to the Concur Procurement system effective Jan 1, 2025.

Between July, and September various budget meetings were held with town departments to review and submit their Operating and Capital budgets for 2025. The Deputy Treasurer worked on preparing the analysis for the 10-Year Capital Plan and review of funding sources. The final draft of 10-Year Capital Plan was presented to the Audit Committee on September 10<sup>th</sup> and will be presented to Council in the Fall as part of the 2025 Capital Budget. 2025 Operating Budget's first draft was presented to SLT in Sept 2024.

Both the Deputy Treasurer and the Treasurer worked on updating the Town's Debt Policy. This involved researching other municipalities, reviewing the Town's existing policy and linking it to the most updated 10-year capital fund debt requirements. After review and meetings with departments, and CAO, the debt policy revisions were presented to the Audit Committee in September. The Revisions will be going to Council in the fall for approval.

The 2023 DC Study was in the late stages of being finalized by consultants. A DC open house was held on August 27<sup>th</sup> to engage with the development community in the Town. The Comments received were summarized by the Director of Planning and sent to the Watson Consultants. The DC by-law and study is expected to be brought in front of Council in November 2024.

## **Information Technology**

The Information Technology Department completed the Capital Project IT02-24 Switch Upgrade at Town Hall. IT Staff have removed the Bell internet service from the Pool building and replaced it with Starlink. The IT Department has completed the replacement of two UPS devices in the server room and the implementation of the Virtual Server and software installation for Genetec system (Key/Door Fob system). The IT Staff have completed many daily requests and IT Support calls for Staff.

The IT Department has had preliminary discussions and a project timeline review with MuniPaaS for the ITSM (IT service management/ticketing system).

IT Staff have commenced the replacement of staff laptops and iPhones and the re-wiring of IT cabling in the basement electrical room at Town Hall.

## **Taxes**

The Tax department has processed 6 sets of Supplemental/Omitted bills from MPAC, resulting in 319 bills being sent out to residents with assessment values totaling \$48,950,327. The total revenue from the supplemental bills is \$563,953.28, of which the Town's portion is \$227,146.64.

Arrears collections are still making good progress. Pelham's 3+ year arrears have decreased by \$110,000. The 1-year and 2-year arrears have also reduced by \$66,000 and \$21,000, respectively. Overall, the tax receivable is at 71% compared to 76% last year. Reminder notices will be sent in the mail after the final tax installment that is due September 27<sup>th</sup>.

## **Accounts Payable**

The Accounts Payable Clerk continues to diligently work with staff and vendors to process invoices in a timely and accurate manner.

The Accounts Payable Clerk is also engaged in several meetings with FH Black and the Implementation Team regarding the integration of SAP Concur for Procurement and AP Invoice Processing.

**Constituent Concerns and Issues Arising:**

None.

**Employee Updates:**

The Treasurer, the Manager of Financial Services/Deputy Treasurer and the Staff Accountant and Payroll Clerk attended the MFOA Conference From Sept 17 – 20, 2024.

The Tax Clerk attended the OMTRA Conference September 16 – 18, 2024.

**Meetings:**

- DC Background Study – Watson & Associates and Town staff
- User Fee review – Watson & Associates and Town staff
- Concur Implementation – Megan Soles (FHB Consultants) and Town staff
- Budget meetings with Directors and town staff
- MPAC Q3 update
- Council Meetings
- SLT Meetings
- 2023 Capital Projects review – Monthly meeting
- FHB – SAP Concur implementation

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

<b>Funding Applied For:</b>	<b>Grant</b>	<b>Amount</b>
Older Adults Centres Association of Ontario	Seniors Active Living Fair	\$ 2,500.00
Employment and Social Development Canada	Enabling Accessibility Fund	\$ 125,000.00
Employment and Social Development Canada	Rural Transit Solutions Fund: Planning and Design Stream	\$ 50,000.00

HelpAge Canada	Innovative Programming Grant	\$ 10,000.00
<b>Funding Applied For:</b>	<b>Grant</b>	<b>Amount</b>
Green Municipal Fund	Adaption in Action - Feasibility Study	\$ 70,000.00
Enbridge Gas	Fueling Futures	\$ 40,000.00
Ontario Fire Marshal	Fire Protection Grant	\$ 29,080.00
Employment and Social Development Canada	New Horizons for Seniors - Community Based Project Stream	\$ 24,950.00
Federal Economic Development Agency for Southern Ontario	Tourism Growth Program	\$ 110,837.00
RTOERO Foundation	RTOERO Grant	\$ 26,524.00
<b>*Note: This is phase one of a two phase application</b>		

<b>Funding Approved:</b>	<b>Grant</b>	<b>Amount</b>
Ontario Arts Council	Ontario Arts Presenters Fund	\$5,000.00
Niagara Region	Public Realm Investment Program	\$25,000.00
Ontario Trillium Foundation	Capital Grant	\$200,000.00
Older Adults Centres Association of Ontario	Seniors Active Living Fair	\$2,500.00
Fire Marshal's Public Fire Safety Council and Enbridge Gas Inc.	Safe Community Project Assist	\$5,000.00

<b>Funding Denied:</b>	<b>Grant</b>	<b>Amount</b>
Jackman Foundation	Jackman Foundation Grants	\$ 19,420.00
Infrastructure Ontario	Housing Enabling Water Systems Fund	\$21,170,000.00

Employment and Social Development Canada	New Horizons for Seniors Pan-Canadian Stream	\$ 2,075,533.33
Canada Post Community Foundation	Canada Post Community Grant	\$ 24,997.00
Enbridge Gas	Fueling Futures	\$ 40,000.00
<b>Funding Denied:</b>	<b>Grant</b>	<b>Amount</b>
The Gord Downie & Chanie Wenjack Fund	Reconciliation Action Grant	\$ 5,000.00
Ontario Ministry for Seniors and Accessibility	Inclusive Communities Grant	\$ 60,000.00
Invasive Species Centre	Invasive Phragmites Control Fund	\$9,650

**Current Bids and Tenders**

<b>Invitation to Bid# 2024-PW-03-CCTV and Flushing Program</b>	
<b><u>Bidders</u></b>	<b><u>Amount</u></b>
Dambro Environmental Inc.	\$ 170,408.77
GFL Environmental Services Inc.	\$ 235,705.00
Bob Robinson & Son Construction	\$ 330,150.00
Civica Infrastructure Inc.	\$ 466,375.41
Infrastructure Coatings Corporation	\$ 903,900.00
<b>Award is to Dambro Environmental Inc. with a contract value of \$ 170,408.77</b>	
<b>Budget: \$ 115,000.00 (WST-01-24) and \$ 80,000.00 (RD 13-24).</b>	
<b>Invitation to Bid# 2024-PW-17 WST 04-24 – Sanitary and Stormwater Operations and Maintenance Manuals and Stormwater Monitoring Plan</b>	
<b><u>Bidders</u></b>	<b><u>Amount</u></b>
GM BluePlan Engineering Limited	\$ 99,288.00
<b>Award is to GM BluePlan Engineering Limited with a contract value of \$ 99,288.00.</b>	
<b>Budget: \$ 150,000.00</b>	

**Invitation to Bid# 2024-CS-02 – Planning, Engineering and Recreational User Fee Study Review**

<b><u>Bidders</u></b>	<b><u>Amount</u></b>
Watson & Associates Economists Ltd.	\$ 71,080.00 Evaluation Score 92/100
Optimus SBR Inc.	\$ 63,693.00 Evaluation Score 80/100

**Award is to Watson & Associates Economists Ltd. with a contract value of \$71,080.00.**

**Budget: \$ 75,000.00**

**Invitation to Bid# 2024-PW-12 – Balfour Street Culvert Replacement RD 03-24**

<b><u>Bidders</u></b>	<b><u>Amount</u></b>
CRL Campbell Construction & Drainage Ltd.	\$ 139,400.00
Lancoa Contracting Inc.	\$ 157,799.00
Anthony’s Excavating Central Inc.	\$ 117,720.00
Real Landscaping Plus Inc.	\$ 218,400.00
County Line Construction Inc.	\$ 99,875.00
O’Hara Trucking and Excavating	\$ 146,320.00

**Award is to County Line Construction Inc. with a contract value of \$99,875.00.**

**Budget: \$ 60,000.00**

**Invitation to Bid# 2024-PW-02A – Roadside Ditching Program**

<b><u>Bidders</u></b>	<b><u>Amount</u></b>
Lancoa Contracting Inc.	\$ 222,425.00
CRL Campbell Construction & Drainage Ltd	\$ 107,200.00

**Award is to CRL Campbell Construction & Drainage Ltd with a contract value of \$ 107,200.00.**

**Budget: \$ Operating**

**Invitation to Bid# 2024-PW-06 RD 06-24 – Road Base & Surface Repair Program**

<b><u>Bidders</u></b>	<b><u>Amount</u></b>
Rankin Construction Inc.	\$ 295,425.00
Circle P Paving Inc.	\$ 247,460.00.00

**Award is to Circle P Paving Inc. with a contract value of \$ 247,460.00.**

**Budget: \$ 300,000.00**



**Invitation to Bid# 2024-PW-15 CEM 02-24 – Cemetery Data Transfer**

<u>Bidders</u>	<u>Amount</u>
GM Blue Plan Engineering Limited.	\$ 21,000.00

**Award is to GM BluePlan Engineering Limited with a contract value of \$ 21,000.00.  
Budget: \$ 35,000.00**

**Invitation to Bid# 2024-2024-PW-16 – Timber Creek Storm Water Management Facility Remediation Program**

<u>Bidders</u>	<u>Amount</u>
Matrix Solutions Inc.	\$ 62,000.00 Evaluation Score 91/100
Aquafor Beech Limited	\$ 49,872.50 Evaluation Score 87/100

**Award is to Matrix Solutions Inc. with a contract value of \$ 62,000.00.  
Budget: \$ 300,000.00**

**Invitation to Bid# 2024-PW-18 RD 04-24 – Station Street Detailed Design from Port Robinson Rd to Hwy 20**

<u>Bidders</u>	<u>Amount</u>
Kerry T. Howe Engineering Limited	\$ 98,944.50

**Award is to Kerry T. Howe Engineering Limited with a contract value of \$ 98,944.50.  
Budget: \$ 100,000.00**

**Invitation to Bid# 2024-PW-14 – Sidewalk Inspection and Trip Hazard Removal**

<u>Bidders</u>	<u>Amount</u>
Griffin Landscape Management Solutions Inc.	\$ 42,447.94
Aqua Tech Solutions Inc.	\$ 42,925.00
Safesidewalks Canada Inc.	\$ 24,025.00

**Award is to Safesidewalks Canada Inc. with a contract value of \$ 24,025.00.  
Budget: \$ 50,000.00**

**Invitation to Bid# 2024-PW-08 WTR 02-24 – North West Fonthill Watermain Replacement**

<b><u>Bidders</u></b>	<b><u>Amount</u></b>
Avertex Utility Solutions Inc.	\$ 2,579,047.10
Peter’s Excavating Inc.	\$ 2,339,600.49
Nexterra Substructures Incorporated	\$ 2,552,298.42
Demar Construction Inc.	\$ 3,032,489.60
Cotton Inc.	\$ 1,890,192.39
Alfidome Construction Niagara	\$ 2,280,100.48

**Award is to Cotton Inc. with a contract value of \$ 1,890,192.39.  
Budget: \$ 2,700,000.00**

**Invitation to Bid# 2024-PW-20 RD 15-24 – Slope Stabilization Design**

<b><u>Bidders</u></b>	<b><u>Amount</u></b>
Safe Roads Engineering	\$ 184,795.00 Evaluation Score 74/100
Aquafor Beech Limited	\$ 181,430.00 Evaluation Score 78/100
GEI Consultants	\$ 218,052.50 Evaluation Score 80/100
Kontzamanis Graumann Smith MacMillan Inc.	\$ 106,885.60 Evaluation Score 86/100

**Award is to Kontzamanis Graumann Smith MacMillan Inc. with a contract value of \$ 106,885.60.  
Budget: \$ 200,000.00**

**Invitation to Bid# 2024-PW-21 RD 08-24 – Timber Creek Pond Clean Out**

<b><u>Bidders</u></b>	<b><u>Amount</u></b>
Oakridge Group Inc.	\$ 253,476.45
Turcko Construction Inc.	\$ 337,725.00
QM Environmental	\$ 394,431.00
CRL Campbell Construction & Drainage Ltd.	\$ 227,737.50
Ltd Green Infrastructure Partners Inc.	\$ 296,310.00

**Award is to CRL Campbell Construction & Drainage Ltd. with a contract value of \$227,737.50.  
Budget: \$ 300,000.00**

**Invitation to Bid# 2024-PW-19 WST 04-23 – Meridian Way Sanitary Sewer**

<b><u>Bidders</u></b>	<b><u>Amount</u></b>
Northcome Inc.	\$ 224,889.77
Advance Excavating & General Contracting Ltd.	\$ 271,512.56
CRL Campbell Construction & Drainage Ltd.	\$ 284,222.50
Avion Construction Group Inc.	\$ 305,580.00
Alfidome Construction Niagara	\$ 467,265.00
O'Hara Trucking and Excavating	\$ 268,338.00
Demar Construction Inc.	\$ 279,498.08
Alfred Beam Excavating Limited	\$ 234,319.45
Dynamic Excavating Inc.	\$ 336,177.67

**Award is to Northcome Inc. with a contract value of \$ 224,889.77.  
Budget: \$ 76,210.00 ((WST 04-22); \$ 74,104.00 (WST o4-23) and \$ 140,000.00 (WST 02-24)**

**Invitation to Bid# 2024-PW-22 – Tree Planting Program 2024**

<b><u>Bidders</u></b>	<b><u>Amount</u></b>
Stevensville Lawn Service Inc.	\$ 74,026.00
CSL Group Ltd.	\$ 54,282.00
Michael Spencer Hammond	\$ 66,024.00
Ecogest North America	\$ 55,515.00
1302750 Ontario Ltd.	\$ 36,745.75
B.A. Loney Services Inc.	\$ 69,272.00
Rodsan Landscaping & Services Ltd.	\$ 42,765.00

**Award is to 1302750 Ontario Ltd. with a contract value of \$ 36,745.75.  
Budget:**

## Gross Procurement Summary

Procurement Policy-Purchasing Goods and Services Policy Number S402-00		
Gross Procurement Budget Summary and Analysis		
	2023 Approved Budget	2024 Approved Budget
<b>Approved Gross Budget Expenditures</b>	<b>\$21,960,804</b>	<b>\$23,950,116</b>
<b>Less Exemptions to Formal Purchase Process ( Schedule A )</b>		
Salaries and Wages	6,903,596	7,913,339
Transfers to Reserve	4,610,579	4,809,300
Benefits	2,027,087	2,420,735
Debt Servicing	1,715,578	1,706,027
Utilities & Internet	1,082,680	1,036,060
Library budget	865,962	904,282
Insurance	484,006	601,455
RCW Programming and Special events	481,320	552,600
Software Support	290,600	313,600
Facilities repairs	248,950	324,100
Fire, Cemetery and Health and Safety	244,500	251,160
Professional Development, membership, mileage, travel	203,420	238,960
Legal & Audit and other Professional services	227,500	178,500
Vehicles supplies, maintenance and rentals	178,700	186,200
Fuel for vehicles	177,500	180,500
Taxes Written Off	65,000	65,000
Streetlights Maintenance	50,000	50,000
Council expenses	49,500	43,500
Photocopy, postage, office supplies	49,125	74,825
External Contributions	45,000	49,500
Animal control	39,000	39,000
Bank Charges	30,000	40,000
Airport budget	27,621	31,023
Advisory Committees	27,500	27,500
Licences	20,600	21,400
CP Rail	15,000	15,000
<b>Total Exemptions</b>	<b>20,160,324</b>	<b>22,073,566</b>
<b>Gross Operating Budgeted Expenditures to Align with Procurement By-law</b>	<b>1,800,480</b>	<b>1,876,550</b>
<b>Procurement Process by Type and Value (Purchasing Policy Schedule B)</b>		
Snow Removal	400,000	400,000
Janitorial	155,000	155,000
Beautification- (Tree Maintenance, grass cutting and spongy moth)	514,600	476,600
Roads Maintenance	438,120	478,120
Material and Supplies Roads	70,000	70,000
Sand and Salt supplies	140,000	140,000
Material and supplies (department total for the year under \$30k)	82,760	156,830
<b>Total Procurements aligned with Schdule B of Purchasing Policy</b>	<b>1,800,480</b>	<b>1,876,550</b>
Non Competitive Procurements (Purchasing Policy Schedule H)	\$0	\$0
<b>Total Gross Operating Budget to be Procured</b>	<b>1,800,480</b>	<b>1,876,550</b>

**Recreation, Culture and Wellness Quarterly Report**  
 Wednesday, October 16, 2024

**Reporting Period:** Recreation, Culture and Wellness Quarterly Report for the period July – September 2024

**Recommendation:**

**BE IT RESOLVED THAT the Q3/2024 Recreation, Culture and Wellness Department Report be received for information.**

**Department Overview and Statistics:**



Meridian Community Centre √ Revenue by Major Customer and Activity  
 For the months July 1<sup>st</sup> √ September 30<sup>th</sup>, 2024 compared to July 1<sup>st</sup> √ September 30<sup>th</sup>, 2023

	2023	2023	2024	2024
	Hours	Amount	Hours	Amount
<b>Arena Revenues</b>				
User Group Ice Rentals	- 335.25	\$53,304.75	- 273.25	\$43,446.75
Pelham Raiders Lacrosse	- 48	\$1,776.00	- 50.50	\$2,424.00
Private Ice Rentals	- 852.25	\$135,507.75	- 891.08	\$142,045.72
Recreation & Wellness Programming (Shinny, Stick & Puck etc.)	- 1856	\$11,138.50	- 1949	\$11,695.50
Advertising	-	\$3,800.00	-	\$6,150.00
Gym Rentals	- 711	\$16,673.30	- 813	\$19,633.50
<b>Arena Revenues Subtotal</b>		<b>\$222,200.30</b>		<b>\$225,395.47</b>
<b>Multi-Purpose Space Revenue</b>				
Room Rentals MCC	- 639.50	\$11,754.04	- 718.75	\$14,589.00
Room Rental OPTH	- 79.50	\$3,008.04	- 200	\$3,425.35
Recreation Programming (Yoga, 55+, drop-in basketball etc.)	- 590	\$3,540.00	- 889	\$5,338.50
Activity Memberships (Warm & Cold)	- 2459	\$4,480.00	- 2929	\$4,630.00
<b>Multi-Purpose Space Revenue Subtotal</b>		<b>\$22,782.08</b>		<b>\$27,982.85</b>
Camp Registrations (to the end of September)		\$180,316.40		\$179,826.20
Pool (to end of September)		\$68,023.20		\$64,192.39
<b>Camp and Pool Revenues</b>		<b>\$248,339.60</b>		<b>\$244,018.50</b>
<b>Total Revenues</b>		<b>\$493,321.98</b>		<b>\$497,396.82</b>

07/01/2024 - 07/31/2024: Custom period

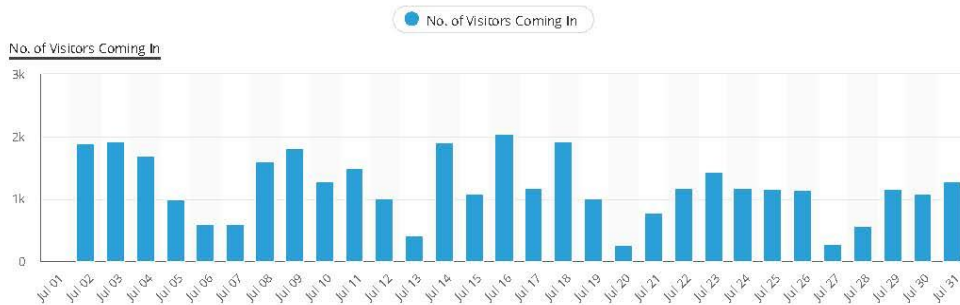
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No. of Visitors Coming In

36 102



No. of Visitors Coming In by Day



The Meridian Community Centre was teeming with activity in the month of July. The Town’s ever popular summer camps and summer reaction programs brought many visitors through the doors. Whether visitors were here for ice rentals, in gyms or multipurpose rooms the Meridian Community Centre received 36,102 visitors throughout the month of July. This was just over an 8% increase from our 33,398 visitor numbers in July of 2023.

Duliban arena was consistent with on-ice rentals for hockey skills training camps, men’s and women’s shinny, figure skating, public skates, and summer ice programming. Accipiter arena was primarily utilized by Pelham Raiders lacrosse rentals five to six days a week with basketball, volleyball and pickleball programming in the gyms. While the Meridian Community Centre was busy with visitors, so too were Recreation, Culture and Wellness facility staff keeping active parks programming running with hardball and slow-pitch baseball on diamonds, soccer on all the fields, assisting operations of events and festivals, along with maintaining splash pads and keeping our public pool open and safe for visitors, lessons, camps, and aquatic programming.

08/01/2024 - 08/31/2024: Custom period

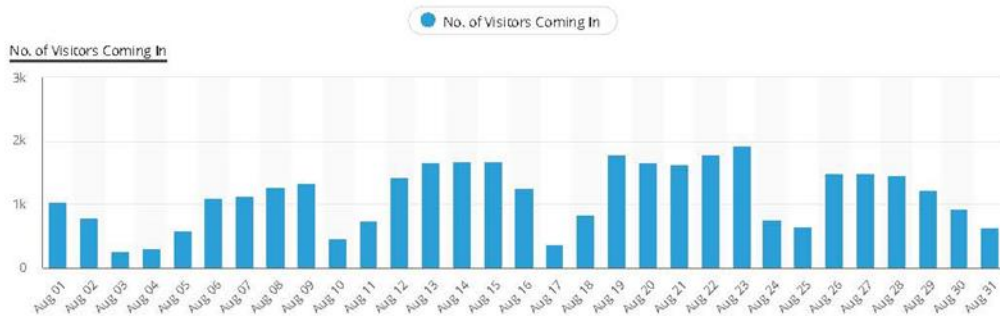
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No. of Visitors Coming In

**35 434**



No. of Visitors Coming In by Day



August of 2024 was another busy month within the Meridian Community Centre. With the installation of ice back in the Accipiter arena, ice rentals were at full capacity on both rinks once again. August saw many returning visitors for on ice training camps and tryouts for the Junior Panthers hockey club. In August of 2024 the Meridian Community Centre welcomed 35,434 visitors through the doors. This was a 5% decrease in visitors from the 37,655 visitors in 2023, but still a 16% increase from the 29,806 visitors in 2022. The lower visitor count could have been due to the absence of the annual GOJHL Doug Burr Junior hockey tournament. This tournament not only kicked off the junior hockey season but brought many residents, visitors, scouts, and hockey clubs through the Meridian Community Centre in years past. While the Meridian Community Centre was busy moving forward to another fall/winter ice programming season, active parks programming was moving towards playdowns and finals. With August brought another season of swimming lessons come to an end at the Pelham Public Pool, along with the Pelham Raiders Lacrosse season to a close.

09/01/2024 - 09/30/2024: Custom period

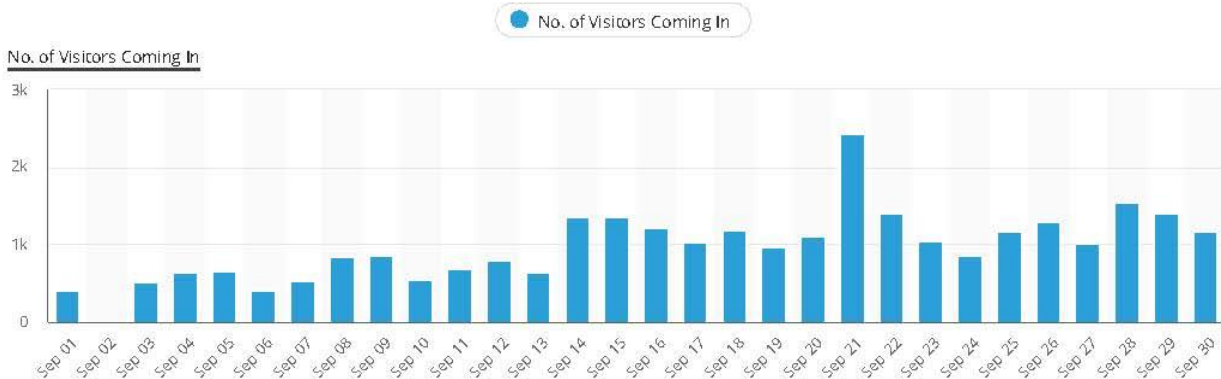
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No. of Visitors Coming In

29 033



No. of Visitors Coming In by Day



As we moved into September so did our Meridian Community Centre visitors, back inside for the Recreation, Culture, and Wellness’s Fall/Winter programming. The Meridian Community Centre was back to being the hub for Pelham sports and recreation. This included the Meridian Community Centre’s user groups with Pelham Minor Hockey Association, Niagara Centre Skating Club, and Southern Tier Admirals back on the ice and Pelham Panthers Basketball associations back in the gyms. The Recreation, Culture, and Wellness Department continually provided many community services within programming, along with events and seminars bringing culture and community together. In the month of September, the Meridian Community Centre welcomed 29,033 visitors through the facility. This was a slight decrease in visitors from the 30,954 in September of 2023 and the 30,089 in 2022



07/01/2024 - 09/30/2024: Custom period

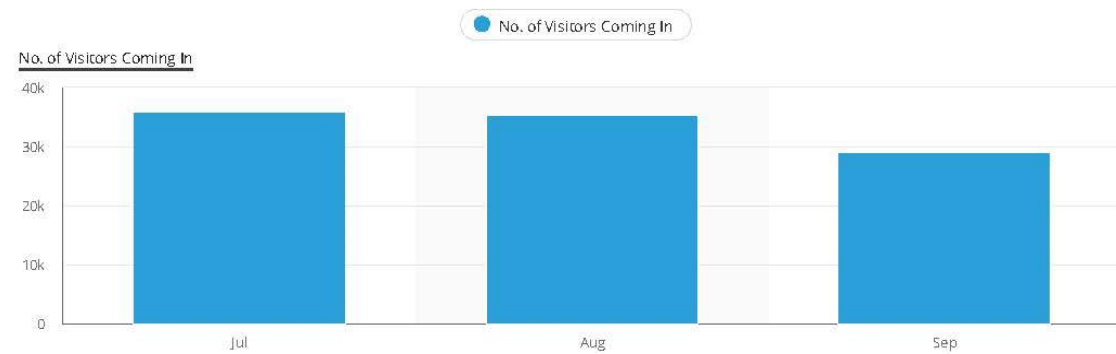
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No. of Visitors Coming In

100 569



No. of Visitors Coming In by Month



The Recreation, Culture, and Wellness department not only continues to look for opportunities and growth in programming and culture, but also operational and facility efficiencies within the Meridian Community Centre. In July, August, and September of 2024 the Meridian Community Centre welcomed 100,569 visitors and residents through the doors for a wide array of community engagement. The Meridian Community Centre experienced a net 19% increase in visitors in the 3<sup>rd</sup> quarter of 2024 compared to 84,721 in 2022. Whether it is for sports and recreation, or culture and wellness, the Town of Pelham’s Meridian Community Centre continues to prove to be positive and significant core to all our residents and visitors.

## **Pelham Farmers' Market**

The 21<sup>st</sup> season of the Pelham Farmers' Market began May 2 and ran weekly until October 10th. Please see the average monthly attendance in the chart below:

<b>Month</b>	<b>2024</b>	<b>2023</b>	<b>2022</b>
May	140	150	154
June	237	297	332
July	414	444	538
August	362	351	623
September	138	216	130

The Farmers' Market began with 18 seasonal vendors plus a non-profit booth. There have been a couple additional weekly vendors added and the not-for-profit booth has been utilized on the weeks where there is no market programming. The Farmers' Market Committee came up with some very creative programming this year including Walley the garden rock worm. He has been placed in the flowerbed where the Farmers market sign is located and has been growing steadily through the season as children paint rocks at home and bring them back to add onto Walley.

There were three Market Bunch Kids Corner stalls throughout Q3 which included creating a garden sign, decorating canvas bags, and tie-dyeing pillowcases. The last market night of the season (Oct. 10<sup>th</sup>) is always a Customer Appreciation evening with free hot apple cider, apple fritters, pumpkin decorating for kids, and face painter.



### **Summer Chill Supper Market**

The annual Thursday Night Summer Chill Series returned to Peace Park on June 13 and finished it's 13-week season on September 5<sup>th</sup>. The Supper Market portion included 6 weekly local food vendors, and local musical talent each Thursday from 5:30 – 6:45 pm prior to the Bandshell concerts. Five service clubs/community groups assisted in serving beverages under the sail this year. New in 2024 was that the entirety of Peace Park was licenced under the Special Occasions permit which was received very positivity by community members and there were no incidents surrounding expanding the licensed area.

The list of vendors, and entertainers can be still seen on the Summer Chill webpage at [www.pelham.ca/summerchill](http://www.pelham.ca/summerchill). This season saw an increase in attendance from 2023. The increase in numbers can be attributed to the perfect weather that was seen in Pelham on Thursdays this summer. The Summer Chill Series began one week prior to the Bandshell Concert Series.

Please see to attendance from year to year in the chart below (Counters at entrances of Supper Market). There will be a full report on all numbers later this fall.

Date	# of attendees 2024	# of attendees 2023	# of attendees 2022	# of attendees 2019	# of attendees 2018	# of attendees 2017
Week 1		133*		632*	1471*	743*
week 2	613*	166*	411*	***	1329*	972*
week 3	2978	3661	1941**	1987**	3,603	532*
week 4	5312	2412	2374	2329	2,944	3259
week 5	5895	2310	2879	1838	2592	2809
week 6	2957	7500	2903	1837	3,115	3810
week 7	7447	***	4697	5083	5,611	6289
week 8	2770	2810	2174	1671	1,711	2759
week 9	2432	1710	1406	2393	1,832	2271
week 10	3901	3574	2033	2650	4,342	4406
week 11	2077	1416	2215	2286	2,005	4400
week 12	3260	1676	7195	2596	2,599	610
week 13	2511	2092	3678	2147	2,427	3761
week 14	2053	2788	3601	3546	2056	3988
week 15		407		-	703*	2261
week 16		199		-	-	520*
Totals	44,215	32,854	37,507	30,995	40,623	36,168

\* No Bandshell Concert

\*\* Rainy weather

\*\*\* Rain cancellation



## Big Band

The Town of Pelham's Big Band Dance Night, featuring the Jimmy Marando Swing Band takes place every third Tuesday of the month in the Accursi Room at the Meridian Community Centre. It is a night filled with swing, jazz, classical music, and lots of dancing! This event continues to offer free admission with food and beverage available for purchase. This event welcomes those of all ages. Please see the below chart for the average attendance over the past two years.

Quarter	2024	2023	2022
Q1	140	140	No BB due to Covid
Q2	140	160	75
Q3	87	80 -100	80
Q4		115	115



## MCC Art Walls

During Q3 of 2024, there were art displays showcased on the Meridian Community Centre art walls. During the months of July and August, Pelham resident Brittany Amadio displayed her art in the atrium of the Meridian Community Centre. For the month of September, Hamiltons of Pelham provided mixed medium artworks from their collection, featuring various Indigenous artists.

EL Crossley's art class have displayed their art in the upper hallway at the Meridian Community Centre throughout the summer. As well, the Welland Museum switched up their display in the atrium to showcase indigenous artifacts and recreations for the month of September.

Staff are currently connecting with local artists to display in the MCC for the remainder of 2024 and into 2025.

### Comedy Night in Pelham

On July 27<sup>th</sup>, 2024, the Garden City Comedy Festival hosted "Comedy Night in Pelham", an evening of laughs with guest comedians Dom Paré, Rhiannon Archer, Jimmy England, and DK Phan, hosted by Niagara's own David Green. There was a total of 70 attendees who shared positive feedback and reviews on the performers. Bar service was available for purchase.

The next Comedy Night in Pelham is planned for Saturday October 19<sup>th</sup> and includes an incredible line-up of comedians headlined by Chris Locke and featuring Wes Zaharuk and Bernie Law. Hosted by David Green.

Tickets are \$30 or call 289 668 3425 to reserve a table of 8 for \$200. Bar service will be available for purchase. Doors at 7pm. Showtime 8pm. Purchase tickets [here](#).

Visit [www.gardencitycomedyfestival.com](http://www.gardencitycomedyfestival.com) for more information or to purchase ticket!

**Garden City COMEDY FESTIVAL PRESENTS**

**PELHAM NIAGARA**

**SATURDAY OCTOBER 19**

**COMEDY NIGHT IN PELHAM**

**HEADLINER | HOST**  
**CHRIS LOCKE | DAVID GREEN**

**FEATURING FONTHILL'S OWN BERNIE LAW**  
**SPECIAL GUEST WES ZAHARUK**

**SPONSORED BY**  
**Ravenshead Homes**

**SCAN FOR TIX**

**TICKETS \$30 OR RESERVE A TABLE OF 8 FOR \$200**  
**SCAN THE QR OR CALL 289-668-3425 - 8PM START**  
**WWW.GARDENCITYCOMEDYFESTIVAL.COM**  
**MERIDIAN COMMUNITY CENTRE - 100 MERIDIAN WAY, FONTHILL**



## **Culture Days**

Culture Days is a Canada-wide celebration that is the largest-ever public participation campaign undertaken by the arts and cultural community in this country. Culture Days features FREE activities that invite the public to participate in interactive arts and culture experiences. This year's Culture Days runs from September 20 to October 13.

Culture Days kicked off with a Drum Circle with Mark Chindemi on Wednesday September 25 from 4-5pm. There were 14 participants within this experience. On October 2<sup>nd</sup>, Beverly Sneath will hold a Paint Night with 20 participants creating their own "Shoreline Sunrise" inspired painting. Lastly, Culture Days is covering the program fees of participants for our drop-in Family Music Time on Monday October 7<sup>th</sup>. This program introduces children to music and movement concepts through songs and games.

The additional Culture Days programming is highlighted in the National Day for Truth and Reconciliation section below.



## National Day for Truth and Reconciliation

On September 30th, the Town of Pelham recognized the National Day for Truth and Reconciliation, where the Town aimed to honour the lost children and survivors of residential schools, their families, and communities. The day began with a flag raising ceremony at Town Hall with James Doxtador from the Niagara Regional Native Centre, who shared his own experience and encouraged attendees to connect with an elder to listen and reflect on their stories. The Every Child Matters Flag was flown, as it is inclusive of all Indigenous communities, and reiterates the importance of bringing awareness to the residential school system.



During the day, there were seminars, performances and workshops held at the Meridian Community Centre. The Town of Pelham hosted a KARIOS Blanket Exercise facilitated by Jodi Vander Heide-Buswa. This exercise delves into the history of colonization in Canada. Town staff and many residents attended a "Roots & Relations: Shared Understanding of Indigenous History to Strengthen Relations" seminar facilitated by Nokomis Migizinz Cindilee. The Town of Pelham also had the honour of hosting an interactive drumming workshop with Cindilee, where a grade 6 class from St. Alexander school attended and participated. Following the interactive drumming workshop, the Town of Pelham worked in conjunction with the Lincoln Pelham Public Library to offer a Moccasin Identifier Event in the courtyard of the MCC.

There were multiple comments from residents on social media leading up to the September 30<sup>th</sup> programming. One comment stated "The Blanket Exercise is a tough one however an exercise that every descendant of a settler, myself included, needs to take at least once. Jodi Vander Heide-Buswa is a great facilitator. Bravo to Town of Pelham for offering this [...] And you have some other great programming and speakers. This is how our 'acknowledgements' need to be. Up close and personal!"

A self-guided StoryWalk® of "Phyllis's Orange Shirt" was on display in Peace Park from September 23- October 4.

In September, as noted above, the MCC Atrium was also home to a display from Hamiltons of Pelham who provided mixed medium artworks from their collection, featuring various Indigenous artists. As well, the Welland Museum showcased indigenous artifacts and recreations allowing residents and visitors a self-directed experience to delve into indigenous culture.

Overall, there were 298 participants in the activities and programming provided for National Day for Truth and Reconciliation.

Additionally, the Town of Pelham website contains a wide variety of resources for residents to learn more about Indigenous communities, the residential school system and how to be an ally.





## **Canada Day**

Canada Day kicked off with the return of Pelham's beloved Grande Parade, attended by thousands of people who lined the parade route from A.K Wigg School to Harold Black Park. The parade showcased local talent, and community spirit. The Pelham Canada Day Parade tradition of the Town's firefighters engaging in a friendly water fight with parade goers is always a hit!

A central attraction of the celebration was the "Party in the Park" which was centered around Princesses and Superheroes this year. The main stage featured live performances by talented local musicians, providing a platform for artists to showcase their skills and entertain the audience with music that resonated with the Canadian spirit. The Jimmy Marando Swing Band kicked things off at the main stage, followed by Walkmen, No More New and Max-Life Crisis. There were princesses and superheroes strolling to the park and interacting with the youngest attendees!

The Rotary Club of Fonthill hosted the Kids Zone area that remained packed with families for the entire duration of the event with an expanded Kids Zone area. The Rotary Club played a crucial role in ensuring that the youngest members of the community had an enjoyable Canada Day experience. They organized a variety of children's activities, including games, crafts, and entertainment, making it a fun-filled day for families.

During the day, there were four community booths and two food vendors, including the Fonthill Lions providing food at the concession stand. A local arborist brought a bucket truck to the event and raised the Canada Flag 60 feet in the air!

As the day transitioned into night, the highlight of the event was the breathtaking fireworks display that lit up the skies of Pelham. The fireworks served as a stunning finale, bringing the community together to marvel at the beauty of the night. The Town of Pelham gratefully acknowledges Canada Heritage for their support of the Canada Day festivities.

Canada Day 2024 in the Town of Pelham was a resounding success. Thanks to the collaborative efforts of various community organizations and the support of residents. It provided an opportunity for the community to come together, celebrate Canadian heritage, and enjoy a day filled with entertainment and activities. The event saw around 10,000 attendees who emphasized the community's unity and patriotism. The celebrations affirmed Pelham's commitment to coming together in pride and celebration.

We look forward to continuing this tradition and making each Canada Day celebration even more memorable in the years to come.



## Community Mural – Ontario Arts Council Grant

The Town of Pelham was successful in receiving a grant for \$5,000 from the Ontario Arts Council to create a heritage-themed collaborative community mural project. Town Staff have gathered community feedback from the Pelham Historical Society, EL Crossley Staff/Students, the Pelham Cultural Advisory Committee and general community within Culture Days workshops. The most common response from these groups was focused on local agriculture and farming.

At this time, a Call for Artists has been put out for design concept proposals from graphic artists and artist-led teams with experience in creating large scale works and the technical skills to provide the work in a digital (vector) format suitable for large scale reproduction. The digital design will be reproduced into a 6 foot by 10 foot paint-by-number mural that will be painted by Town residents during programming in December of this year. The mural will be displayed outdoors upon completion.

The Town will be responsible for fabricating, installing and maintaining the mural and for administering community participation.

Design concept proposals will be evaluated based on the criteria set out in the Call Out. The Town will select one design concept.

View the [Call for Artists](#)

The application can be viewed at [Artist Call Out - Town of Pelham](#)

## Summer Camp

Summer camp had a tremendous turn out this summer, with the group travelling to many out-trips such as Wild Waterworks, African Lion Safari, Parkway Social, and Adventure Village, amongst other places. Additionally, the campers had guests from Niagara Region Waste Management, Mad Science, Crock-a-doodle, and more!

Speciality camps also ran throughout the summer. These camps included bike camp, art and theatre camp, music camp, animal camp, and sports camp.

	2023 Participant Total	2024 Participant Total
<b>Week 1</b>	87 campers	94 campers
<b>Week 2</b>	122 campers	130 campers
<b>Week 3</b>	103 campers	121 campers
<b>Week 4</b>	102 campers	107 campers
<b>Week 5</b>	112 campers	98 campers
<b>Week 6</b>	40 campers	91 campers

<b>Week 7</b>	100 campers	93 campers
<b>Week 8</b>	92 campers	78 campers
<b>Week 9</b>	67 campers	79 campers



## Aquatics

The Pelham Pool had another great season with over 320 swimming lesson participants over the course of July and August. During lessons, the Pelham Public Library set up a table on the grass to provide books and activities for children at the park. The pool was open from 8:30am – 8:00pm each day, for a variety of aquatic programming, including public swim and Aqua Zumba. We welcomed over 420 Aqua Zumba participants this summer, which is an increase from a total of 300 in 2023. Along with this, we welcomed the Township of West Lincoln’s summer camp back to our pool for another season.

Additionally, Swim team had a total of 53 participants this season. The group worked hard and placed second at regionals!



### **Spin-Bike Membership**

New this quarter, RCW staff introduced a monthly membership option to utilize the spin bikes outside of instructor-led class times. Customers are now able to use the spin bikes from 6am-11pm for \$30.00 per month.

### **NEW – Music Theatre**

New this quarter, the Town introduced Kinder Music Theatre (ages 4-7) and Junior Music Theatre (ages 10-12) as a pre-registered program. 15 children are enrolled in the first session, which runs for 7 weeks and includes a final performance for family and friends to watch!

### **Mayor’s Youth Advisory Collective**

The Mayor’s Youth Advisory Collective (MYAC) got off to a great start this year, with 17 members! An initial meeting was held on September 10<sup>th</sup>, where the group began to plan events and initiatives for Pelham youth. This year, the group is interested in creating an ‘eco-team’ and participating in courses such as first-aid training.



### Outdoor Tennis and Pickleball Courts

With 178 pickleball memberships and 120 tennis memberships, Centennial Park is the place to be this summer! The courts have been open each day for member usage and public access between 1pm – 3pm. Weather dependant, the courts will remain open until October 31<sup>st</sup>.

### Drop-in Program Admissions

<u>June 1 – September 30, 2024</u>		<u>2024 Total</u>
Program	Quantity	Quantity
60+ Shinny	433	919
55+ Aerobics	54	136
Adult/Preschool Skate	36	184
Adult Only Skate	171	643
Adult Public Skate	148	597
Basketball Drop-In	19	109
Chair Yoga	82	245
Family Music	46	46
Family Public Skate	36	197
Flexagility	1	11
Hatha Yoga	15	123
Mediation	6	30
Men's Shinny	534	983
Mom & Baby Fitness	3	54
Orchestra	17	45
Parent & Tot Drop-In	66	237
Pickleball Drop-In	349	1666
Stick & Puck	499	1147
Senior/Student Public Skate	266	1202
Teen Basketball Drop-In	0	3
Teen Volleyball Drop-In	0	7
Ticket Ice	150	259
Volleyball Drop-In	135	296
Women's Learn to Play	6	16
Women's Shinny Combo	7	146
Women's Shinny	173	304
Yogalates	60	156
Youth Drop-In	39	91

<b>Youth Skate Grade 7-12</b>	<b>0</b>	<b>17</b>
<b>Zumba</b>	<b>418</b>	<b>418</b>
<b>Activity Drop-In</b>	<b>3</b>	<b>36</b>
<b>Total:</b>	<b>3,772</b>	<b>10,182</b>

**Pelham Summerfest**

In 2011, Pelham Summerfest began as a one-day event to celebrate the completion of the Downtown Fonthill streetscaping project, advocated for by the Pelham Active Transportation Committee. The goal of this project was to create and promote a pedestrian friendly downtown area. Since its origin in 2011, Pelham Summerfest has grown to a four-day festival, which has been recognized as one of the Top 100 Festivals and Events in Ontario every year since 2015.

This year, Pelham Summerfest celebrated its twelfth year from Thursday July 18<sup>th</sup> to Sunday July 21<sup>st</sup>. Featuring 50 food and artisan vendors and 3 Pelham Street restaurants, Summerfest continues to be a major economic driver for Pelham businesses. The Pelham Summerfest working group continued to collaborate with local businesses through the newly updated sponsorship package. The working group worked hard to curate meaningful sponsorships for Pelham Summerfest and in turn we saw the highest amount of sponsorship dollars since the events origin in 2011.

In addition to the sponsorship dollars, Pelham Summerfest received grant funding from the Ontario Cultural Attractions Fund (OCAF). This funding allowed for the creation of a new Pelham Summerfest website to enhance the accessibility and functionality. Additionally, this funding permitted work with a social media marketing team to enhance the social media pages as well as hire a videographer. Working with a videographer enabled additional content for sponsors and to gain a plethora of videos and photos from the event, to use for future promotion.

Pelham Summerfest was lucky enough to see four days of sunshine, which lead to the highest attendance we have seen in Summerfest history. Throughout the duration of the weekend, Pelham welcomed 45,006 attendees:

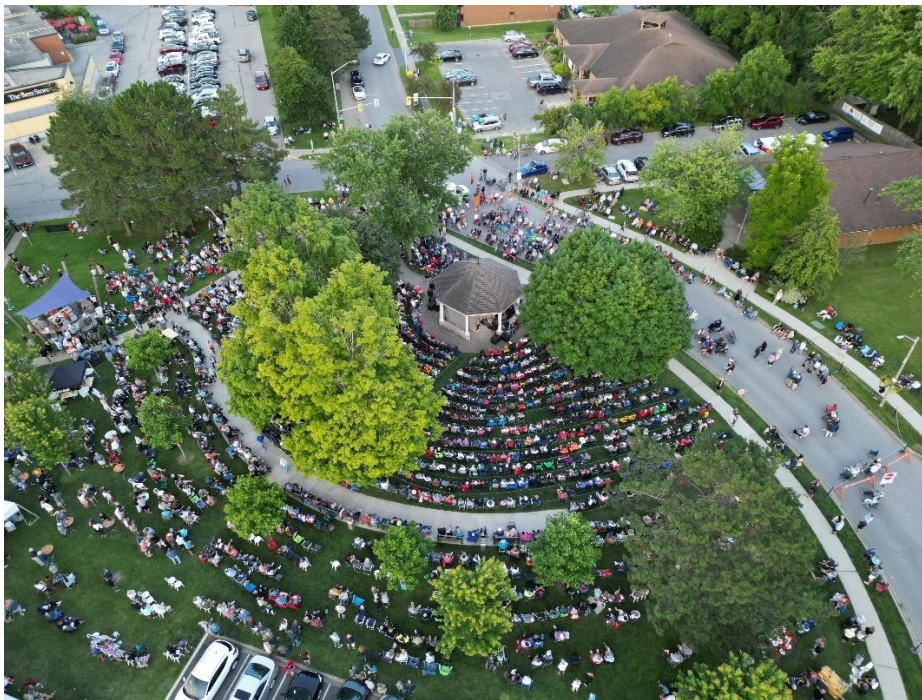
Thursday: 7447

Friday: 14,569

Saturday: 18,857

Sunday: 4,133

Pelham Summerfest kicked off on Thursday night with the Supper Market, Farmer's Market and the Bandshell concert in Peace Park. With beautiful weather and an attendance of 7,447, both residents and visitors enjoyed the diverse food options, shopped local at the Farmer's Market, listened to Craig McNair in the Supper Market area and Forever Young – A tribute to Rod Stewart in the Bandshell.



The Friday saw clear skies and warm temperatures. After a full and busy day of transforming Pelham Street, Country Night kicked off and featured musical performances from Kendra Gabrielle, Chippawa Dirty, the Country Junkies and headliners The Blackstones. New to the line-up was a learn to line-dance session with Rhea Daniels, which was widely enjoyed by attendees. Returning to Country Night was Tom Bishop and his famous rope tricks! Friday evening saw 14,569 attendees.



Saturday of Pelham Summerfest was another beautiful day on Pelham Street and in Peace Park for the highly anticipated Kids Zone. New to Summerfest this year was the Pelham Street Games, taking place on Pelham Street from Churchill to College Street from 10:00 am – 5:00 pm. The Pelham Street Games featured 10 life size games sponsored by 9 local businesses. The Pelham Street Games were a popular addition to the event this year. Saturday's Rockin' on Pelham Street featured musical performances from Craig McNair, Dynamic Trio, Brandon Agnew, Ryan Thomas Smelle Trio, Figure Four, Mage, the Madhatters and headliners, the Chimps. In between the musical performances, fire dancers filled the area in front of the stage to put on three separate shows for the crowd.





The Saturday Kids Zone in Peace Park featured an array of entertainment and activities including Niagara Inflatables, the highly anticipated Superhero Training, Balloon Twisting, Reptile Kingdom, Mad Science, Fonthill Music Academy, Stilt Walking, Firefighters, and family magic shows! In addition to the entertainment, the Kids Zone also featured food and artisan vendors!



Sunday, the fourth and final day of Pelham Summerfest once again saw clear skies and warm temperatures for the Kids Zone and Car Show! Featuring a record-breaking 120 registered cars, attracting automotive enthusiasts and spectators alike, thanks to our partner Storm the Falls for organizing and promoting the car show for the second year. The 120 vehicles lined the entirety of Pelham Town Square, overflowing into the municipal lot. This year, the Sunday Kids Zone was enhanced to mimic the entertainment and activities offered on the Saturday with inflatables, magic, mini golf, balloon animals, face painting, stilt walking and food and artisan vendors. In addition to the Kids Zone and Car Show, Jim Casson returned to provide entertainment with his Blues Band. Jimmy's Juke Joint drew a significantly large crowd, adding a musical dimension to the Summerfest Sunday festivities.

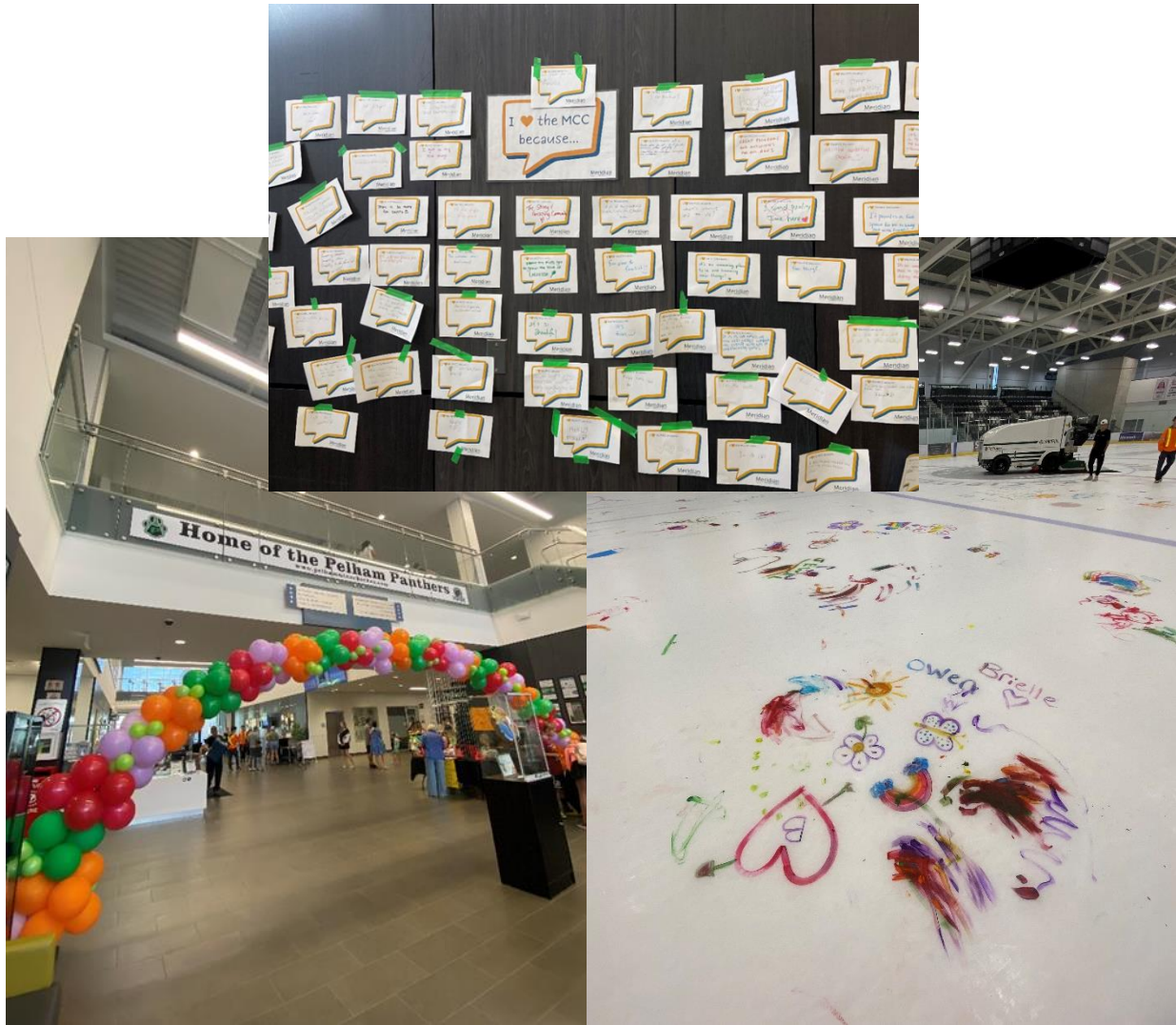






### **Meridian Community Centre 6 Year Celebration**

On Saturday, September 14<sup>th</sup>, the MCC hosted an event to celebrate 6 years of operation. With an attendance of 1,450 throughout the duration of the event, residents and visitors enjoyed a variety of activities and entertainment. During the day, attendees had an array of activities to participate in including ice painting, meet the Olympia, inflatable arcade zone, family magic show, family skates, face painting, balloon animals, a community art space, an interactive passport and more! Attendees also had the opportunity to connect with the Rotary Club of Fonthill, the Mayor's Youth Advisory Committee and the Women's Shiny group. During the evening, families were able to enjoy food trucks and entertainment from 6:00 – 11:00 pm in the courtyard. Musical performances were provided by Max Ingrao, Claralux, Copper & Iron, Caitlin Miller, and Craig McNair.



## Volunteers

During Q3 of 2024 Staff received 9 new volunteer expression of interest forms through the Town's website. Staff continue to advertise volunteer opportunities through emailing the community volunteer database and posting through our social media channels.

One Senior VIP (Volunteer in Pelham) has continued to contribute her time to the Meridian Community Centre. During Q3 of 2023, this volunteer contributed a total of 12 hours to assisting with the Orchestrum Music drop-in program on Friday's and the monthly Big Band Dance Night.

Volunteers also assisted on Canada Day as face painting attendants, kids zone attendants. A total of six volunteers contributed 39 hours to Canada Day. Finally, six volunteers contributed 45 hours as bike valet attendants at the Thursday night Summer Chill evenings at Peace Park.



A total of 59 volunteers contributed 243 hours to various volunteer positions including: Summerfest ambassador, wrist-banding attendant, bouncy castle attendant, bike valet attendant, and Pelham Street games attendant. Members from Pelham Service Clubs also contributed 40 volunteers and 170 hours on the Saturday of Summerfest. Service club positions included: serving, bar backing, ticket sales, wrist banding, and Summerfest ambassadors. In total, Pelham volunteers and Service Club members contributed 413 hours to Summerfest. Summerfest gained us the largest number of volunteer hours so far this year.



## **Dedication Program**

During Q3 of 2024, there was 1 new inquiry for the bench dedication program.

The Memorial Bench for the Tramsek family has been installed at the Steve Baur Trail near the Port Robinson rd. entrance.



The memorial Bench for the Hyde family has been installed at Centennial Park to honour Bruce Hyde and remember his work as founder of Niagara Pickleball Masters (NPM) as part of the Global Pickleball Network.



The tree dedication for The Niagara Freewheelers Bicycle Touring Club has been installed at Harold Black Park and unveiled at their Legacy Project Tree Dedication/Adopt-A-Road event on Friday, September 13, 2024. The plaque has the following inscription: "This tree is dedicated to the outstanding members of the Niagara Freewheelers Bicycle Touring Club in recognition of their time and talents spent in service to the club and to the advancement of recreational cycling in the Niagara Region."



## **Community Planning and Development Quarterly Report**

Wednesday, October 16, 2024

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**Reporting Period:** Community Planning and Development Department Quarterly Report for the period: July – Sept. 2024

**Recommendation:**

**BE IT RESOLVED THAT the Q3/2024 Community Planning and Development Department Report be received for information.**

**Department Overview and Statistics:**

The Planning Department continued to work on the following development applications: 13 Subdivision / Condominium Applications, 4 Zoning By-Law Amendments, 9 applications for Site Plan Approvals, 5 consent applications, 20 minor variance applications and 3 Niagara Escarpment Development Permit applications.

Public meetings were held with regards to:

- Maplewood Estates - Applications for Draft Plan of Subdivision and Zoning By-law to create and permit:
  - 14 Lots (Lots 1-14) for Single Detached Dwellings;
  - 2 Blocks (Blocks 15-16) for eight (8) Street Townhouse Dwellings;
  - 3 Blocks (Blocks 17-19) for six (6) Semi-Detached Dwellings;
  - 1 Block (Block 20) for a future pedestrian walkway;
  - 1 Block (Block 21) for a 0.3m reserve; and,
  - 0.267 hectares for future roadways (Street 'A').
  
- Forest Park Subdivision Zoning By-law Amendment - The requested Zoning By-law Amendment would amend the existing site-specific Residential 2-129 (R2-129) zone for single detached dwellings within a portion of the plan of subdivision.

Final Site Plan approval was given to:

- 1389 Effingham Street for farm winery.

Conditional Site Plan approval was given to:

- 1439 Pelham Street for commercial building addition.
- 550 Webber Road for house of worship.

**Building:**

The Building Department continues to receive incoming permit applications consistent with seasonal trends and remains busy with inspections. The building department conducted a total of 615 inspections since the last quarterly report.

**Building Activity Statistics from July – September 2024:**

Month	Building Permits	Inspections	Demos	Commercial Sq. Ft.	New Dwellings	Value of Construction
July	22	195	0	0	5	\$3,531,929.00
Aug	11	193	1	0	3	\$1,824,000.00
Sept	15	227	1	1389	4	\$4,663,500.00
<b>Total:</b>	<b>48</b>	<b>615</b>	<b>2</b>	<b>0</b>	<b>12</b>	<b>\$10,019,429.00</b>

**Building Permit Time Frames from July – September 2024:**

Building Type and Number of required days to issue	Number of Permits Issued	Average Number of Days to Issue Permit
House: 10 days	40	3
Small Building: 15 days	4	9
Large Building: 20 days	4	8
Complex Building: 30 days	0	0
<b>Total:</b>	<b>48</b>	

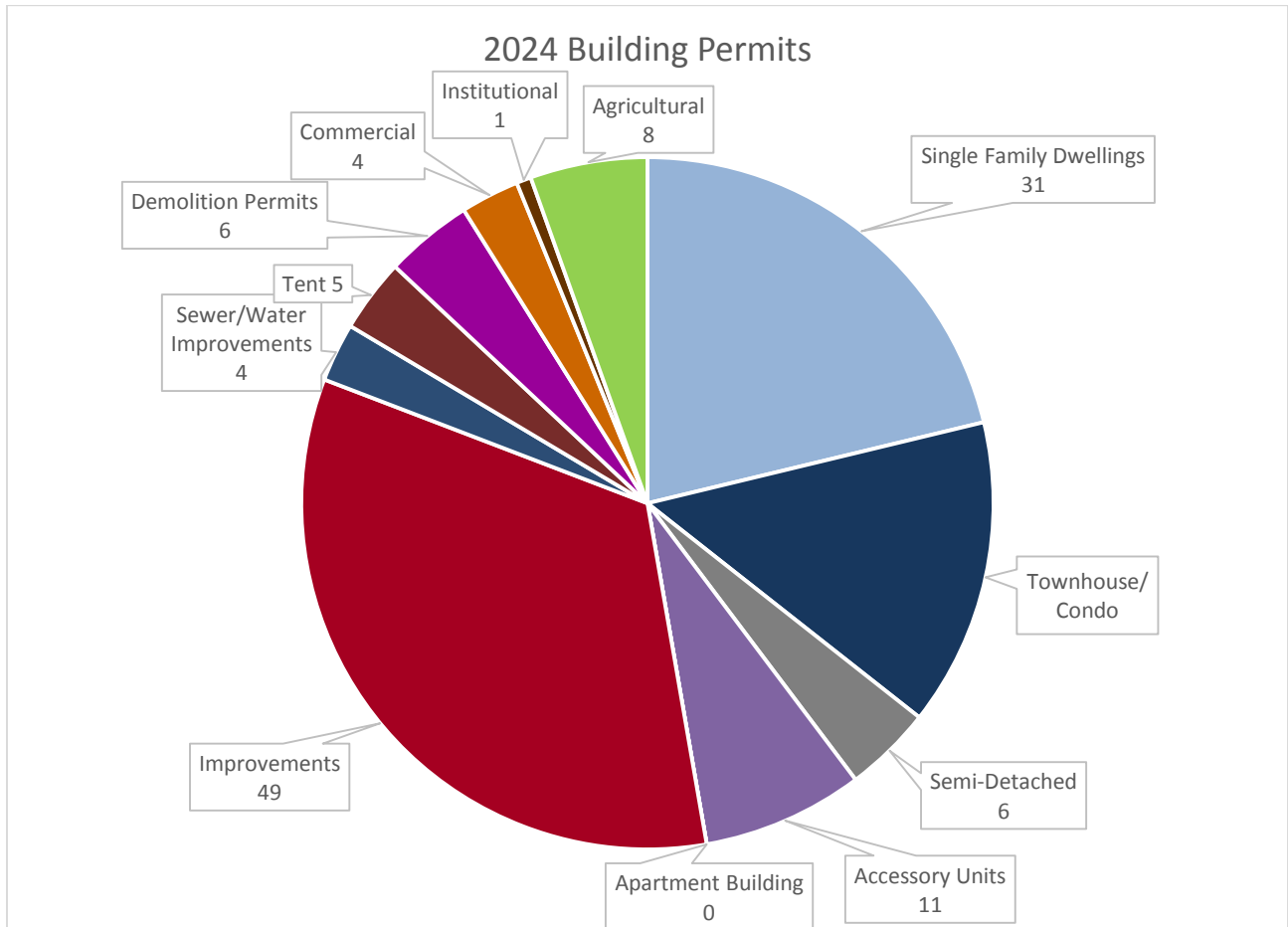
**Major Building Projects Over \$250,000** (excluding single family dwelling units and towns): there are currently five projects over \$250,000 that are not single-family dwellings or townhouses. Residential Addition and Reconstruction \$300,000, Addition to existing home \$600,000, New Poultry



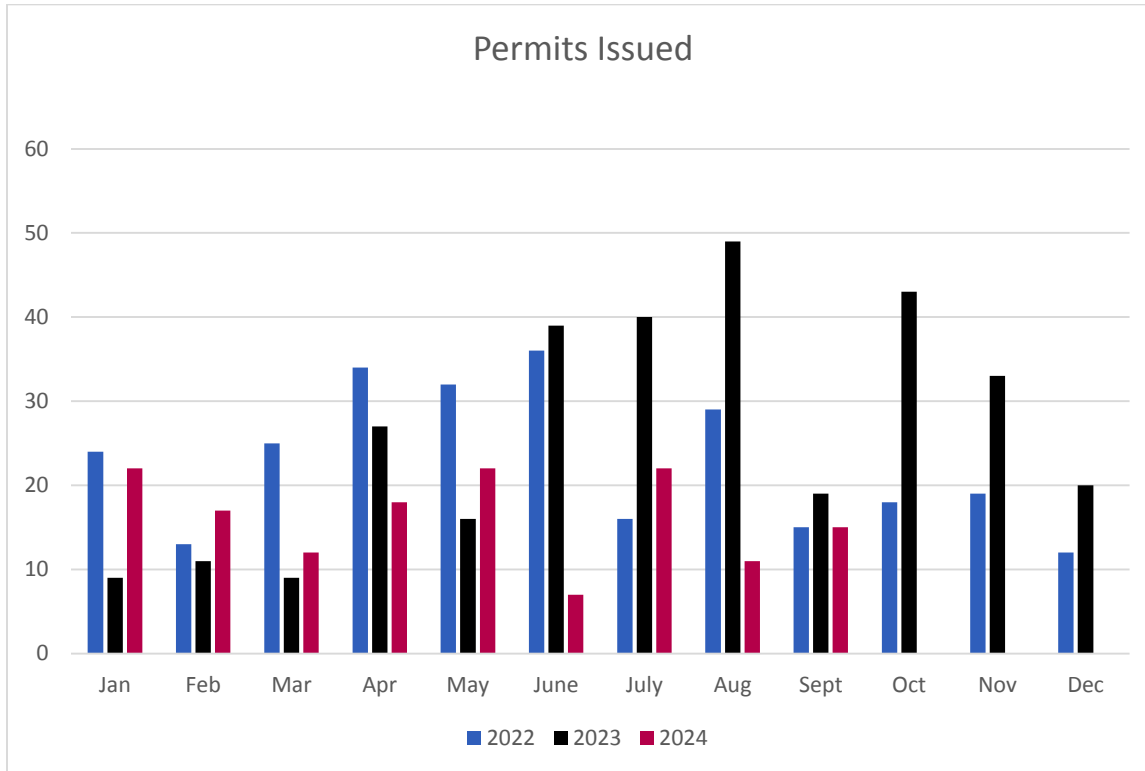
Barn 300'x65' \$800,000, Farm building addition \$400,000, and Re-demise existing tenant space \$250,000

**Town Development Charges collected by the Finance Department** at time of building permit approval from July – September 2024 total \$225,120.00

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



## Comparative Building Activity Statistics from 2022-2024:



### Projects:

**Comprehensive Zoning By-law:** The housekeeping amendment has been approved and the new Office consolidation including changes made through housekeeping has been updated on the Town’s website.

**Town Official Plan Review and Update:** The Engaging Pelham website ‘Picturing Pelham’ is live and public comments and feedback can be received at: <https://engagingpelham.ca/town-of-pelham-official-plan>. Agency and stakeholder consultation has been initiated. The Policy Planner is the lead on this project and is available to meet with the public and Council members to discuss issues, concerns and answer questions at any time. Public Open Houses have been scheduled for the following dates/times:

Tuesday November 12, 2024 at the Meridian Community Centre (100 Meridian Way, Fonthill) from 2:00pm – 4:00 pm and 5:00 pm to 7:00 pm

Wednesday November 13, 2024 at Fire Station 3 (2355 Cream Street, North Pelham) from 2:00pm – 4:00 pm and 5:00 pm to 7:00 pm

Thursday November 14, 2024 at Fire Station 2 (766 Welland Road, Fenwick)  
from 2:00pm – 4:00 pm and 5:00 pm to 7:00 pm

**Pelham Greenbelt Natural Asset Plan:** The Plan has been completed. A stakeholder engagement session was held on June 24, 2024. The report is posted on the project's Engaging Pelham page: <https://engagingpelham.ca/mnamp>. Council presentation is anticipated in Q3.

**Development Planning and Development Engineering Fees Review and Recreational User Fees Review:** Staff have been meeting with the project consultant to map processes and determine level of effort involved in development applications.

**MuniPass Planning Application Portal:** Staff have been working with the consultant to build the portal for digital submission and tracking of development applications. Staff are testing the system and identifying improvements. Launch anticipated in Q4.

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

Staff respond to resident inquiries and concerns on as needed basis.

#### **Employee Updates:**

Planner completed OPPI and CIP the Registered Professional Planner (RPP) designation.

Administrative Assistant, Community Planning and Development is in the process of completing Map Unit 3, The Association of Municipal Managers, Clerks and Treasurers of Ontario AMCTO course.

Building In-take and Zoning Technician passed the Ministry Qualification for House Exam.

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

No new request for proposals, grant applications or consultant agreements were undertaken in Q3.

#### **Meetings:**

On-going meetings:

- Committee of Adjustment Meetings
- OBOA Niagara Chapter Meetings
- Pre-Consultation Meetings
- SLT Meetings
- Joint Health & Safety Meetings
- Area Planners Meetings
- Regional Process Improvement Team Meetings
- Agricultural Advisory Committee Meetings

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

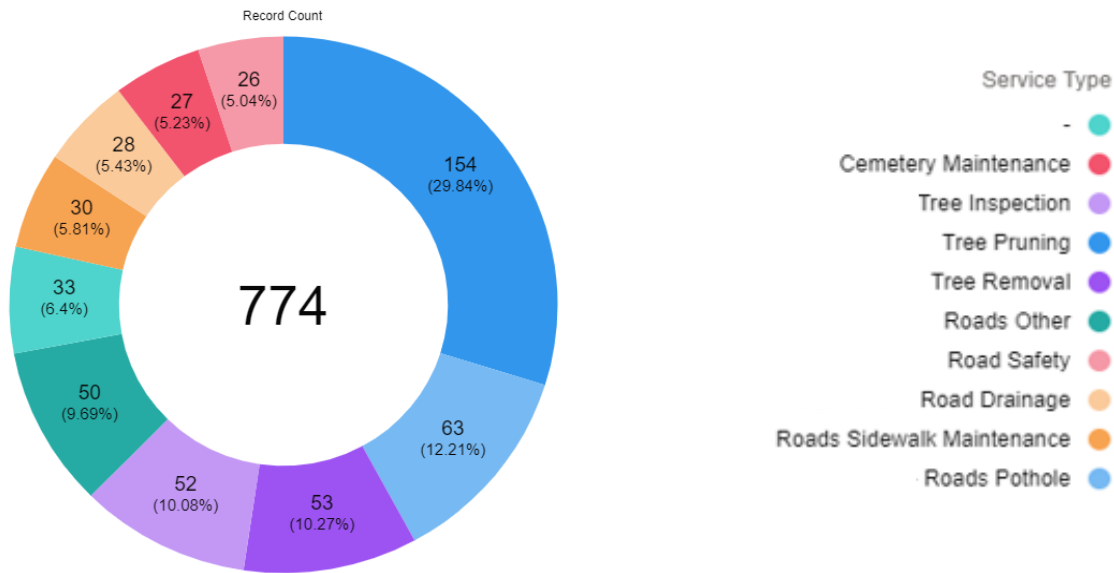
- 10-year Capital Budget calibration meetings
- 2025 Capital and Operating Budget meetings
- Emergency Management Committee meeting
- MuniPaas Planning Application Portal meetings
- Rural Roundtable
- Development Planning and Development Engineering Fees Review and Recreational User Fees Review project meetings
- Development Charges Update meetings with Developers

**Reporting Period:** Public Works Department Quarterly Report for the period: July, August, and September 2024.

**Recommendation:**

**BE IT RESOLVED THAT the Q3/2024 Public Works Department Report be received for information.**

**Department Overview and Statistics:**



The above image displays our year-to-date cases that have been opened in MuniPaas (Sales Force). For clarification, the light teal colour (the first colour under Service Type) are cases that have been opened by Sales Force for testing the system. In future reports, we hope to have quarterly case numbers to reflect the months captured within the report.

## **Public Works Operations:**

### **Roads**

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

Throughout the third quarter, Roads staff continued to concentrate their efforts on patching potholes on municipal roads. This included preparing roads for several cycling events including the Ride to Conquer Cancer, and the Big Move Cancer Ride.

Staff replaced several road crossing culverts and driveway culverts, as well as the replacement of a large number of road signs during this quarter. A stop-controlled intersection was installed at Port Robinson Road and Klager Avenue, and the temporary speed cushions were moved from Haist Street and relocated to Pancake Lane, West of Haist Street.

### **Beautification**

Over the past quarter, the Beautification Department has been actively engaged in various projects aimed at enhancing the aesthetic appeal and functionality of community spaces. The team has worked diligently on several initiatives, as outlined below:

### **Turf Maintenance**

Efforts in turf maintenance have focused on sports fields and key town locations. This included:

- **Fertilizing:** Application of high-quality fertilizers to promote healthy growth.
- **Aerating:** Enhancing soil aeration to improve root development and water absorption.
- **Weed Mitigation:** Implementing targeted strategies to control weeds at high-priority locations.

These activities have significantly improved the condition of our sports fields and public green spaces, ensuring they remain vibrant and usable for community events and activities.

## **Annual Planting Success**

This year saw remarkable success with annual hanging baskets and flower beds. The vibrant displays have not only beautified the town, but also received positive feedback from residents and visitors alike.

## **Support for Community Events**

During the summer months, the department collaborated closely with the Cultural and Wellness Department, providing essential support for various community events. Our responsibilities included:

- Event setup and teardown
- Waste management services

This partnership has strengthened community ties and contributed to the overall success of these events.

## **Increased Garbage Can Servicing**

2024 saw a continued increase in the servicing of municipal garbage cans throughout the season. This reflects the Town's commitment to maintaining cleanliness and sustainability in public spaces.

## **Forestry and Cemetery Maintenance**

The Forestry and Cemeteries teams have remained busy, undertaking routine maintenance and care to ensure these areas remain respectful, serene, and beautiful for all visitors.

## **Recognition**

All residents can be proud that our cumulative efforts have been recognized with **three blooms** from the Community in Blooms program. This accolade is a testament to the hard work and dedication of Pelham's business community, volunteers, residents and staff in enhancing the community's beauty.

## **Cemeteries**

In the third quarter, cemetery staff completed 28 interments, 8 of which were traditional (full) burials. The Town has sold 10 graves to families between Hillside and Fonthill Cemeteries, resulting in year-to-date plot sales of 44.

The Cemeteries Stone Orchard Software Data Transfer project has been awarded to GEI Consultants (formally GM BluePlan) and is well under way with staff having regular progress update meetings. This project has an estimated completion by the end of the year 2024.

## **Water/Wastewater**

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

The Northwest Fonthill watermain replacement project will be completed in late fall with staff working with contractors. Staff completed the 2024 fire hydrant inspection and continued with the hydrant fire flow program. The Town's Pressure Reducing Valves (PRV's) will have all been maintained with online updates published by late November. Water/Wastewater staff will begin the fall water main flushing, and valve maintenance program in October following the Drinking Water Quality Management System. The process of integrating the newly legislated Consolidated Linear Infrastructure - Environmental Compliance Approval (CLI-ECA) has begun with our Environmental Compliance Analyst implementing programs directed at both Storm and Wastewater infrastructure allowing for improved environmental protection.

## **Public Works Engineering**

The following is a summary of the activities and projects that have occurred in the Engineering Department between July and September 2024:

### **Pelham Street South (Phase 4) – South Spruceside Intersection to Town Limits**

The project is substantially complete. The remaining work includes the reconstruction of the traffic signals at the intersection of Pelham Street and Quaker Road, the installation of the PXO lights, and final landscaping and surface works, which are scheduled to be completed in the summer of 2024. The Region is completing a sanitary sewer replacement project on Quaker Road between Pelham Street and Rice Road in 2024. Following the installation and connection of the sanitary sewer, the final asphalt will be installed at the intersection of Pelham Street and Quaker Road. This will mark the completion of the project.



The contractor completed the intersection works with new sidewalks and pavement markings. The Town is waiting on updated estimates for the Solar powered PXO lights. These works are anticipated to be done tentatively in October 2024.



*Northbound on Pelham Street towards the intersection of Quaker Road/Welland Road and Pelham Street*

### **Quaker Road Reconstruction Detailed Design**

The project includes the full urbanization of the roadway between Pelham Street and Line Avenue with concrete sidewalks on both sides, on-road cycling facilities, a new water main and services, a new storm sewer, and a new sanitary sewer. Niagara Region tendered the project in the summer of 2023, and it has been awarded to Peters Construction Group. The contractor commenced the work in mid-January 2024, starting with sewer installations at the east end of the project (intersection of Rice Road and Quaker Road).

As of September 30<sup>th</sup>, 2024, the contractor is approximately +/-50m into Pelham, working their way towards the Pelham Street intersection. It is anticipated that the work on Quaker Road between Line Ave. and Pelham Street will be completed in the summer of 2025.

## **Pancake Lane Reconstruction Detailed Design**

Pancake Lane, from Haist Street to Pelham Street, is to be reconstructed to include urbanization of the cross-section, upgrading the water main and sanitary sewer, and installing a new storm sewer. The Town awarded this project to UEM, who are currently undertaking the detailed design, however, the Niagara Region is currently in the design stages of the new trunk watermain feed to the new water tower location, which has put a hold on the progress until further details from the Region are forthcoming.

The Region and Town staff have had discussions regarding the proposed route for the new trunk watermain as the Region is proposing to use Pancake Lane instead of the current route along Bigelow Crescent. The Region has requested a partnership with the Town to include the detailed design of the Trunk Watermain in the detailed design of Pancake Lane.

This partnership will be similar to the Quaker Road Reconstruction project in which the Region carries out the full road design, construction costs and Contract Administration, and apportions out the Town's anticipated costs in a cost-sharing agreement.

The details are currently being discussed between Town Staff, Regional Staff, and UEM.

## **Canboro Road Reconstruction Detailed Design**

Canboro Road from Haist Street to Highway 20 is to be reconstructed to include urbanization of the cross-section and upgrade of the water main and sanitary sewer. Kerry T. Howe Engineering is currently undertaking the detailed design which will be completed by the end of 2024 with construction slated for 2025, pending budget approval.

## **Northwest Fonthill Watermain Replacement**

Approximately 1.9 km of non-PVC water main is being replaced in Northwest Fonthill. Kerry T. Howe Engineering completed the design portion of this assignment and Cotton Inc. is undertaking the construction. The contractor has now completed the installation of the watermain and has begun to replace service connections and shut off valves to properties.

## **Reconstruction of Effingham St: Tice Road to 500M South of Metler Road**

Effingham St from Tice Rd to 500m south of Metler Rd is to be reconstructed including improvements to the roadway and drainage. Upper Canada Consultants is currently undertaking the design which is planned to be constructed in 2027.

## **Effingham Street from Highway 20 to Canboro Road**

Effingham Street from Highway 20 to Canboro Road is to be reconstructed to include improvements to the roadway, a new sidewalk on the east side, and new storm drainage. Upper Canada Consultants is currently undertaking the design assignment, with construction anticipated in 2026.

## **Church Street Culvert Replacement**

This project is now complete, Rankin construction reopened Church Street on Monday, September 23<sup>rd</sup>.

## **Bridge Replacement Program – Roland Road**

ELLIS Engineering is continuing to work on the Roland Road culvert design, which will be completed in 2024, with replacement anticipated in 2026.

## **Culvert Replacement Program - Balfour Street**

The replacement of the twin culverts is now completed, Balfour Street was reopened in August 5<sup>th</sup>.

## **Station Street Storm Pond Rehabilitation**

This project has been awarded to Duffin Contracting Inc. The contractor continues working with the design consultant, Town Staff, and NPCA to get the necessary approvals to access the site and complete the work. Based on failed attempts to access the site via the Hydro One corridor, the Town has now directed the contractor to gain access to the site through the existing storm sewer easement and stormwater management facility. As a result, there will need to be limited tree removal and restoration work on the existing pond. All of this work for the access will be completed on Town property. A portion of the property is on NPCA-regulated lands, and approval for the work has been granted.

The Town and the contractor are discussing the construction timing. Staff will meet with the NPCA to discuss the application process for 2024. Completion of this project is pending authorization by the NPCA and the contractor's schedule.

### **Church Street Sanitary Sewer Design Upgrades**

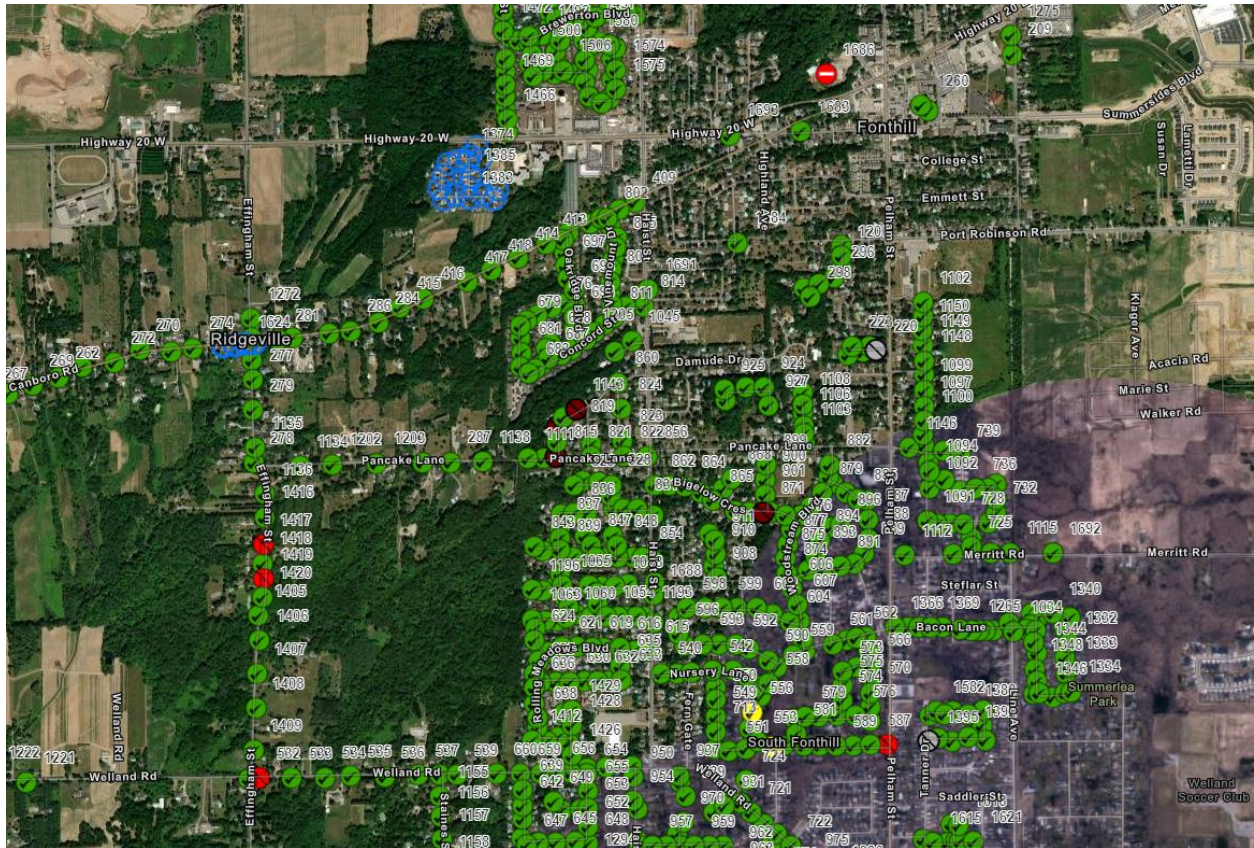
The project was tendered on March 9, 2023, and closed on April 4, 2023. The contractor has completed all underground works, including Base asphalt and ditch restorations. The final top layer and deficiencies were completed in June 2024. The project is currently in the maintenance phase.



*Church Street, North of the tracks, southbound approaching crossing.*

### **LED Streetlight Conversion Project (Phase 2)**

Phase 1 was completed in February 2023. RealTerm and Transtest completed the project in September 2024 with the installation of the last of the decorative fixtures. The project has now entered the maintenance phase and staff are working closely with the utility providers and RealTerm to complete the final billing transfer. A final report will be coming to Council in November 2024 to report on expected operating cost savings and realized project efficiencies.



*Projected Map for Phase 2*

### **Foss Road Sanitary Sewer Design Upgrades**

Staff issued an RFP to complete the detailed design assignment and prepare tender documents (including permits and approvals from regulating approval agencies). The RFP closed on September 28, 2023, and was awarded to Associated Engineering Ltd. It is anticipated that the design will be completed by Q4 of 2024. Construction is scheduled to commence in 2027 following upgrades to the Region’s Foss Road sanitary pumping station.

### **Centennial Park Washroom Upgrades**

From January to March, the project progressed steadily, with minor delays due to supply chain issues. The project was substantially completed by March 28th, 2024. The project is currently in the maintenance phase.



*Completed Centennial Park Concession and Washrooms*

**Roadside Ditching Program (2024)**

CRL Campbell was awarded the 2024 Ditching program. Due to the new soil regulations and additional testing requirements, quantities were reduced from previous years to stay within the approved budget. This project was completed September 5<sup>th</sup>.

**Concrete Repair and Replacement Program (2024)**

The 2024 concrete replacement tender was a three (3) year program that was awarded to Sacco Construction. All replacements and reinstatements have now been completed.

**Sidewalk Inspection and Trip Hazzard Removal**

Safe Sidewalks Canada completed the sidewalk inspection portion of this contract in May. The inspection results were used to select replacement locations and locations for trip hazard cutting which have now been completed.

**Fire Station 1 Conceptual Design**

Raimondo & Associates Architects Inc. prepared a conceptual design to reconstruct Fire Station 1 on Highway 20. The conceptual design identified space requirements, a preliminary floor plan design, and a preliminary construction cost estimate. In addition to this assignment, staff requested that the architect complete a cost-benefit study and rehabilitation/replacement analysis to consider alternatives for the council’s review. Staff prepared a report for council consideration in June 2024 concerning different alternatives for rehabilitation and/or replacement of the fire station. At this meeting,

Council has endorsed a complete replacement of the existing facility, and staff are currently preparing a companion report that looks at design options and location alternatives.

In September 2024, staff prepared a report to Council seeking endorsement of a preferred concept for Station One replacement. The preferred concept includes the construction of the new facility on the existing site using a staged construction approach to maintain business continuity during the project. The project will include demolition of the existing office space and construction of new apparatus bays on the west side of the building. Once the new apparatus bays are constructed the equipment will be moved in the new building allowing demolition and construction of new office spaces on the east side of the building. Staff are currently in the process of preparing an RFP for the architectural service and detailed design. It is anticipated that the RFP will be issued in November of 2024.

### **2023 Road Rehabilitation Program - Continuation**

The contract was awarded to Walkers Construction LTD. The Town is working on rehabilitating 8 kilometers of the rural road network for 2023.

In September of 2023, a bonded wearing course (an innovative surfacing technology) was completed and applied to the following locations:

- (1) Maple Street;
- (2) Twenty Road to Sawmill Road;
- (3) Maple Street: Sixteen Road to Kilman Road;
- (4) Maple Street: Kilman Road to Metler Road; and
- (5) Effingham Street: Sumbler Road to Chantler Road.

However, due to surface temperature application constraints with the traditional surface treatment process, the following roads could not be rehabilitated in 2023 and instead were completed in August of 2024.

Roland Road: Effingham Street to Centre Street  
Pihnach Street: Webber Road to Chantler Road  
Beamer Street: Twenty Road to Spring Creek Road  
Sawmill Road: Moyer Road to Cream Street



*Section of Maple Street and Effingham Street with Bonded Wearing coarse application*

Based on the 2023 Pavement Index Study completed in May, the overall road network rating went down from 69 to 64. The timely replacement of the town's aging infrastructure benefits the town's infrastructure and is critical to ensuring the Town maintains a safe and efficient transportation network.

### **2024 Road Rehabilitation Program**

The contract for this project was published on March 11, 2024, and closed on April 2, 2024. The project was awarded to Walker Construction LTD. The contract consists of 8 kilometers of rural road network for 2024. The work commenced in June and was fully completed in September 2024.

In June, the Contractor placed asphalt padding to eliminate surface imperfections. The Final Bonded Wearing Course of the Asphalt was completed by mid-August 2024.

Bonded wearing course (an innovative surfacing technology) to be applied to the following locations:

- Kilman Road: Maple Street to Victoria Avenue
- Metler Road: Balfour Street to Victoria Avenue
- Wessel Drive: Town Limit to Sawmill Road
- Haist Street: Overholt Road to Metler Road
- Centre Street: Metler Road to Kilman Road





*Kilman Road between Maple Street and Victoria Ave, before and after*

### **Road Base and Patching Repair Program (2024)**

The contract was tendered on February 15, 2024, and closed on March 8, 2024. Circle P Paving was awarded the contract on March 9, 2024. This is a 3-year contract.

Circle P Paving started the patching and surface works in May 2024. In addition, the section of Merritt Road from Line Avenue to Rice Road was rehabilitated as part of this contract. Work is scheduled to be completed October 2024.

### **Town Of Pelham Slope Stabilization Design**

The contract for this project was published on April 30, 2024, and closed on May 23, 2024. The Project has been awarded to Kontzamanis Grauman Smith McMillan Inc (KGS Group). The Proposal is to acquire design services to rehabilitate the areas with slope stabilization issues in the Town of Pelham. The locations noted below have been identified to have slope failures:

- 50 metres north of Centre Street and Roland Road North
- End of Spencer Lane overlooking Marlene Stewart Park
- Between 536 River Road and 531 River Road



*Spencer Lane Slope Failure, overlooking Marlene Stewart Park*

The designs are anticipated to be completed by Q1 of 2025.

### **Timber Creek Stormwater Management Facility Rehabilitation (2024)**

In 2024, the Council approved a \$300,000 budget to complete maintenance and repair work to the Town's stormwater management facilities. A study completed by Matrix Solutions Inc. in 2024 identified approximately \$3M of rehabilitation and maintenance work to be completed in the next 10 years. In March, staff issued an RFP for the design portion of the assignment. The RFP closed on April 5th and was awarded to Matrix Solution. In August, the tender was posted and later awarded to CRL Campbell for maintenance work on the storm pond. CRL Campbell is projected to start work on the pond the first week of October. The pond is set to be completed by November 2024.

### **CLI/ECA Operation Manuals**

Following the new legislation surrounding Consolidated Linear Infrastructure and Environmental Compliance Approval regulations, the Town must produce and implement an inspection and maintenance program for sanitary and storm

sewer infrastructure. In 2024, Council approved a \$150,000 budget to complete the operations and maintenance manuals for the Town's storm and sanitary system. In April 2024, the Town awarded GEI Consultants (formally GM BluePlan) the project for \$99,288.00. The project kicked off in July, with an estimated completion date of the operations manuals by the end of December 2024.

### **Design of Station Street from Port Robinson Road to Hwy 20**

In 2024, Council approved a project for \$100,000 to finalize the detailed design assignment for Station Street between Port Robinson Road and Hwy 20. The project includes the full urbanization of the roadway, including new sanitary and storm sewers, concrete curb and gutter, concrete sidewalks, a multi-use pedestrian path, and upgrades to the intersections at Port Robinson Road and Summersides Blvd. The project also includes coordinating the Station Street extension south of Port Robinson Road to accommodate the Forest Park development and the reconstruction of the intersection of Port Robinson Road and Station Street. It is anticipated that the design work will be completed in Q1 of 2025 with construction in 2026.

### **Sulphur Springs Road Slope Stabilization Project**

The project was approved by the Council in 2023. It was tendered as a design-build project and awarded to Duffin Contracting in October 2023 for \$437,310.

Duffin is currently in the design and consultation phase of the project, liaising with the NPCA and NEC about permitting. They have retained Maccaferri as their Geotechnical Engineer to assist with the proposed construction design and process.

It is anticipated that construction will begin in the spring of 2025 pending approvals from the NPCA, NEC, DFO, and Town of Pelham Engineering staff.

### **Town Hall FOB KEY project**

This project aims to improve the security at Town Hall. The RFP was published on February 5th, 2024, and closed on March 5th, 2024. On March 15th, 2024, the project was awarded to Pinder's Security Products. This project was fully completed in September 2024.

**Miscellaneous Topics:**

In addition to the current capital projects, Engineering staff continue to review all Planning and Committee of Adjustment applications thoroughly. Reviews entail a site visit and detailed analysis of drawings and reports to ensure Town standards are adhered to. For more complex applications, this process sometimes involves several re-submissions and repeated reviews by staff. Engineering staff also continue to manage requests for the assumption of subdivisions and the reduction of securities at various stages of the development process. In addition, the engineering staff reviews lot grading plans for building permits received through the Planning Department.

Further, Engineering Staff continue to support the Pelham Active Transportation Committee (PATC), Environmental and Climate Adaption Advisory Committee (ECAAC), and the Utility Sustainability working group.

**Reporting Period:** Clerk's Office Quarterly Report for the period: July, August, September 2024.

**Recommendation:**

**BE IT RESOLVED THAT the Q3/2024 Clerk's Report be received for information.**

**Department Overview and Statistics:**

Year	2022	2023	2024			
Quarter (Year to Date)	Year End	Year End	Q1	Q2	Q3	Q4
Insurance or Small Claims Processed	47	37	5	10	12	
Pelham Deaths Registered	107	58	23	44	64	
Deaths Outside of Pelham Registered	79	95	31	48	66	
Lottery Licenses Issued	14	20	8	10	16	
Council Meetings Attended/Minuted	22	23	6	11	15	
Special Council Meetings Attended/Minuted	12	1	1	3	4	
COW Meetings Attended/Minuted	1	7	0	0	0	
Public Meetings Attended/Minuted	9	10	2	4	6	
Affidavits Sworn	222	280	59	116	186	
FOI Requests Received/Processed	16	25	10	23	32	
Closed Meeting Investigation	0	0	0	0	0	
Committee of Adjustment - Variances	19	24	9	12	36	
Committee of Adjustment - Consents	13	14	8	11	16	
Committee of Adjustment - Hearings	11	12	3	6	9	
OLT Appeals C of A	1	0	0	0	0	
Muzzle Order Appeal	0	0	1	1	1	
By-laws	99	74	21	45	68	
Itinerant Seller/Vehicle Licenses Issued	8	15	7	21	21	

Short Term Accommodation Licences Issued	1	2	0	1	3
Sidewalk Patio/Sidewalk Sale Permits	3	6	1	4	4
Special Event Permit – Private	3	6	8	8	13
AMP Review Hearings	13	31	7	8	16
Marriage Licenses Issued	68	70	13	32	52
Civil Marriage Ceremonies Officiated	9	20	7	15	20
Media Releases	16	50	6	18	25
News Briefs	24	67	14	26	39

Note: Each quarterly figure is accumulative of the year’s total

**Projects:**

**2026 Municipal and School Board Election Preparation**

On September 4, 2024, Council received the first of several election-related reports outlining potential alternative voting methods for the upcoming election. In Q4 of 2024, staff will begin community consultation to gather feedback on preferred voting methods. An *Engaging Pelham* webpage is now live, with a community survey set to open on October 1, 2024. Poster boards displaying key information about each voting method will be available at the Meridian Community Centre (MCC). Additionally, staff will attend the MCC on select dates (to be determined) to engage with the public directly. This consultation process will inform staff's recommendation to Council, which is expected in early 2025.

**Finalizing Ward Boundary Review**

The Clerk’s Department are actively working on finalizing the ward boundary changes Council approved. This requires new ward mapping. The Clerk’s Department is focusing on more user-friendly maps, including individual ward maps. A final report and by-law will be coming to Council for approval by the end of the year.

**Special Event and Travelling Vendor By-law**

In close collaboration with sister departments, staff have been working to finalize the drafts of the proposed Special Event and Travelling Vendor By-laws. Since the pandemic, there has been a significant increase in the popularity of outdoor markets and events, and the existing systems are no longer sufficient to meet this growing demand. Staff are eager to formalize and streamline processes to better support local culture and drive economic activity.

## Communications Analytics, July to September 2024

Page Views	Views per User	Average Time on Page
108427	3.18	0:15

**Top 5 pages:** (Main Page) Meridian Community Centre, Careers, Adult programs, Arena and Skating, Pool.

### X – Formerly known as Twitter

Posts	Engagement	New Followers
285	153	2

### Facebook

Post Link Click	Page Views	Total Reach
2263	7698	66,576

### Instagram

Total Posts	Engagement	Post Video Views
306	1122	2913

### Engaging Pelham (Bang the Table)

Total Visitors	New Registrations	Informed Visitors/ Aware Visitors
3000	5	767/1800

### Marketing Projects:

- Recreation General Programming
- Committee Members
- PD Day Camps
- 55+ Seminar and Social Series
- Babysitting Course
- Summer Camps
- Family Music
- Communities in Bloom
- Summer Chill Series
- Hop ON Bike program
- Pelham Summerfest
- Pelham Farmers Market
- Pool and Aquatics Program
- Mayors Youth Advisory Collective
- Fall Programs
- Culture Days
- Life in Pelham – Fall Issue
- Meridian Community Centre 6<sup>th</sup> Birthday

- Pickleball Scramble

**Public Relations Projects:**

- Project Storm Drain
- Oak Wilt
- Leash for "Fido"
- National Day for Truth and Reconciliation
- Back to School Traffic Safety
- Childhood Cancer Awareness

**Grant Support:**

**Submitted Applications**

<b>Grant Name</b>	<b>Funder</b>	<b>Funding Level</b>	<b>Project</b>	<b>Department</b>	<b>Strategic Priority Focus</b>	<b>Amount Requested</b>
Seniors Active Living Fair	Older Adults Centres Association of Ontario	Provincial	Seniors Active Living Fair	Recreation, Culture and Wellness	Community Development and Growth	\$ 2,500
Enabling Accessibility Fund	Employment and Social Development Canada	Federal	Harold Black Park Accessibility Improvements	Public Works	Infrastructure Investment and Renewal	\$125,000
Rural Transit Solutions Fund: Planning and Design Stream	Infrastructure Canada	Federal	Pedestrian Sidewalk Connections	Public Works	Infrastructure Investment and Renewal	\$ 50,000
Innovative Programming Grant	HelpAge Canada	Federal	"Warming Up Seniors at the MCC" program	Recreation, Culture and Wellness	Community Development and Growth	\$ 10,000
Adaption in Action - Feasibility Study	Green Municipal Fund	Federal	Solar Panels at MCC Feasibility Study	Public Works	Infrastructure Investment and Renewal	\$ 70,000
Fueling Futures	Enbridge Gas	Provincial	Twelve Mile Creek Rehabilitation	Public Works	Environment and Climate Adaptation	\$ 40,000



Fire Protection Grant	Ontario Fire Marshal	Provincial	Particulate Blocking Hoods	Fire Services	Community Development and Growth	\$ 29,080
New Horizons for Seniors - Community Based Project Stream	Employment and Social Development Canada	Federal	Senior Led Community Mural Project	Recreation, Culture and Wellness	Community Development and Growth	\$ 24,950
Tourism Growth Program	Federal Economic Development Agency for Southern Ontario	Provincial	Peace Park Enhancements	Public Works	Infrastructure Investment and Renewal	\$110,837
RTOERO Grant	RTOERO Foundation	Federal	Senior Seminar and Social Series	Recreation, Culture and Wellness	Community Development and Growth	\$ 26,524
						<b>\$488,891</b>

### Grants Received

Grant Name	Funder	Funding Level	Project	Department	Strategic Priority Focus	Amount Requested	Amount Received
Ontario Arts Presenters Fund	Ontario Arts Council	Provincial	Community Mural Projects	Recreation, Culture and Wellness	Community Development and Growth	\$ 5,000	\$ 5,000
Public Realm Investment Program	Niagara Region	Regional	Placemaking features for the stormwater pond at the corner of Rice Road and HWY 20	Public Works	Infrastructure Investment and Renewal	\$28,500	\$ 25,000

Capital Grant	Ontario Trillium Foundation	Provincial	AODA Compliant Library Shelves	LPPL	Infrastructure Investment and Renewal	\$200,000	\$200,000
Seniors Active Living Fair	Older Adults Centres Association of Ontario	Provincial	Seniors Active Living Fair	Recreation, Culture and Wellness	Community Development and Growth	\$ 2,500	\$ 2,500
Safe Community Project Assist	Fire Marshal's Public Fire Safety Council and Enbridge Gas Inc.	Federal	Firefighting and carbon monoxide training materials	Fire Services	Enhancing Capacity and Future Readiness	\$5000 in educational materials	\$5000 in educational materials
							<b>\$232,500</b>

### Declined

Grant Name	Funder	Funding Level	Project	Department	Strategic Priority Focus	Amount Requested
Jackman Foundation Grants	Jackman Foundation	Provincial	Placemaking features in Pelham	Recreation, Culture and Wellness and Public Works	Community Development and Growth	\$ 19,420
Housing Enabling Water Systems Fund	Infrastructure Ontario	Provincial	Drinking water, wastewater, and stormwater infrastructure	Public Works	Infrastructure Investment and Renewal	\$ 21,170,000
New Horizons for Seniors Pan-Canadian Stream	Employment and Social Development Canada	Federal	Seniors programming over a five year period	Recreation, Culture and Wellness	Community Development and Growth	\$2,075,533.33
Canada Post Community Grant	Canada Post Community Foundation	Federal	Youth program pass and youth equipment	Recreation, Culture and Wellness	Community Development and Growth	\$ 24,997
Fueling Futures	Enbridge Gas	Provincial	Twelve Mile Creek Rehabilitation	Public Works	Environment and Climate Adaptation	\$ 40,000
Reconciliation Action Grant	The Gord Downie & Chanie	Federal	National Ribbon Skirt	Recreation, Culture and Wellness	Community Development and Growth	\$ 5,000

	Wenjack Fund		Day programming			
Inclusive Communities Grant	Ontario Ministry for Seniors and Accessibility	Provincial	Installation of benches along the trail network	Public Works	Community Development and Growth	\$ 60,000
Invasive Phragmites Control Fund	Invasive Species Centre	Provincial	Phragmites Mapping and Treatment	Public Works	Environmental and Climate Adaptation	\$ 9,650
RTOERO Grant	RTOERO Foundation	Federal	Senior Seminar and Social Series	Recreation, Culture and Wellness	Community Development and Growth	\$ 26,524

## Memo

**To: Council**

**From: Holly Willford, Town Clerk**

**Date: October 16, 2024**

**RE: Town of Pelham Staff Appointee to the Joint Board of Management, Niagara Regional Courts**

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**BE IT RESOLVED THAT Council receive the Memo entitled Town of Pelham Staff Appointee to the Joint Board of Management, Niagara Regional Courts, for information;**

**AND THAT Council remove Councillor Eckhardt as the Town of Pelham's appointee and substitute with Ms. Jennifer Stirton, Town Solicitor;**

**AND THAT Council direct the Town Clerk to advise of the said appointment prior to November 20, 2024.**

On October 2<sup>nd</sup>, 2024 on the advice of the Town Clerk, Council appointed a member of Council to the Joint Board of Management for the Niagara Regional Court.

Unfortunately staff misconstrued the qualifications requirement for a municipal representative. Pelham's representative must be a member of Town staff. In lieu of Councillor Eckhardt, staff endorse Jennifer Stirton, Town Solicitor, as Pelham's representative.

The Town Clerk and Chief Administrative Officer apologize for the misunderstanding and any embarrassment this may have caused.

**Subject:** Communities in Bloom Final Report

**Recommendation:**

**BE IT RESOLVED THAT Council receive Report #2024-0222-  
Communities in Bloom Final Report, for information.**

**Background:**

The purpose of this report is to provide an update on the Communities in Bloom Working Group 2024-2026, as well as reviewing the Judges' Tour of Pelham and the Final Report provided by the Judges post-tour.

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 consisted of both municipal employees and community members who provided a wonderful variety of perspectives and representation. Working Group members included:

- 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

The Judges' Tour took place on July 11<sup>th</sup> and 12<sup>th</sup>, 2024, in which an extensive itinerary was planned and put together by the committee. The Tour featured different Pelham sites and locations that highlighted key elements from the six criteria that were being judged:

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

The community was then rated based on a points system that ranges from 1 to 5 blooms.

During the two days of the tour, Staff, Volunteers and Community Members hosted the judges and provided informative and educational experiences that gave insight to what the Town of Pelham offers its community through local parks, seasonal events, businesses, natural spaces and other municipal services. The Judges were also given copies of a Town of Pelham Profile Book – a document that presents achievements and information on all related initiatives. The full Town of Pelham Profile Book can be viewed online at <https://www.pelham.ca/en/recreation-and-leisure/communities-in-bloom.aspx#Town-of-Pelham-Profile-Book>

On September 19<sup>th</sup>, 2024, Staff attended the Communities in Bloom Symposium and Awards 2024, hosted at Landscape Ontario's headquarters in Milton. This event hosted communities across the province that participated in the Communities in Bloom program to present each area their final reports and awards.

Bloom rating: Up to 55%: 1 bloom. 56%-63%: 2 blooms. 64%-72%: 3 blooms. 73%-81%: 4 blooms. 82%-100%: 5 blooms.

The Town of Pelham received 71.4% 3 blooms with a special mention for Landscape, as well as receiving a criteria award for Urban Forestry.

A final Evaluation Report was also provided with detailed feedback and breaking down the points given in each category of the tour and evaluation.

Feedback provided will be used to prioritize enhancement projects and tasks across the Town moving forward. Unless Council directs otherwise, staff are of the view

that the Town should not participate in 2025 so as to have an opportunity to perform enhancement work and presumably again compete during 2026.

**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:**

- Communities in Bloom Final Evaluation Form
- 2024 Pelham Tour Agenda

**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

# Evaluation Form

# 2024

Pelham





## 2024 Evaluation Form

# 2024 Evaluation Form



**Community:** Pelham  
**Province:** Ontario  
**Category:** 10,000 to 20,000

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

<b>Tidiness</b>	120	/	<b>150.00</b>
<b>Environmental Action</b>	109	/	<b>150.00</b>
<b>Heritage Conservation</b>	114	/	<b>150.00</b>
<b>Urban Forestry</b>	116	/	<b>175.00</b>
<b>Landscape</b>	134	/	<b>200.00</b>
<b>Floral Displays</b>	121	/	<b>175.00</b>
<b>Total</b>	<b>714</b>	<b>/</b>	<b>1000.00</b>

**Percentage:** 71.4

**Bloom rating:** 3 Blooms

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

**Mention:** Landscape

**Representative (s) of Community**

Name: Marvin Junkin Function : Mayor  
 Name: Vickie Vanravenswaay Function : Director of Recreation Culture and Wellness  
 Name: Katie Kilbreath Function : .Seniors and Community Services Programmer

**Judges**

Name: Paul Ronan Name: Executive Director OPA  
Darrem Murawski Self Employed

**Evaluation date:** Click here to enter a date.

# 2024 Evaluation Form

## IMPORTANT NOTES:

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

## SECTORS OF EVALUATION

### Municipal:

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

### Business and Institutions:

Properties owned and managed by

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

### Residential:

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

### Community Involvement:

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

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

## 2024 Evaluation Form

### GENERAL COMMENTS AND SUGGESTIONS

Visiting the town of Pelham was a great pleasure. The Town is rich in heritage and community spirit. It was amazing to see so many people come out to the weekly market and band series. Touring around to the various businesses and meeting the local people and leaders was so welcoming and informative. There is so much more diversity and variety of businesses that a person would ever realize just driving by. The Town has a very knowledgeable group of people in charge. The policies and structure is there to grow Pelham into a 5 bloom city.

Your tour was very well organized and provided a very good overview of your community. One thing that was very impressive was the provision of a tablet containing all of your policies and planning documents in a digital format. This was very helpful and informative for the judges.

It is quite evident that you have a strong team and very positive political and council support. This will be very important as your community matures into a 5 bloom showpiece. Much of your infrastructure is in place and with strategic focus in each category we have no doubt you will be able to raise the bar.

As always it will involve prioritization in certain high impact areas as well as areas of risk however reallocation of existing budgets as well as modest increases will be required in these areas.

A broadening of your school involvement as well as better engagement from businesses and residences will definitely provide the kind of impact required to move forward.

Ultimately you will want your whole community to know and understand what Community in Bloom is all about and be able to see evidence of such at gateways, on your streets and at your residences.

You may want to establish a Youth Ambassador team who would assist with the planning, planting, weeding, recruiting new members and also to become advocates in promoting more youth engagement in Pelham activities in all categories.

## 2024 Evaluation Form

<b>The TIDINESS</b>		
<p>Tidiness includes an overall tidiness effort by the municipality, businesses, institutions and the residents throughout the community. Elements for evaluation are parks and green spaces, medians, boulevards, sidewalks, streets; municipal, commercial, institutional and residential properties; ditches, road shoulders, vacant lots, signs and buildings; weed control, litter clean-up (including cigarette butts and gum), graffiti prevention/removal and vandalism deterrent programs.</p>		
	<b>Max</b>	<b>Actual</b>
<b>Municipal</b>		
Tidiness, order, cleanliness and first impressions	10	7
Community anti-litter awareness programs	10	9
Effective bylaws, programs and policies and enforcement; litter control, graffiti prevention and eradication, graffiti removal kits to residents	10	9
Cleanliness of public green infrastructure: parks, streetscapes (sidewalks, planters, urban signage and furniture such as benches, liter and recycling containers etc.)	15	12
Visual appeal, and condition of municipal buildings and properties (including City Hall grounds)	15	12
<b>Business &amp; Institutions</b>		
Tidiness, order and cleanliness and first impressions	15	12
Condition of buildings (exterior maintenance), grounds, sidewalks and parking lots	15	11
Condition of urban furniture: benches, litter and recycling containers	5	4
<b>Residential</b>		
Tidiness, order and cleanliness	20	16
Condition of buildings, grounds and yards	15	12
<b>Community Involvement</b>		
Public participation in community, neighbourhood or individual street tidiness, clean-up programs, activities and annual maintenance (including promotion, organization, innovations involving youth and seniors, etc.)	10	8
Support – financial and/or in-kind or participation by the municipality, businesses and institutions for community clean-up programs	10	8
<b>Tidiness Total</b>	<b>150.00</b>	<b>120</b>

## 2024 Evaluation Form

### TIDINESS

#### **Observations:**

Pelham has very little to no graffiti and very minimal litter in the municipal areas. There were a few areas with overgrown weeds with, some being noxious and or invasive. Driving through the main street there were very few planters and a lack of CIB recognition signage.

Some smaller businesses did have weedy gardens and hard surfaced areas

There was a small percentage of residential properties with clutter and weed issues

Generally the community is quite tidy and a greater general awareness of the issues above will make a noted improvement

#### **Recommendations:**

The Town staff seem to have a good handle on keeping graffiti and litter in check. I would suggest that staff could take note of areas of concern during their daily routes and provide that info to the proper staff or the BIA's. A little reminder visit or call would go a long way.

Public participation in weekly litter walks from school groups or service clubs may help staff to dedicate more resources to other areas.

Another good way to engage the whole community is to issue a mailing offering tips on how to control weeds, identify invasive plants as well as seeking sponsors who can adopt a section of trail, planting bed or roadside.

Having a light spirited challenge as to which group can collect the most litter and have it weighed or counted and offering a prize or shopping voucher for the winners. It could be a lunch, coffee and butter tart / muffin sponsored by one of your many great supportive businesses in the area. This becomes a win win for all involved.

## 2024 Evaluation Form

<b>ENVIRONMENTAL ACTION</b>		
Environmental action pertains to the impact of human activities on the environment and the subsequent efforts and achievements of the community with respect to: policies, by-laws, programs and best practices for waste reduction and landfill diversion, composting sites, landfill sites, hazardous waste collections, water conservation, energy conservation, and environmental stewardship activities under the guiding principles of sustainable development pertaining to green spaces.		
	<b>Max</b>	<b>Actual</b>
<b>Municipal</b>		
Sustainable development strategy: policies, programs, guidelines, long-term planning / vision; effective bylaws / policies and their enforcement; and public education programs and activities	20	14
Waste reduction to landfill and results (3-R : reduce, reuse and recycle), municipal composting programs, including activities such as composting sites, yard waste collections, mulching of wood debris (Christmas trees, hedge trimmings, etc.), reclamation of cut trees, and handling of hazardous waste including e-waste collection and reuse of compost material	20	14
Water conservation and use-reduction programs: efficient appliance incentives or promotions, efficient irrigation, use of non-potable water, water restriction policies and rainwater management	15	13
Energy conservation programs such as alternate forms of energy (ex. geothermal, biomass, wind, solar), and initiatives such as: efficient appliances initiatives, shielding for night skies issues, efficient street lighting	15	12
Environmental initiatives, innovations and actions such as: <ul style="list-style-type: none"> <li>• Development and expansion of sustainable mobility and active transportation network such as bike lanes and multi-used pathways;</li> <li>• Horticultural practices such as green roofs, green walls, green lanes, living fences, buffer zones; re-use of sites; engineered wetlands, bio-swales, permeable surfaces and rain water management</li> <li>• Brownfield redevelopment, remediation, land reclamation</li> <li>• Air quality programs such as anti-idling, reduction of greenhouse gas emission (carbon reduction).</li> </ul>	10	6
<b>Business &amp; Institutions</b>		
Participation in the environmental effort: such as waste management (reduce, reuse and recycle), water conservation, energy conservation, brownfield management	10	7
Corporate environmental innovation / stewardship, initiatives, activities (ex. environmental clean-up activities)	10	6
<b>Residential</b>		
Participation in the 3-R (reduce, reuse and recycle) initiatives and composting	10	7
Adoption of water conservation practices & policies including rainwater collection	15	12
<b>Community Involvement</b>		
Public participation in public forums and policy development on environmental issues	5	4
Public participation in community, neighbourhood or individual street environmental activities and programs (including promotion, organization and evidence of taking ownership), etc.)	10	7
Support – financial and/or in-kind or participation by the municipality, businesses and institutions in public environmental activities and programs	10	7
<b>Environmental Action Total</b>	<b>150.00</b>	<b>109</b>

## 2024 Evaluation Form

### ENVIRONMENTAL ACTION

#### **Observations:**

The Town of Pelham has a very lush tree canopy. It is also part of the Niagara Region. With that a good portion of waste removal and recycling falls under the upper tiers responsibility.

A program is in place to replace lights with led lighting as lights reach the end of life.

There are dedicated areas for retention ponds and water diversion to swamps and recharge areas.

Staff and residents were observed washing sidewalks and infrastructure on various occasions

There is a movement to more electric and battery powered equipment which is a positive choice

Recycling programs are in place including sports fields and facilities

Various stormwater retention ponds are being well designed and maintained to control flooding and erosion

Major efforts are being made by Public Works and Roads to control water flow and avoid washouts in various areas

Some efforts are being made to control invasive species within the community

#### **Recommendations:**

Town facilities could have areas for residents to bring composting materials, possibly through community garden areas.

Staff and residents could use guidance on best use practices for washing sidewalks and infrastructure in an effort to mitigate excessive water use

Incentives would help older sections of Town tp install French drains and rain water management tools such as permeable hardscape

Where space allows, bike lanes could help residents use bikes more often

The flat roof on the Town municipal building would be a good place for a roof top garden or living roof



## 2024 Evaluation Form

Having a dedicated Garden Allotment area where residents can rent a small space to grow vegetables would help bring the community together as well as provide an activity for those who do not have that option at their own place

## 2024 Evaluation Form

<b>HERITAGE CONSERVATION</b>		
<p>Heritage conservation includes efforts to preserve natural and cultural heritage within the community. Preservation of natural heritage pertains to policies, plans and actions concerning all elements of biodiversity including flora and fauna ecosystems and associated geological structures and formations. Cultural conservation refers to the heritage that helps define the community including the legacy of tangible (built/hard assets) elements such as heritage buildings, monuments, memorials, cemeteries, artifacts, museums and intangible elements such as traditions, customs, festivals and celebrations. The participation of groups such as historical societies and conservation groups are considered.</p>		
	<b>Max</b>	<b>Actual</b>
<b>Municipal</b>		
Natural heritage policies, by-laws and their enforcement and effective programs	10	7
Natural heritage management plans and preservation initiatives: including eco systems, eco parks, protection of sensitive habitats, species at risk, support for at risk pollinators, grasslands, naturalization, wetlands, urban agriculture/farming, and wildlife	15	12
Management and promotion of natural heritage (through communications, information and support programs, economic development / tourism) including activities and programs (year-round) for education and use of natural heritage sites for and by the public	15	12
Cultural heritage polices, by-laws and plans and preservation initiatives for heritage buildings, cemeteries, artefacts, museums, monuments , heritage trees and gardens, including their integration with streetscapes and landscape	15	11
Cultural heritage initiatives throughout the year including festivals and celebrations along with preservation of traditions and customs	10	8
<b>Business &amp; Institutions</b>		
Conservation, restoration and integration of natural heritage, including eco parks, conservation areas, heritage gardens, trees and landscapes.	15	12
Promotion of local heritage, including heritage gardens, native plants, and heritage trees	10	6
<b>Residential</b>		
Conservation / restoration and reuse of heritage buildings, artefacts on residential lands.	10	8
<b>Community Involvement</b>		
Public participation in community, neighbourhood or individual natural heritage programs including developing policies and plans, site improvements and management, conservation and education initiatives.	15	12
Support – financial and/or in-kind or participation by the municipality, businesses and institutions (including environmental groups) in community initiated natural heritage activities and programs.	15	12
Public participation in community, neighbourhood or individual cultural heritage programs including year-round heritage community events/activities, festivals and celebrations along with preservation of traditions and customs	10	7
Support – financial and/or in-kind or participation by the municipality, businesses and institutions (including historical societies) in community initiated cultural heritage activities and programs.	10	7
<b>Heritage Conservation Total</b>	<b>150.00</b>	<b>114</b>

## 2024 Evaluation Form

### HERITAGE CONSERVATION

#### **Observations:**

Pelham has no heritage committee. There is an abundance of history in the buildings and cemeteries and residential buildings

Conservation policies focus on building and resource conservation

There is certainly a rich history to be captured and celebrated in Pelham given its rich rural and agricultural element as well as early residential and business structures

#### **Recommendations:**

Continue to define policies, bylaws and standards that help to strengthen the heritage of Pelham

Council and staff's work to preserve heritage through policy should be continued. Heritage groups tend to be over reaching and not good for residents who own property however with a balanced approach where all heritage components are celebrated, this effort can become a valuable promotional tool for the community

The inclusion of heritage gardens and the identification and preservation of more heritage trees could promote tourism

By publishing a DID YOU KNOW pamphlet on the history of Pelham in both digital and hardcopy form would help not only promote Pelham's rich history but help educate all the newcomers to the area, especially with the new oncoming 1000 plus residents through the development process

Offering a student an opportunity to go out and interview some of your longtime residents, farmers and business owners and produce a digital assembly of those interviews for people to access is another good way to capture some amazing historical facts about your community while providing a great experience for a college or university media student as well. There may be a grant that could also cover that cost.

## 2024 Evaluation Form

<b>URBAN FORESTRY &amp; TRAILS</b>		
Urban Forestry and Trails includes the efforts of the municipality, businesses, institutions and residents with regards to written policies, by-laws, standards for tree and trail management (selection, design, signage, planting, and maintenance), long and short-term management plans, tree replacement policies, pollinator friendly tree selection, tree inventory, and Integrated Pest Management (IPM), heritage, memorial and commemorative trees. Trail types, signage, risk management policies, accessibility, surfacing and promotion		
	<b>Max</b>	<b>Actual</b>
<b>Municipal</b>		
Overall impact, benefit and first impression of the urban forest and trail	10	6
Policies, regulations and tree by-laws, tree protection and planting on public and private lands	15	12
Urban forestry and trail plan and design, including integration with overall green infrastructure landscape plan, and measures to preserve, protect, manage and expand overall tree inventory, including woodlots and trails	20	15
Plan of action: procurement, species diversity (including native trees), selection of hardy and pollinator habitat tree species, recommended tree list and tree planting standards. Trail linkages , land acquisition, landowner agreements, stakeholder engagement	10	7
Integrated Pest Management (IPM) / Plant HealthCare (PHC): plan of action for invasive pest detection and control, information on current infestations and diseases . Trail vegetative encroachment control and risk management	10	5
Public information programs: good planting techniques, best practices and maintenance programs including Trail promotion, signage, guides, trail use protocols	15	8
Maintenance best practices with proven results	10	5
Qualified personnel (including seasonal staff) and/or in place training programs	5	4
<b>Business &amp; Institutions</b>		
Contribution to expanding overall trail and tree inventory, with consideration of design and diversity including native and hardy species of trees, on properties owned by business and institutions.	15	10
Maintenance programs, best practices with proven results: watering, pruning, IPM, surfacing, signage, trailhead markers, hazard removals, inspections	10	4
<b>Residential</b>		
Contribution to expanding overall trail and tree inventory, with consideration of design and diversity including native and hardy species of trees on residential properties	15	11
Maintenance best practices with proven results	10	7
<b>Community Involvement</b>		
Public participation in tree planting and conservation programs such as Green Streets Canada, Arbor Day, Maple Leaf Day, and other tree planting and maintenance programs and activities on public lands (including promotion, organization etc.) Trail adoption, clean up days, maintenance and public safety awareness for users, eg snowmobilers, hikers, ATV, horses, etc	20	15
Support – financial and/or in-kind or participation or promotion by the municipality, businesses and institutions for community trail maintenance and stewardship, tree planting and conservation programs on public lands	10	7
<b>Urban Forestry Total</b>	<b>175.00</b>	<b>116</b>

## 2024 Evaluation Form

### **Observations:**

The Town has a large diverse forest cover

There is a strong trail network and commitment to expand it

Tree plantings and replacements are part of the forestry plan

There were numerous overhead hazards observed on trails and public areas

The trees have many dead branches and dead trees that need attention to avoid potential risk

Trails are becoming overgrown with vegetation and lack trimming

Although there are some trailhead signs not all trails are signed or degree of difficulty identified

### **Recommendations:**

A stronger and more proactive tree maintenance program focused on removal of hazardous dead trees and limbs from public areas

More frequent trimming schedules using the offset mower proactively to trim the scruff trees and vegetation from the trail edges

Exploring the possibility of properly trained and insured community groups or organizations playing a part in tree maintenance and keeping the firewood or having that firewood made available to residents

Better trail head signage noting length of trail, type of surface and degree of difficulty, including acceptable use, for example jogging, cycling, etc.

A sign displaying a number to call to report a fallen tree or limb or to report trail abuse or hazard would be helpful

## 2024 Evaluation Form

<b>LANDSCAPE</b>		
<p>Landscape includes planning, design, construction and maintenance of parks and green spaces suitable for the intended use and location on a year-round basis. Elements for evaluation include: native and introduced materials; balance of plants, materials and constructed elements; appropriate integration of hard surfaces and art elements, use of turf and groundcovers. Landscape design should harmonize the interests of all sectors of the community. Standards of execution and maintenance should demonstrate best practices, including quality of naturalization, use of groundcovers and wildflowers along with turf management.</p>		
	<b>Max</b>	<b>Actual</b>
<b>Municipal</b>		
First impressions of the community including gateway / entrance treatments	10	6
Sustainable designs (seasonally adjusted year round): energy efficient, use of green materials, naturalization, xeriscaping, suitable plant varieties (including pollinator friendly) , traffic calming, bank stabilisation	10	6
Urban and civic design standards for streetscape and public places: flags, banners, public art, fountains, site furnishings, signage, seasonal design and décor, walkways and paving materials	10	6
Landscape Plan: integrated and implemented throughout the municipality	10	6
Turf management programs, Integrated Pest Management (IPM), Plant Health Care (PHC), alternative solutions to diseases and infestations when appropriate, increased naturalization and adapted maintenance programs	10	6
Landscape maintenance policies, standards, best practices and programs	10	6
Landscape maintained to appropriate standards, specifications and best practices	5	3
Qualified personnel (including seasonal staff) and/or in place training programs	10	7
Demonstrated year-round opportunities and programs for education and use of parks and green spaces (urban agriculture, community gardens, parks and recreation programs)	10	7
<b>Business &amp; Institutions</b>		
Sustainable designs (seasonally adjusted year round): energy efficient, use of green materials, naturalization, xeriscaping, alternate groundcovers, urban agriculture	10	6
Contribution to urban and civic design and public green spaces above requirements: such as public art, streetscape, site furniture, fountains & innovation in concept & design	15	10
Adequate ongoing life cycle management (ongoing maintenance, ground & asset management, rehabilitation & replacement) of all landscape elements	10	6
<b>Residential</b>		
Streetscape appeal of landscapes (year-round, seasonal, themed)	15	12
Maintenance of properties: lawn care and shrub maintenance (with proven results)	15	12
Selection of plant material (native, local, innovative, edible and pollinator friendly plants)	10	6
<b>Community Involvement</b>		
Public participation in community programs such as: urban agriculture, community gardens, "yard of the week", volunteer park maintenance, holiday illumination & decoration (promotion, organization, etc.)	20	15
Recognition (by municipality and/or by volunteer groups) of volunteer efforts in all aspects of the Communities in Bloom Program including activities in all evaluated criteria	20	14
<b>Landscape Total</b>	<b>200.00</b>	<b>134</b>

## 2024 Evaluation Form

### LANDSCAPE

#### **Observations:**

Upon arriving in Pelham, coming in from Vineland, the signage and maintenance around the signage could have been maintained more frequently.

Business involvement with BIA's and town beautification was lacking in the downtown area

There was very little signage or evidence of CIB participation throughout as not many knew what CIB was all about as it was not reflected in the beds or plantings other than a few locations.

Coming into town from Toronto and 406 there was no real Gateway that let me know I have arrived in the beautiful Municipality of Pelham.

Although there were small gateway in the other 3 main communities that make up Pelham there could be more focus on making them more inviting and really welcoming visitors, tourists and residents to those 3 unique and vibrant communities

#### **Recommendations:**

Maintenance of Town landscapes can be a time-consuming part of operations. When it is possible, the use of slow growing grass varieties available from western Canada would help with the maintenance requirement and allow staff to focus on other areas.

Town boulevards and areas without high foot traffic would be a great place to start in the new development areas.

With a focus on gateway plantings a strong statement can be achieved with some creative horticulture design and species choices. Tall grasses, perennials and possibly a themed artifact or something unique to that area would be a great improvement.

Enhanced gateway signage incorporating the communities in bloom logo would also help promote your participation in the CIB program as well as help educate passers-by on your commitment to civic beautification

Street pole hanging baskets and an investment in self-watering planters would really create a wow factor in your downtown sections and storefront planters would really

## 2024 Evaluation Form

compliment the pole planters and Businesses could help maintain and sponsor them once installed and planted.

Schools and students could also dedicate a feature planting which could be eligible for their Ward Floral Contest should you decide to adopt that program

Considering a 3ward garden contest which would have both Rural and in town participants who would compete would definitely foster a positive and healthy community participation. This would automatically enhance the overall landscape within all 3 communities. You could also have a separate category for businesses in all 3 wards and have it come together in a yearly celebration.



## 2024 Evaluation Form

<b>FLORAL DISPLAYS</b>		
<p>Floral displays evaluates efforts of the municipality, businesses, institutions and residents to design, plan, execute, and maintain floral displays of high quality standards. Evaluation includes the design and arrangements of flowers and plants (annuals, perennials, bulbs, ornamental grasses, edible plants, water efficient and pollinator friendly plants) in the context of originality, distribution, location, diversity and balance, colour, and harmony This pertains to flowerbeds, carpet bedding, containers, baskets and window boxes.</p>		
	<b>Max</b>	<b>Actual</b>
<b>Municipal</b>		
Integration into overall landscape plan and distribution through community. Concept and design including sustainable design	15	10
Diversity of displays: flowerbeds, raised beds, planters, hanging baskets, window boxes, carpet bedding, mosaics	20	14
Diversity of plants: annuals, perennials, bulbs, grasses, woody plants, natural flora, pollinator friendly plants	10	6
Quality, maintenance to appropriate specifications and standards, best practices: watering, weeding, edging, dead heading, etc.	20	14
Qualified personnel (including seasonal staff) and/or training	10	6
<b>Business &amp; Institutions</b>		
Concept and design (including arrangement, diversity, colour of display and plants) on grounds	15	11
Contribution to, and integration with, overall community floral program	10	6
Quality of planting and maintenance: watering, weeding, edging, dead heading, etc.	10	6
<b>Residential</b>		
Concept and design (including arrangement, diversity, colour of display and plants) on residential properties Pollinator gardens and/or inclusion of pollinator plants in gardens	20	16
Quality of planting and maintenance with proven results	15	10
<b>Community Involvement</b>		
Public participation in community projects, volunteer initiatives, outreach programs in floral displays (including promotion, organization, etc.)	15	10
Support – financial and/or in-kind or participation by the municipality, businesses and institutions for community floral displays activities	15	12
<b>Floral Displays Total</b>	<b>175.00</b>	<b>121</b>

## 2024 Evaluation Form

### FLORAL DISPLAYS

#### **Observations:**

Many city floral gardens were devoted to Canada day with red and white flowers

City gardens did have some weed growth, the weather conditions have been very wet for July

There was a lack of hanging baskets and planters along the main city streets

There were certainly some very nice floral displays at places like the flag pole and Rec Centre however there are many more strategically placed floral displays that would give your community much more of a wow factor.

#### **Recommendations:**

More resource availability to plant and distribute city planters throughout the core

BIA:s and local businesses taking on a role in the maintenance of planters

Garden groups providing seedlings and plant material for boxes and gardens

Enhancing gateway plantings at main entry points to each ward

Purchasing self-watering planters for cost effectiveness and long lasting durability

Use of tall grasses and perennials may reduce maintenance

Developing some pollinator gardens, rain gardens and selected boulevard planting done by schools, churches and residents will raise the beautification profile considerably

## 2024 Evaluation Form



### THANK YOU FOR YOUR INVOLVEMENT

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

### COMMUNITIES IN BLOOM IS MADE POSSIBLE BY



































































































































The commitment of local, provincial and national volunteers.

The support of elected officials and of staff in municipalities.























The dedication of our judges, staff and organizations.

The contributions of our sponsors and partners.










































# Discover Pelham in "Bloom"

	<b>DAY 1: Thursday, July 11th</b>	Tidiness	Environmental Action	Heritage Conservation	Urban Forestry	Landscape	Floral Displays
12:00pm	Judges Arrival - Arrive at Fonthill Inn						
12:15pm	Lunch and Meet & Greet w/ Mayor, CAO, Council, Management and CiB Committee at Old Pelham Town Hall						
	• Sons and Daughters Vineyard						
	• EL Crossley Secondary School						
	• La Farge - Quarry						
	• Haist Family Orchards						
	• Hillside Cemetery						
	• Shoppes of Ridgeville						
	• Water Station						
	• Blue Berry Farms; Hillcrest Park						
	• Oak Lane						
	• Terrace Heights						
	• A K Wigg Public School						
	• Watermain Improvement Project						
1:45pm	Fonthill Cemetery						
	• Glynn A Green Public School						
2:00pm	Steve Bauer Trail						
	• New Development - Bike Lanes						
	• Woodlot						
	• Riverside Park						
	• Wellspring Cancer Centre						
2:30pm	Meridian Community Centre						
	• Fonthill Lions Park						
3:15pm	St. Johns Conservation Area						
3:30pm	Fonthill Inn - Judges Check-in						
4:30pm	Kame and Kettle Dinner						
6:00pm	Farmers Market at Pelham Town Square						
6:30pm	Summer Chill Series - Supper Market and Bandshell						

# Discover Pelham in "Bloom"

	<b>DAY 2: Friday, July 12th - Morning</b>	Tidiness	Environmental Action	Heritage Conservation	Urban Forestry	Landscape	Floral Displays
7:45am	Pick up Judges at Fonthill Inn						
	• Orchards - Haist & Johnson Family						
	• Cherry Ridge Park						
8:00am	LPPL - Maple Acre Branch						
8:15am	Fenwick Central Model Railway						
8:30am	Breakfast at Grill on Canboro						
	• Fenwick Fire Station 2						
	• Centennial Park - Berkhout Trail						
	• Orchards; Willowbrook Nursery						
	• United Floral Distributors						
	• St. Ann Roman Catholic Parish						
10:40am	DeVries Fruit Farm						
	• V&R Scrap Metal Recycling						
	• Regional Operations Centre						
	• Sarah Grey Tulip Pick Farm						
	• Peninsula Lakes Golf Club						
	• Leash Free Dog Park						
	• Public Works Operations Centre						
11:15am	Comfort Maple Conservation Area						
	• First Presbyterian Church						
	• North Pelham Cemetery						
11:40am	North Pelham Park						
	• Effingham Road						
	• Sulphur Springs						
	• Shorthills Provincial Park						
11:55am	White Meadows Farms						
	• Methias Farms - U Pick						
	• Hansler Cemetery						
	• Bissells Hideaway						
	• Christmas Tree Farm						
	• Lookout Golf Club						
	• Lathrop Property						
1:00pm	LUNCH: Lookout Point Golf Club						

# Discover Pelham in "Bloom"

	<b>DAY 2: Friday, July 12th - Afternoon</b>	<b>Tidiness</b>	<b>Environmental Action</b>	<b>Heritage Conservation</b>	<b>Urban Forestry</b>	<b>Landscape</b>	<b>Floral Displays</b>
1:00pm	LUNCH: Lookout Point Golf Club						
	• Shoalts Reservoir - Steve Bauer Trail						
	• Woodstream Park						
	• Steve Bauer Trail Walk						
2:45pm	Harold Black Park						
	• Pelham Street - new construction of sidewalks and bike lanes						
2:55pm	Marlene Stewart Streit Park						
3:30pm	Town Hall Community Room - Grid Marking						
7:00pm	Dinner: Root & Bone						

	<b>DAY 3: Saturday, July 13th</b>
7:50am	Breakfast at The Pelham Street Grille - Recap (time for Q&A)
9:30am	Judges Departure



# ROYAL CANADIAN LEGION

Branch 613 Talbot Trail

141 Hwy. 20 E., P.O. Box 42 Fonthill, ON L0S 1E0

Tel: 905-892-6293 Fax: 905-892-9470

Email: br613rcl@cogeco.net



September 24, 2024

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

**Attention:** Mr. Marvin Junkin

Dear Mayor Junkin:

**Subject:** 2024 Royal Canadian Legion, Branch 613 Poppy Campaign

The Royal Canadian Legion, Branch 613 will be conducting its annual Poppy Campaign during the period November 1, 2024, to November 11, 2024, inclusive. We are asking for Council's continuing support so we may canvas businesses and citizens throughout the Town, and subject to business owner approval during the campaign period.

The Talbot Trail Branch has been a part of the community of Pelham for approximately 60 years and throughout this period, veterans and their families have been supported with funds generated from our Poppy Campaign. Donations are also regularly made to entities like the Niagara Health System and the Juravinski Cancer Center to purchase and upgrade equipment that is so vital to the caring and support of their patients, many of whom are residents of Pelham.

This year, we wish to officially kick off our campaign by presenting you with the first Poppy of the 2024 campaign on November 1, 2024, at 10:00 am in the morning. The ceremony will take place at the cenotaph in Veterans Park on Legion grounds. Please have your Executive Assistant place this date and time in your calendar.

In closing, we look forward to continuing the Canadian tradition of supporting and honouring our Veterans and look forward to another successful campaign fueled by the generosity of the businesses and citizens of the Pelham community.

Yours truly,

Jim Garner  
2<sup>nd</sup> Vice-President and 2024 Poppy Chair  
Branch 613  
Royal Canadian Legion.  
Fonthill

**LEST WE FORGET, LEST WE FORGET**

Kent Ratcliffe  
[REDACTED]  
Fonthill ON. L0S 1E2  
[REDACTED]

September 30, 2024

Town Clerk  
Town of Pelham

To Whom it may concern,

Scouts Annual Apple Day Fund Raiser  
October 19 and 20, 2024

Fonthill Community Scouting will be having their apple day fund raiser on October 19 and 20, 2024. The youth members with their parents, accept donations and offer apples as a “thank you” outside some Pelham businesses as well as the Meridian Centre. By means of this letter, Fonthill Community Scouting is seeking the Town’s authorization.

Thank You

Kent Ratcliffe  
3<sup>rd</sup> Fonthill Scouter





Ontario Parks – Southwest Zone  
659 Exeter Road  
London, ON  
N6E 1L3



October 2, 2024

## **NOTICE**

### **Short Hills Provincial Park will be closed to the public for a Traditional Deer Harvest.**

The Haudenosaunee Confederacy has notified the Ministry of the Environment, Conservation and Parks that its constituent First Nations wish to conduct a traditional/community harvest for deer in Short Hills Provincial Park. Ontario recognizes the treaty rights of the Haudenosaunee Confederacy to conduct a deer harvest in an area of southwestern Ontario that includes Short Hills Provincial Park.

To facilitate the Haudenosaunee Confederacy's community harvest while balancing the interests of the different park users and the public and ensuring public safety, Short Hills Provincial Park will be closed on the following dates and will re-open at 8 a.m. the following morning:

- Saturday, November 2
- Saturday, November 16
- Wednesday, November 27
- Saturday, December 14
- Wednesday, December 18

To ensure public safety, the park will be closed to the public during the duration of the traditional harvest. During the harvest access points will be monitored. Park closures are authorized under the *Provincial Parks and Conservation Reserves Act, 2006*. On the dates of the traditional harvest please comply with all posted notices.

To help protect the safety of harvesters, staff and the public, several additional measures will be in place throughout the harvest:

- Archery will be the means of harvesting deer. No guns will be allowed.
- A harvest zone has been established and the deer harvest will stay confined to the agreed-upon zone.
- Harvesters will be stationary and away from the park boundary.
- All participants will be advised of the safety protocols and procedures.
- Ministry staff will be present at authorized access points and other locations to advise members of the public and park users that the park is closed during the harvests and that access is prohibited.
- Notices will be posted at the park entrances.

- Each harvest will consist of a harvest day (beginning one half-hour before sunrise and end one half-hour after sunset) and post-harvest maintenance which will be completed the following morning by 8:00am.

All harvesters will be made aware of the terms of the harvest agreement between the ministry and the Haudenosaunee Confederacy to ensure a safe and humane deer harvest.

If you require additional information about the Traditional Harvest at Short Hills Provincial Park please contact Greg Wilson, Ontario Parks Southwest Zone Manager, at 519-873-4616 or [Greg.Wilson2@ontario.ca](mailto:Greg.Wilson2@ontario.ca).

September 27, 2024

**CL 14-2024, September 26, 2024**  
**COTW 4-2024, September 5, 2024**  
**PDS 26-2024, September 5, 2024**

**LOCAL AREA MUNICIPALITIES**

**SENT ELECTRONICALLY**

Niagara Region Incentive Policy Review

PDS 26-2024

Regional Council, at its meeting held on September 26, 2024, passed the following recommendation of its Committee of the Whole:

That Report PDS 26-2024, dated September 5, 2024, respecting Niagara Region Incentive Policy Review, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That the following changes to the Niagara Region Incentive Policy (NRIP) C-A-028 (Appendix 1) **BE APPROVED** and implemented by Staff in an updated NRIP:
  - a) Remove “Non-profit Affordable Rental Housing RDC Deferral” from NRIP as it has been rendered obsolete due to recent amendments to the Development Charges Act through Bill 23;
  - b) Move “Welcome Home Niagara Home Ownership”, “Niagara Renovates Homeownership”, “Niagara Renovates Multi-residential”, “Non-Profit and Co-op Capital Repair Costs”, and “Housing Provider Capital Loan” programs from the NRIP to be included in the Programs Listing provided by Community Services through the Housing Services division mandate;
  - c) Move the “Public Realm Investment Program” (PRIP) and “Public Realm Priority Area” from the NRIP to be included with other Public Works programs that are only available to Area Municipalities;
  - d) Remove the affordable housing component from the “Brownfield TIG Tier 1 and Tier 2” and change to an annual tax increment grant of 80% for both tiers;
  - e) Move Mandatory DC programs, “Intensification Regional Development Charge (RDC) Grant” and “50% Industrial Expansion RDC Grant”, outside the NRIP; and
  - f) Remove and discontinue the “Small Buildings Rental Grant” and the “Residential Rental Grant”;

2. That Staff **BE DIRECTED** to assess the “Partnership Housing Program” and develop and report back to Council regarding a new purpose-built rental housing incentive program with the goal of increasing the supply of rental housing;
3. That any financial recommendations **BE REFERRED** to the 2025 budget process; and
4. That a copy of Report PDS 26-2024 **BE CIRCULATED** to the Local Area Municipalities.

Report PDS 26-2024 is enclosed for your reference.

Yours truly,



Ann-Marie Norio  
Regional Clerk

:kl  
CLK-C 2024-102

cc: K. Ahmad, Manager, Urban Design  
M. Sergi, Commissioner, Growth Strategy and Economic Development  
N. Oakes, Executive Assistant to the Commissioner, Growth Strategy and Economic Development

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**Subject:** Niagara Region Incentive Policy Review

**Report to:** Committee of the Whole

**Report date:** Thursday, September 5, 2024

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## Recommendations

1. That the following changes to the Niagara Region Incentive Policy (NRIP) C-A-028 (Appendix 1) **BE APPROVED** and implemented by Staff in an updated NRIP:
  - a) Remove “Non-profit Affordable Rental Housing RDC Deferral” from NRIP as it has been rendered obsolete due to recent amendments to the Development Charges Act through Bill 23;
  - b) Move “Welcome Home Niagara Home Ownership”, “Niagara Renovates Homeownership”, “Niagara Renovates Multi-residential”, “Non-Profit and Co-op Capital Repair Costs”, and “Housing Provider Capital Loan” programs from the NRIP to be included in the Programs Listing provided by Community Services through the Housing Services division mandate;
  - c) Move the “Public Realm Investment Program” (PRIP) and “Public Realm Priority Area” from the NRIP to be included with other Public Works programs that are only available to Area Municipalities;
  - d) Remove the affordable housing component from the “Brownfield TIG Tier 1 and Tier 2” and change to an annual tax increment grant of 80% for both tiers;
  - e) Move Mandatory DC programs, “Intensification RDC Grant” and “50% Industrial Expansion RDC Grant”, outside the NRIP;
  - f) Remove and discontinue the “Small Buildings Rental Grant” and the “Residential Rental Grant”.
2. That Staff **BE DIRECTED** to Assess the “Partnership Housing Program” and develop and report back to Council regarding a new purpose-built rental housing incentive program with the goal of increasing the supply of rental housing.
3. Any financial recommendations **BE REFERRED** to the 2025 Budget process.
4. That a copy of Report PDS 26-2024 **BE CIRCULATED** to the Local Area Municipalities.

## Key Facts

- The purpose of this report is to provide Council with a review of the current Niagara Region Incentive Policy (NRIP) and convey the challenges, effectiveness, and any recommended changes to the NRIP as directed by Council in October 2021.
- In preparation of this report, consultations were carried out through workshops with Local Area Municipalities on April 27, 2024, April 29, 2024, and May 2, 2024; a development industry focus group meeting on June 13, 2024; a Council information session on June 27, 2024; and a workshop with the development industry and non-profit providers held on July 18, 2024.
- In 2021, the Region's incentive programs were organized into four priority areas aligned with Council's Strategic Priorities: Affordable Housing, Employment, Brownfield, and Public Realm.
- The NRIP consists of DC exemptions, DC deferrals, one-time grants and other incentives like Tax Increment Grants which are matching funding programs administered by Area Municipalities through Community Improvement Plans (CIPs).
- There are incentive programs (SNIP "Property Rehabilitation and Revitalization Tax Increment Grant" and the "Smart Growth Regional Development Charge Reduction") outside of the NRIP that are ending October 1, 2024, and will continue to have a financial impact on the budget through the year 2037.
- The Region's incentive policy requires updating, as it currently includes programs that are not discretionary. To simplify the Policy, it should only include discretionary programs designed to align with Council Strategic Priorities. Provincial flow-through programs, mandatory DC grants, and public realm grants will be moved outside the NRIP.
- Programs moved outside the NRIP will continue to be delivered. All incentives offered by the Niagara Region, including Provincial, Mandatory, and Discretionary will be listed on the website on a landing page.
- The Public Realm programs will be relocated outside of the Policy and will reduce the number of priority areas from four to three. Public Realm programs provide streetscape grants to municipalities and belong with other Public Works programs accessible to Area Municipalities.
- The current housing affordability and supply crisis also includes a shortage of rental housing of different types. Staff are recommending developing a purpose-built rental incentive program that can contribute to more rental housing being built in Niagara. The objectives of the current "Small Building Rental Grant" and "Residential Rental

Grant” will be captured in this new purpose-built rental incentive program. Staff will come back with a proposed purpose-built rental housing program by January 2026.

- Modifications to the NRIP are also required because of recent changes to Provincial Legislation through Bill 23 and Bill 185.
- Based on consultation, the Brownfield TIG Tier 1 and Tier 2 will be simplified by removing requirements related to affordable housing and fixing the TIG amount to 80% for both Tiers.
- Subject to Council’s approval of the recommendations in this report, the NRIP and related Procedures and ancillary documents (e.g., application forms) will be updated accordingly.

## **Financial Considerations**

The purpose of having incentives is to enable the Region to exercise its discretion to leverage Regional funds to actualize a desired type of development that would not otherwise happen without public investment, in accordance with Council policy. However, incentive programs have a direct impact on the Region’s budget.

Incentives represent the largest discretionary item in the Niagara Region budget at \$23,258,526. Funding of Regional incentives is addressed through annual budgetary cycles. As such, any recommended changes to the Region’s incentive program budgets will be brought to the 2025 budget process. Though funding may be repurposed, this review is not resulting in a request for an increase in the total incentive funding levels for 2025. Mandatory programs being recommended to be moved outside the Policy will continue to operate and require funding for the 2025 budget and beyond.

There are three financial considerations that impact the effectiveness of the incentives policy.

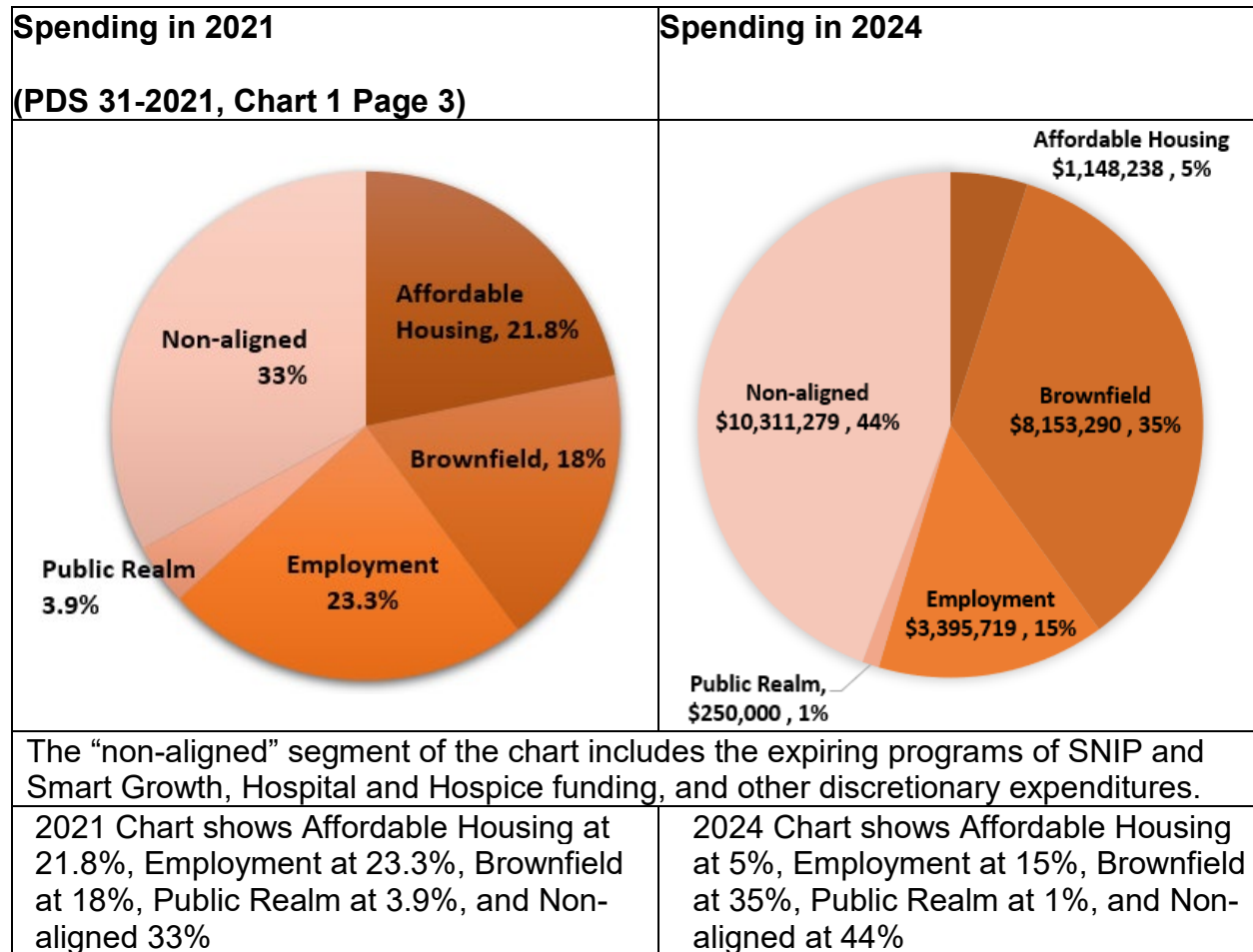
### **1. SNIP Property Rehabilitation and Revitalization Tax Increment Grant and the Smart Growth Regional Development Charge Reduction**

There are expiring incentive programs that sit outside of the NRIP which commit the Region through to the year 2037. In 2021, as part of the approval of the new NRIP, Council also approved the extension to the existing “SNIP Property Rehabilitation and Revitalization Tax Increment Grant (SNIP TIG)” and the “Smart Growth Regional Development Charge (RDC) Reduction” to end on October 1, 2024. These ending programs were extended to assist projects already in the queue with meeting application timelines of the day. Approved funding committed through these programs

will be paid out on an annual basis as projects are completed to the year 2037. Until such time, these commitments will challenge the financial capacity of the Region to respond to new priorities and commit to further funding within the remaining three priority areas.

Report PDS 31-2021 identified that 33% of the Region’s non-aligned discretionary spending including SNIP TIG and Smart Growth RDC Reduction was outside of the four priority areas. In 2024, this figure increased to 44% which represents \$10,311,279 of the Region’s discretionary budget as shown in Chart 1 below.

**Chart 1 Regional Incentive Spending by Priority Area 2021 and 2024**



**2. Policy Refinement**

The Policy includes programs that have little to no up-take, limited or no funding, and extensive administration. Therefore, to enhance the effectiveness of the incentive policy



and address the challenges of delivering programs in the future, the report recommends housekeeping measures which would remove excess programs that are no longer discretionary or impactful.

The housekeeping measure is intended to remove mandatory programs, provincial flow-through programs, municipal public realm grants from the Policy. Refining the list of programs within the policy will reduce confusion and simplify and enhance the administration of the remaining programs. The report also recommends discontinuing unfunded or lesser funded programs. Programs that continue will target funding towards increasing housing supply of affordable units, increasing employment, and the remediation of brownfields.

### 3. Budgetary Impacts

Any increase in funding will require budgetary realignments elsewhere in the budget to meet the cost of funding the new programs and pay out the commitments made through SNIP and Smart Growth. Funding the new and old programs together, was a budgetary pressure that was identified in 2021. As a financial consideration, this report does not recommend increasing the funds the Region directs to incentives.

#### Analysis

The Niagara Region has been using incentives to support development since 2001. In 2021, the Region established four incentive Priority Areas consisting of Affordable Housing, Employment, Brownfield, and Public Realm. The Region's choice to use incentives is related to three key objectives:

- Provide funding for specific types of development that would not occur without public financial assistance,
- Minimize or remove financial barriers that hold back specific types of development,
- Invest to unlock wider economic opportunities that spur on other developments within the surrounding geographic area.

The Niagara Region's Incentive Policy currently comprises three types of incentive programs:

- **Mandatory Incentives:** The Region is mandated to provide these mainly through Provincial legislation in the DC Act and the Planning Act. These programs typically exempt or defer DCs for development the Province wishes to encourage. By

exempting DCs, or deferring the DCs to a later date, the Region must make up the funding for the exemption through the levy. In this way, exemptions and deferrals of DCs still have a financial cost to the Region. An example of this type is the “50% Industrial Expansion RDC Grant” which is applied at the building permitting stage.

- **Discretionary Incentives:** These are incentives the Region chooses to provide for the purpose of achieving a Council approved objective. An example of this type of incentive is the “Brownfield Tax Increment Grant Tier 1 and Tier 2”.
- **Provincial Flow-through:** This is a type of funding the Province provides to the Region to deliver programs on behalf of the Province using provincial guidelines, standards and processes. The NRIP includes five programs of this type that are recommended to move into the programs listing administered by Housing Services.

Since the approval of the NRIP in 2021, some priority areas have seen more program uptake than others. The varying levels of uptake of the programs can be attributed to factors such as: the extension of “old” programs, recent Provincially legislated exemptions, and inadequate funding levels of some programs.

One of the key challenges within the NRIP is that it contains a mix of Provincial, Mandatory, and Discretionary Programs. To achieve better clarity, the NRIP should only include discretionary programs that are targeted and funded by the Region. In this way, Regional incentives are applied toward community benefits that are important to the strategic goals of Regional Council and help with community building.

One way to address this challenge in the NRIP is to move Provincial flow-through programs and mandatory programs outside of the Policy into other Regional frameworks with similar programs.

Provincial flow-through programs are currently only found within the Affordable Housing Priority Area. Since the Province provides both administrative and financial support for these programs, it is recommended that this type of program is housed within a separate area that oversees the Province-to-Region relationship. Moving the Provincial programs into Regional Housing Services will not impact the delivery of these programs and will positively contribute to simplifying the NRIP.

Mandatory programs should be separated outside of the NRIP because they are Provincially mandated. This report recommends that two mandatory programs, “Intensification RDC Grant” and “50% Industrial Expansion Grant” move outside of the NRIP (See Appendix 2 and 3).

Similarly, the Public Realm Investment Program (PRIP) is recommended to be moved and placed within Public Works. PRIP belongs with other Public Works programs that Area Municipalities use in partnership with the Region. This program provides matching grants to Area Municipalities for streetscaping projects on Regional roads. Integrating the functions of the Public Realm priority area, PRIP, into the public works stream is a natural fit with other public works programs that govern the road infrastructure cost sharing arrangements.

The “Small Buildings Rental Grant” and the “Residential Rental Grant” are programs with small budgets and little or no uptake. These programs require extensive administration and are not delivering the intended purpose. It is recommended these programs are discontinued and removed from the Policy. Staff recommend instead developing a new, more comprehensive, targeted, and adequately funded program that will deliver purpose-built rental housing.

The recommendations in this report are influenced by consultations with Area Municipalities and discussions with the development industry. In both instances, staff heard that Regional incentives are important to realizing Local and Regional goals. In addition, Regional and local alignment of goals could be strengthened through targeted programs and through a greater degree of flexibility to accommodate the conditions of the current development climate. The consultations also generated additional feedback into how the Region can be more effective through increased education, simplification of administrative processes, and consistency in program delivery. Representatives from the Development Industry noted that incentive programs and funding need a high degree of predictability.

The sections below provide analysis of the recommended changes for each of the four Incentive priority areas.

### **Affordable Housing Priority Area**

The development sector is currently experiencing a slow down as high interest rates, increasing unemployment, stagnating wages, high labour and material costs, and the high cost of living are impacting affordable housing developments.

The Affordable Housing priority area of the NRIP holds a total of 12 programs. (See Appendix 1). Affordable Housing has three types of programs: Provincial, Mandatory, and Discretionary. The policy for the Affordable Housing priority area will be revised to reflect the following:

- Move the suite of Provincially funded programs into the Housing Services Listing of programs provided through Housing Services mandate.
- Remove the program that cannot be delivered due to Provincial changes in legislation including Bill 23 and Bill 185 (“Non-profit Affordable Rental Housing RDC Deferral” program),
- Move the “Intensification RDC Grant” program outside the NRIP,
- Discontinue the “Small Buildings Rental Grant” and the “Residential Rental Grant and;
- Revisit the “Partnership Housing Program” and develop a new purpose-built rental housing incentive program.

Provincially funded programs are not discretionary Regional incentives. The Region delivers these programs on behalf of the Province of Ontario. Separating these programs from the NRIP to be joined with similar programs within the Housing Services mandate will help to simplify the Policy. Programs to be moved include “Welcome Home Niagara Home Ownership”, “Niagara Renovates Homeownership”, “Niagara Renovates Multi-residential”, “Non-Profit and Co-op Capital Repair Costs”, and “Housing Provider Capital Loan”.

Additional improvements to the Affordable Housing priority area include removing the “Non-profit Affordable Rental Housing RDC Deferral”. This program has been replaced by Mandatory DC exemptions for Non-Profit Housing and are therefore not recommended to continue.

The Policy also includes programs that are currently unfunded or funded with small budgets and have little or no uptake and should be removed from the Policy. The “Small Buildings Rental Grant” which has had no uptake provides a \$15,000 grant per unit within buildings of six (6) or less units. The “Residential Rental Grant” which provides \$40,000 for the creation of two (2) secondary suites within a unit received three applications in 2023. Both programs receive an annual budget of \$75,000 each. These programs require extensive administration but are not delivering the intended uptake. Staff will discontinue these programs and develop a new purpose-built rental housing incentive. Report PDS 14-2024 Attainable Housing Strategy also identified the need for a new incentive program geared toward increasing the supply of purpose-built rental housing.

Staff will also revisit the “Partnership Housing Program”, which is currently unfunded, to be reshaped to incentivize the construction of new purpose-built rental housing units within urban areas, along transit corridors, and close to urban amenities and services.

In conclusion, to maximize effectiveness of the remaining programs within the Affordable Housing priority area, it is recommended to have fewer, targeted programs with greater funding capacity that can deliver timely and tangible results. Feedback from the consultations with Area Municipalities and the Development Industry indicated that incentivizing Affordable and Attainable Housing should be Niagara Region’s priority.

## **Employment Priority Area**

In line with Council Strategic Priorities, the Employment Priority Area was created to attract and retain Employment in the region. The Employment priority area includes five programs. Four programs are discretionary, and one is a mandatory program (50% Industrial Expansion RDC Grant) (see Appendix 4). This report recommends that the mandatory programs be moved from NRIP.

Employment programs provided by the Region are well-utilized. The challenge to delivering employment programs relate to expediting and communicating the benefits of choosing Niagara. This report does not recommend program changes, however, to increase effectiveness of incentives, staff intend to make administrative improvements that will enhance the delivery of programs through streamlining processes, increased staff training, increased dialogue with Area staff, and standardization of forms and calculations.

Attracting new employers to Niagara Region is important and this report also highlights the competitive nature of employment incentives. Within the current global business climate, the Region competes with the rest of the World. Specifically, the Region competes with other Upper Tier and Lower Tier municipalities throughout Ontario, municipalities in other provinces, and even jurisdictions in the United States. A summary of how the Niagara Region’s programs and Canada’s attraction incentives compete with those of the United States is included in Appendix 6.

Niagara Region plays a leading role in promoting Niagara to the World through the employment priority area suite of programs.

## **Brownfield Priority Area**

The Brownfield priority area holds a total of three discretionary programs (“Brownfield RDC Deferral”, “Brownfield TIG Tier 1 and Tier 2”, and “Large-scale Brownfield Regional DC Grant”) each with the goal of assisting developers with the cost of remediating contaminated lands for the purpose of development. These incentives help to create an even-playing field so that brownfield projects are viable, and the upfront cost of remediation is less of a barrier to actualizing development.

Remediation of brownfield sites across the globe has been a best practice to revitalize contaminated derelict properties that once provided a benefit to surrounding communities but have closed and are no longer providing benefit. Transforming these sites into vibrant mixed-use places addresses the negative impacts from these vacant sites, cleans up contamination on the lands, and takes advantage of the many municipal services that surround the properties such as below grade infrastructure, roads, transit, and others. For the Region to incentivize the remediation of brownfields from vacant and contaminated sites to mixed-use centres contributes positively to housing supply, employment, complete communities, and increased assessment.

To improve effectiveness in this priority area, it is recommended that the “Brownfield TIG Tier 1 and Tier 2” program, which is a matching program within local Community Improvement Plans (CIP), be simplified by removing the affordable housing component which determines the percentage of tax increment. Instead, the BTIG Tier 1 and 2 will each have a grant amount of up to 80% of the tax increment. Removing this criterion from the program will help simplify the delivery of the program as the grant percentage for both tiers will be the same and affordable housing incentives will be delivered through the affordable housing priority area.

Feedback from the consultation sessions see (Appendix 5) illuminated the importance of maintaining simple, consistent, and targeted brownfield incentive programs. This feedback is especially important as brownfield project timelines can be long and at times unpredictable when compared to a typical greenfield development. In addition, much of the remediation work to clean up sites occurs out of pocket by the developer and without institutional financing.

## **Public Realm**

The Public Realm priority area consists of one program, the “Public Realm Investment Program (PRIP)”. This program provides matching grants to Area Municipalities and the NPCA for streetscape enhancements along Regional Roads and adjacent public spaces.

Since the Public Realm priority area consists of one program that is not available to the public, it does not align with the other priority areas which are aimed at incentivizing development.

This report recommends that PRIP is better suited to being integrated within current Public Works policies that direct cost sharing protocols between the Region and the Area Municipalities. Public Works is currently updating their policy set and this is the optimal moment to transfer PRIP out of the NRIP. This will simplify the NRIP by removing the Public Realm priority area which is not available to the development industry.

### **Consultation:**

In preparation for this report, consultations were carried out through workshops with Area Municipalities on April 27, April 29, May 2, 2024; development industry focus group meeting on June 13, 2024; a Council information session on June 27, 2024; and a workshop with the development industry held on July 18, 2024 (See Appendix 5).

In reviewing the effectiveness and challenges of the NRIP and through the consultation with Area Municipalities and the Development Industry a range of administrative improvements have been identified in Appendix 5 and are summarized below:

- **Increased Education and Training**  
Due to high staff turnover in incentive administration, Area Municipal staff and the development industry identified the need for increased education for all staff who administer incentives. The creation of training videos focused on Regional program processes has been identified as a solution in the onboarding of new Municipal staff.
- **Alignment between the Region and the Area Municipalities**  
Working together requires better alignment approaches to ensure that both tiers of government are able to respond to the needs of the development community. This includes the alignment of timing, deadlines, approval cycles, working around changes in legislation and bylaw updates. Better alignment also includes collecting information and metrics in the same way and using consistent terminology and information.
- **Simplification of Administrative Processes**  
Regional incentive programs have been identified as being complex to use. Both the Area Municipalities and development industry want to see simplified Regional

paperwork, the removal of duplication, and the creation of streamlined application processes. To address these concerns, staff will be updating procedures and application forms to create better ease-of-use and adding website enhancements that will help developers to navigate the programs.

- **Consistency**  
The Region and the Area Municipalities will work together to drive forward an approach to greater consistency. This includes consistency of terms and definitions, timing, and submission cycles, delivery of programs terms and eligibility. Enhancing consistency will improve the level of service and increase the level of understanding for all programs.
- **Financial Sustainability**  
Funding incentive programs - both at the Area Municipality and Regional level - needs to be strategic, having sufficient funds to leverage intended outcomes, and ensure that funding long-term incentives is predictable.
- **Develop Metrics**  
To enhance the effectiveness of programs, future financial considerations must be guided by program performance over time. Programs must be targeted and designed to capture metrics and key performance indicators that can be used to monitor program performance and ensure that programs are actualizing intended development outcomes. These indicators would be developed in collaboration with Area Municipalities.

## **Alternatives Reviewed**

Regional Council could choose to not approve the recommendations and keep the Incentive Policy as is. This alternative is not recommended as the Policy can be improved and simplified in the following: removing programs which have been replaced by Provincial legislation, programs which are inactive due to insufficient funding, and programs which would benefit from revamping to address the current needs of Niagara, specifically, purpose-built rental housing. In addition, the NRIP with the recommended revisions continues to meet the objectives of providing funding for specific types of development that would not occur without public financial assistance; minimizing or removing financial barriers that hold back specific types of development, and investing to unlock wider economic opportunities that spur on other developments within the surrounding geographic area.



## **Relationship to Council Strategic Priorities**

The work described in this report contributes to Regional Council's 2023-2026 Strategic Priorities and its pillars relating to exploring ways to improve the effectiveness of the Incentive Policy, support more effective incentivization approaches to deliver affordable and attainable housing and incentives aimed at attracting employment.

- Effective Region
  - 1.2 Explore and implement opportunities to improve service delivery outcomes through shared services.
  
- Equitable Region
  - 3.2: Support growth and development following Bill 23, More Homes Built Faster Act, 2022
  - 3.3: Improve access to affordable and attainable housing
  
- Prosperous Region
  - 4.1 Attract and retain businesses, create jobs and support a skilled workforce in Niagara

## **Other Pertinent Reports**

- PDS 42-2017 Overview of 2018 Incentive Review
- PDS-C 19-2018 ICOP Phase 1 Audit Report on Regional Incentive Review
- PDS-C 31-2018 ICOP Phase 2 Audit Report on Regional Incentive Review
- PDS-C 38-2018 Local Municipal Responses to Incentive Review Audit Report
- PDS 22-2019 Regional Incentives Financial Information
- PDS 34-2019 Grants and Incentives Review
- CSD 55-2020 Sustainability Review Final Report
- PDS 31-2021 Niagara Region Incentives Policy
- PDS 3-2022 Regional Transitional Incentive Timelines
- PDS 16-2022 SNIP Tax Increment Grant 2022 Update
- PDS C-11 2024 Inventory of Current Regional Incentives and Grants

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**Recommended by:**

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**Submitted by:**

Ron Tripp, P.Eng.  
Chief Administrative Officer

This report was prepared in consultation with Beth Brens, Associate Director of Budget Planning and Strategy, Blair Hutchings, Manager of Revenue Planning and Strategy, Alex Rotundo, Senior Tax and Revenue Analyst, Marco Marino, Director of Economic Development, Daniel Turner, Manager of Strategic Growth Services, Diana Morreale, Director Growth Management and Planning, Julianna Vanderlinde, Grants and Incentives Program Manager, and reviewed by Susan White, Program Financial Specialist

## **Appendices**

Appendix 1: Existing Niagara Regional Incentives Policy C-A-028

Appendix 2: Niagara Regional Incentives Policy with Amendments

Appendix 3: Regional Incentives Policy 2024

Appendix 4: Council Information Session Handout

Appendix 5: Engagement and Consultation Summary

Appendix 6: Summary of Employment Incentives Within Canada and the United States

<i>Policy Category</i> Administrative	<i>Name of Policy</i> Niagara Region Incentives Policy
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<b>Policy Owner</b>	Planning and Development Services, Community and Long Range Planning, Director of Community and Long Range Planning
<b>Approval Body</b>	Regional Council
<b>Approval Date</b>	August 26, 2021
<b>Effective Date</b>	January 1, 2022
<b>Review by Date</b>	Within five years of effective date

**1. Policy**

This policy identifies Regional incentive programs aligning per Council direction with the Council Priority Areas of Affordable Housing, Employment, Brownfield Remediation and Public Realm, and outlines general objectives and parameters for these programs.

1.1. This policy pertains to the programs listed in [Appendix A: Regional Incentive Programs](#).

1.2. Incentives are provided in these priority areas with the following goals:

1.2.1. To increase the amount of affordable housing in Niagara, particularly the supply of purpose-built rental housing, and to maintain existing affordable rental housing stock;

1.2.2. To attract and retain new businesses and full-time jobs to Niagara;

1.2.3. To encourage the remediation of contaminated sites for better environmental, economic, health and safety and urban planning outcomes; and

1.2.4. To improve the accessibility, sustainability and attractiveness of public spaces on Regional roads in core areas, and coordinate investment and workplans for major capital projects in the public realm.

1.3. Eligibility, application, approval, documentation, reporting, tracking, monitoring and payment requirements and practices for these Regional incentive programs will be outlined in the Procedures related to this policy.

1.4. Incentives will be provided subject to budgetary availability.

1.5. For Regional incentive programs requiring applications, only complete, correct and conforming applications will be considered.

1.6. Payment of grant incentives is contingent on compliance with all program requirements.

<i>Policy Category</i>	<i>Name of Policy</i>
Administrative	Niagara Region Incentives Policy

1.7. Key incentive program data and performance indicators will be collected, reviewed and reported on to demonstrate program effectiveness and accountability.

1.8. Clear, consistent information on Regional incentive programs will be provided to program partners and stakeholders.

**2. Purpose**

The purpose of this policy is to align Regional incentive programs with the four priority areas of Affordable Housing, Employment, Brownfield Remediation, and Public Realm identified by Regional Council, and to consolidate them under one policy.

**3. Scope**

Where incentives in this policy relate to mandatory Development Charge incentives, the incentives will continue until changed in the Development Charge Act. Where incentives in this policy relate to discretionary Regional Development Charge incentives, the incentives of Development Charge Bylaw 2017-98 will continue until the expiry of the bylaw on August 31, 2022.

No duplication of the following incentives is permitted:

- Affordable and Supportive Housing Regional Development Charge Deferral in this policy and the discretionary Affordable Housing Regional Development Charge Deferral, Section 11(f) of Bylaw 2017-98
- Employment Regional Development Charge Grant in this policy and the discretionary Industrial Regional Development Charge Grant, Section 17(c) of Bylaw 2017-98
- Brownfield Regional Development Charge Deferral in this policy and the discretionary Brownfield Regional Development Charge Grant, Section 14 of Bylaw 2017-98
- Intensification Regional Development Charge Grant in this policy and Intensification Regional Development Charge Grant, Section 16 of Bylaw 2017-98
- 50% Industrial Expansion Regional Development Charge Grant in this policy and 50% Industrial Expansion Regional Development Charge Grant, Section 17 (a) and (b) of Bylaw 2017-98

**3.1. Roles and Responsibilities**

**3.1.1 Regional Council**

Approves, by resolution, the Regional Incentives Policy and any updates as necessary every five years.

<i>Policy Category</i>	<i>Name of Policy</i>
Administrative	Niagara Region Incentives Policy

Approves budget allocation to fund Regional incentive programs.

Approves in-year and year-end funding requirements of budget variances related to Regional incentive programs.

**3.1.2 Corporate Leadership Team**

Approves the Procedures related to this policy and any updates as necessary.

Provides budget recommendations to Council with respect to funding Regional incentive programs.

**3.1.3 Commissioner, Planning and Development Services or Designate**

Reviews and updates the Regional Incentives Policy as necessary every five years and submits any necessary changes for Council approval.

Creates necessary guiding strategies, supporting frameworks and procedures as required to administer this policy which may be amended from time to time.

Monitors compliance and adherence to this policy.

Develops and maintains appropriate tracking of Regional incentive programs covered under this policy and in related policies, programs or legislation, and reports on them annually to Regional Council.

Carries out the above tasks in coordination with Regional Commissioners, Directors, other Regional staff involved in administering these Regional incentive programs.

Provides recommendations to the Corporate Leadership Team with respect to incentive program funding.

**3.1.4 Commissioner, Corporate Services or Designate**

Coordinates with Commissioner of Planning and Development Services or designate in administration, tracking and reporting of incentive policies and programs outlined in this policy and in related policies, programs or legislation.

Oversees Regional Development Charge Bylaw updates and recommends revisions as required to Regional Incentives Policy and relevant programs should the Development Charges Act be revised.

Provides recommendations to the Corporate Leadership Team with respect to incentive program funding.

**3.1.5 Director, Economic Development or Designate**

Coordinates with Commissioner of Planning and Development Services or designate in administration, tracking and reporting of incentive policies and programs outlined in this policy and in related policies, programs or legislation.

<i>Policy Category</i>	<i>Name of Policy</i>
Administrative	Niagara Region Incentives Policy

Provides recommendations to the Corporate Leadership Team with respect to incentive program funding.

**3.1.6 Commissioner, Community Services or Designate**

Coordinates with Commissioner of Planning and Development Services or designate in administration, tracking and reporting of incentive policies and programs outlined in this policy and in related policies, programs or legislation.

Provides recommendations to the Corporate Leadership Team with respect to incentive program funding.

**3.1.7 Director, Housing Services/CEO, Niagara Regional Housing or Designate**

Coordinates with Commissioner of Planning and Development Services or designate in administration, tracking and reporting of incentive policies and programs outlined in this policy and in related policies, programs or legislation.

Provides recommendations to the Corporate Leadership Team with respect to incentive program funding.

**3.1.8 Director, Legal and Court Services or Designate**

Ensures that all Regional incentive program agreements satisfy all legal requirements as outlined in appropriate legislation and appropriately mitigate legal exposure for Niagara Region.

**4. References and Related Documents.**

**4.1. Legislation, By-Laws and/or Directives**

- Planning Act, R.S.O. 1990, c. P.13
- Municipal Act, 2001, S.O. 2001, c. 25
- Development Charges Act, 1997, S.O. 1997
- Canada-Ontario Community Housing Initiative
- Ontario Priorities Housing Initiative
- ICP 97-2011
- ICP 33-2013
- ICP 118-2013
- PDS-C 3-2017
- By-law 2017-89
- By-law 2017-98
- CSD 34-2019
- COM-C 32-2020

<i>Policy Category</i> Administrative	<i>Name of Policy</i> Niagara Region Incentives Policy
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**4.2. Procedures**

Procedures for programs outlined in this policy organized by each of the four Priority Areas will be forthcoming.

**5. Related Policies**

- Regional Development Charges Deferral Payment Policy

**6. Appendices**

- [Appendix A: Regional Incentive Programs](#)

**7. Document Control**

The electronic version of this document is recognized as the only valid version.

**Approval History**

Approver(s)	Approved Date	Effective Date
Council		

**Revision History**

Revision No.	Date	Summary of Change(s)	Changed by

<i>Policy Category</i> Administrative	<i>Name of Policy</i> Niagara Region Incentives Policy
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## Appendix A: **AMENDED** Regional Incentive Programs

Program	Program Description	Grant Type
<b>AFFORDABLE HOUSING</b>		
<b>Partnership Housing Program</b>	Partnerships with for- and non-profits to generate more purpose-built rental and move clients off the housing waitlist by using a suite of Regional incentives customized by project	Suite of Incentives (e.g., TIGs, DC grants and deferrals) for Affordable Housing Capital Development
<b>Affordable and Supportive Housing RDC Deferral</b>	A deferral of Regional DCs for affordable or supportive housing units in projects having an agreement with a Regional department or agency for as long as the units remain affordable	Regional Development Charge Deferral
<b>Non-profit Affordable Rental Housing RDC Deferral</b>	A deferral of 50-100% of Regional DCs depending on level of affordability for affordable rental housing units with CMHC funding for as long as the units remain affordable as defined	Regional Development Charge Deferral
<b>Non-Profit RDC-based Grant</b>	A grant for up to 100% of DCs payable for eligible non-profit developments	Regional Development Charge Grant
<b>Intensification RDC Grant</b>	A grant providing DC relief to secondary suites created within or on the property of residential dwellings as required in the DC Act and until no longer mandatory in the Act.	Regional Development Charge Grant
<b>Residential Rental Grant</b>	A grant for the creation of secondary suites within or on the property of a residence which remain at affordable rental levels for at least 10 years	Regional Project Grant



<i>Policy Category</i> Administrative	<i>Name of Policy</i> Niagara Region Incentives Policy
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<b>Small Building Rental Grant</b>	A grant for the construction of up to five units, up to \$15k/unit, provided units remain at affordable rental levels for at least 10 years	Regional Project Grant
<b>Welcome Home Niagara Home Ownership Program</b>	A forgivable loan for downpayment assistance of 5% to a maximum of \$20,296 (purchase price not to exceed \$405,930), as amended from time to time, for renters at specific income levels purchasing a home	Forgivable Loan
<b>Niagara Renovates Homeownership</b>	Forgivable loan over 10 years for repairs and accessibility modifications for low and moderate income households	Forgivable Loan
<b>Niagara Renovates Multi-residential</b>	Forgivable loan over 15 years to fund repairs or provide accessibility for affordable units in multi-unit buildings	Forgivable Loan
<b>Non-Profit and Co-op Capital Repair Costs</b>	Funding for capital repairs to non-profit and co-op housing providers having agreements with NRH	Forgivable Loan
<b>Housing Provider Capital Loan Program</b>	Emergency loan program, with 25% forgivable over time, to support repairs to non-profit and co-op affordable housing providers having agreements with NRH	Loan and Grant
<b>EMPLOYMENT</b>		
<b>Gateway CIP Tax Increment Grant</b>	A matching tax increment grant for projects in the Gateway CIP area with eligible scores on economic and environmental criteria which result in increased assessment value	Tax Increment Grant (Local and Regional Gateway CIP)

<i>Policy Category</i> Administrative	<i>Name of Policy</i> Niagara Region Incentives Policy
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<b>Gateway CIP RDC-based Grant</b>	A matching grant of Regional DCs payable for projects with exceptional scores (14+) on Gateway CIP criteria	Regional DC Grant (Local and Regional Gateway CIP)
<b>Niagara Employment Partnership TIG</b>	A matching tax increment grant for projects approved under local CIPs with eligible scores on economic and environmental criteria resulting in increased assessment value	Tax Increment Grant (Local CIP)
<b>Industrial Use RDC-based Grant</b>	A grant equal to 100% of Regional DCs for new or expanded industrial developments meeting the definition of Industrial Use	Regional Development Charge Grant
<b>Employment Regional DC-based Grant</b> <b>NOTE: This program inaccessible for duration of Industrial RDC Grant</b>	A grant equal to a percentage of Regional DCs payable based on creation of full time jobs in manufacturing and professional, scientific and technical services sectors	Regional Development Charge Grant
<b>50% Industrial Expansion RDC Grant</b>	A grant equal to Regional DCs for enlargements to existing industrial buildings for up to 50% of original gross floor area as required in the DC Act and until no longer mandatory in the Act.	Regional Development Charge Grant
<b>BROWNFIELD REMEDIATION</b>		
<b>Brownfield TIG Tier 1: Select Sites</b>	A matching tax increment grant for remediation costs on major brownfield sites whose remediation will result in significant economic, environmental, social, and health benefits; increased benefit for projects with affordable housing	Tax Increment Grant (Local CIP)

<i>Policy Category</i> Administrative	<i>Name of Policy</i> Niagara Region Incentives Policy
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<b>Brownfield TIG Tier 2</b>	A matching tax increment grant (for remediation costs of brownfield sites eligible through local CIPs; increased benefit for projects with affordable housing)	Tax Increment Grant (Local CIP)
<b>Brownfield Regional DC Deferral</b>	A deferral of Regional DCs for eligible brownfield sites until an occupancy permit is issued or up to five years from signing of agreement	Regional Development Charge Deferral
<b>Large-scale Brownfield Regional DC Grant</b>	A grant equal to Regional DCs for projects meeting the definition of brownfield, over 10 hectares in size, and in a Secondary Plan area or area subject to a Secondary Plan process as of August 25, 2022	Regional Development Charge Grant
<b>PUBLIC REALM</b>		
<b>Public Realm Investment Program</b>	Matching grant for capital projects that provide public realm enhancements on Regional roads in core areas	Regional Matching Grant to Local Area Municipality

<i>Policy Category</i> Administrative	<i>Name of Policy</i> Niagara Region Incentives Policy
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<b>Policy Owner</b>	<del>Planning and Development Services (Growth Strategy and Economic Development)</del>
<b>Approval Body</b>	Regional Council
<b>Approval Date</b>	September 05, 2024
<b>Effective Date</b>	January 1, 2025
<b>Review by Date</b>	Within two years of effective date, January 2027

## 1. Policy

This policy identifies Regional incentive programs aligning per Council direction with the Council Priority Areas of Affordable Housing, Employment, Brownfield Remediation and Public Realm, and outlines general objectives and parameters for these programs.

1.1. This policy pertains to the programs listed in [Appendix A: Regional Incentive Programs](#).

1.2. Incentives are provided in these priority areas with the following goals:

1.2.1. To increase the amount of affordable housing in Niagara, particularly the supply of purpose-built rental housing, and to maintain existing affordable rental housing stock;

1.2.2. To attract and retain new businesses and full-time jobs to Niagara;

1.2.3. To encourage the remediation of contaminated sites for better environmental, economic, health and safety and urban planning outcomes.

~~1.2.4. To improve the accessibility, sustainability and attractiveness of public spaces on Regional roads in core areas, and coordinate investment and workplans for major capital projects in the public realm.~~

1.3. Eligibility, application, approval, documentation, reporting, tracking, monitoring and payment requirements and practices for these Regional incentive programs will be outlined in the Procedures related to this policy.

1.4. Incentives will be provided subject to budgetary availability.

1.5. For Regional incentive programs requiring applications, only complete, correct and conforming applications will be considered.

1.6. Payment of grant incentives is contingent on compliance with all program requirements.

<i>Policy Category</i> Administrative	<i>Name of Policy</i> Niagara Region Incentives Policy
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1.7. Key incentive program data and performance indicators will be collected, reviewed and reported on to demonstrate program effectiveness and accountability.

1.8. Clear, consistent information on Regional incentive programs will be provided to program partners and stakeholders.

**2. Purpose**

The purpose of this policy is to align Regional incentive programs with the three ~~four~~ priority areas of Affordable Housing, Employment, Brownfield Remediation. ~~and Public Realm~~ identified by Regional Council, and to consolidate them under one policy.

**3. Scope**

Where incentives in this policy relate to mandatory Development Charge incentives, the incentives will continue until changed in the Development Charge Act. Where incentives in this policy relate to discretionary Regional Development Charge incentives, the incentives of Development Charge Bylaw 2022-71 will continue until the expiry of the bylaw on August 31, 2027.

No duplication of the following incentives is permitted:

- Affordable and Supportive Housing Regional Development Charge Deferral in this policy
- Employment Regional Development Charge Grant in this policy
- Brownfield Regional Development Charge Deferral in this policy
- Intensification Regional Development Charge Grant in this policy and Intensification Regional Development Charge Grant, Section 18 (a) & (b) of Bylaw 2022-71
- 50% Industrial Expansion Regional Development Charge Grant in this policy and 50% Industrial Expansion Regional Development Charge Grant, Section 12 to 17 of Bylaw 2022-71

**3.1. Roles and Responsibilities**

**3.1.1 Regional Council**

Approves, by resolution, the Regional Incentives Policy and any updates as necessary every five years.

Approves budget allocation to fund Regional incentive programs.

Approves in-year and year-end funding requirements of budget variances related to Regional incentive programs.

**3.1.2 Corporate Leadership Team**

<i>Policy Category</i> Administrative	<i>Name of Policy</i> Niagara Region Incentives Policy
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Approves the Procedures related to this policy and any updates as necessary.

Provides budget recommendations to Council with respect to funding Regional incentive programs.

**3.1.3 Commissioner, ~~Planning and Development Services (Growth Strategy and Economic Development)~~ or Designate**

Reviews and updates the Regional Incentives Policy as necessary every five years and submits any necessary changes for Council approval.

Creates necessary guiding strategies, supporting frameworks and procedures as required to administer this policy which may be amended from time to time.

Monitors compliance and adherence to this policy.

Develops and maintains appropriate tracking of Regional incentive programs covered under this policy and in related policies, programs or legislation, and reports on them annually to Regional Council.

Carries out the above tasks in coordination with Regional Commissioners, Directors, other Regional staff involved in administering these Regional incentive programs.

Provides recommendations to the Corporate Leadership Team with respect to incentive program funding.

**3.1.4 Commissioner, Corporate Services or Designate**

Coordinates with Commissioner of ~~Planning and Development Services Growth Strategy and Economic Development~~ or designate in administration, tracking and reporting of incentive policies and programs outlined in this policy and in related policies, programs or legislation.

Oversees Regional Development Charge Bylaw updates and recommends revisions as required to Regional Incentives Policy and relevant programs should the Development Charges Act be revised.

Provides recommendations to the Corporate Leadership Team with respect to incentive program funding.

**3.1.5 Director, Economic Development or Designate**

Coordinates with Commissioner of ~~Planning and Development Services Growth Strategy and Economic Development~~ or designate in administration, tracking and reporting of incentive policies and programs outlined in this policy and in related policies, programs or legislation.

Provides recommendations to the Corporate Leadership Team with respect to incentive program funding.

<i>Policy Category</i>	<i>Name of Policy</i>
Administrative	Niagara Region Incentives Policy

**3.1.6 Commissioner, Community Services or Designate**

Coordinates with Commissioner of ~~Planning and Development Services Growth Strategy and Economic Development~~ or designate in administration, tracking and reporting of incentive policies and programs outlined in this policy and in related policies, programs or legislation.

Provides recommendations to the Corporate Leadership Team with respect to incentive program funding.

**3.1.7 Director, Housing Services/CEO, Niagara Regional Housing or Designate**

Coordinates with Commissioner of ~~Planning and Development Services Growth Strategy and Economic Development~~ or designate in administration, tracking and reporting of incentive policies and programs outlined in this policy and in related policies, programs or legislation.

Provides recommendations to the Corporate Leadership Team with respect to incentive program funding.

**3.1.8 Director, Legal and Court Services or Designate**

Ensures that all Regional incentive program agreements satisfy all legal requirements as outlined in appropriate legislation and appropriately mitigate legal exposure for Niagara Region.

**4. References and Related Documents.**

**4.1. Legislation, By-Laws and/or Directives**

- Planning Act, R.S.O. 1990, c. P.13
- Municipal Act, 2001, S.O. 2001, c. 25
- Development Charges Act, 1997, S.O. 1997
- Canada-Ontario Community Housing Initiative
- Ontario Priorities Housing Initiative
- ICP 97-2011
- ICP 33-2013
- ICP 118-2013
- PDS-C 3-2017
- By-law 2017-89
- By-law 2017-98
- CSD 34-2019
- COM-C 32-2020

**4.2. Procedures**

<i>Policy Category</i> Administrative	<i>Name of Policy</i> Niagara Region Incentives Policy
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Procedures for programs outlined in this policy organized by each of the ~~three~~ **four** Priority Areas will be forthcoming.

**5. Related Policies**

- Regional Development Charges Deferral Payment Policy

**6. Appendices**

- [Appendix A: Regional Incentive Programs](#)

**7. Document Control**

The electronic version of this document is recognized as the only valid version.

**Approval History**

Approver(s)	Approved Date	Effective Date
Council		

**Revision History**

Revision No.	Date	Summary of Change(s)	Changed by



<i>Policy Category</i> Administrative	<i>Name of Policy</i> Niagara Region Incentives Policy
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## Appendix A: **AMENDED** Regional Incentive Programs

Program	Program Description	Grant Type
<b>AFFORDABLE HOUSING</b>		
<b>Partnership Housing Program</b>  <b>TO BE ASSESSED</b>	Partnerships with for- and non-profits to generate more purpose-built rental and move clients off the housing waitlist by using a suite of Regional incentives customized by project	Suite of Incentives (e.g., TIGs, DC grants and deferrals) for Affordable Housing Capital Development
<b>Affordable and Supportive Housing RDC Deferral</b>	A deferral of Regional DCs for affordable or supportive housing units in projects having an agreement with a Regional department or agency for as long as the units remain affordable	Regional Development Charge Deferral
<b>Non-profit Affordable Rental Housing RDC Deferral</b>  <b>( MANDATORY: MOVED OUT OF THE POLICY DUE TO BILL 23)</b>	A deferral of 50-100% of Regional DCs depending on level of affordability for affordable rental housing units with CMHC funding for as long as the units remain affordable as defined	Regional Development Charge Deferral
<b>Non-Profit RDC-based Grant</b>	A grant for up to 100% of DCs payable for eligible non-profit developments	Regional Development Charge Grant
<b>Intensification RDC Grant</b>  <b>( MANDATORY: MOVED OUT OF THE POLICY DUE TO BILL 23)</b>	A grant providing DC relief to secondary suites created within or on the property of residential dwellings as required in the DC Act and until no longer mandatory in the Act.	Regional Development Charge Grant
<b>Residential Rental Grant</b>	A grant for the creation of secondary suites within or on the property of a residence which remain at affordable rental levels for at least 10 years	Regional Project Grant

<i>Policy Category</i> Administrative	<i>Name of Policy</i> Niagara Region Incentives Policy
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<b>DISCONTINUE AND BUDGET ABSORBED INTO NEW PROGRAM</b>		
<b>Small Building Rental Grant</b> <b>DISCONTINUE AND BUDGET ABSORBED INTO NEW PROGRAM</b>	A grant for the construction of up to five units, up to \$15k/unit, provided units remain at affordable rental levels for at least 10 years	Regional Project Grant
<b>Welcome Home Niagara Home Ownership Program</b> <b>(RELOCATED TO HOUSING SERVICES PROGRAMS)</b>	A forgivable loan for downpayment assistance of 5% to a maximum of \$20,296 (purchase price not to exceed \$405,930), as amended from time to time, for renters at specific income levels purchasing a home	Forgivable Loan
<b>Niagara Renovates Homeownership</b> <b>(RELOCATED TO HOUSING SERVICES PROGRAMS)</b>	Forgivable loan over 10 years for repairs and accessibility modifications for low and moderate income households	Forgivable Loan
<b>Niagara Renovates Multi-residential</b> <b>(RELOCATED TO HOUSING SERVICES PROGRAMS)</b>	Forgivable loan over 15 years to fund repairs or provide accessibility for affordable units in multi-unit buildings	Forgivable Loan
<b>Non-Profit and Co-op Capital Repair Costs</b> <b>(RELOCATED TO HOUSING SERVICES PROGRAMS)</b>	Funding for capital repairs to non-profit and co-op housing providers having agreements with NRH	Forgivable Loan
<b>Housing Provider Capital Loan Program</b> <b>(RELOCATED TO HOUSING SERVICES PROGRAMS)</b>	Emergency loan program, with 25% forgivable over time, to support repairs to non-profit and co-op affordable housing providers having agreements with NRH	Loan and Grant
<b>EMPLOYMENT</b>		

<i>Policy Category</i> Administrative	<i>Name of Policy</i> Niagara Region Incentives Policy
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<b>Gateway CIP Tax Increment Grant</b>	A matching tax increment grant for projects in the Gateway CIP area with eligible scores on economic and environmental criteria which result in increased assessment value	Tax Increment Grant (Local and Regional Gateway CIP)
<b>Gateway CIP RDC-based Grant</b>	A matching grant of Regional DCs payable for projects with exceptional scores (14+) on Gateway CIP criteria	Regional DC Grant (Local and Regional Gateway CIP)
<b>Niagara Employment Partnership TIG</b>	A matching tax increment grant for projects approved under local CIPs with eligible scores on economic and environmental criteria resulting in increased assessment value	Tax Increment Grant (Local CIP)
<b>Industrial Use RDC-based Grant</b>	A grant equal to 100% of Regional DCs for new or expanded industrial developments meeting the definition of Industrial Use	Regional Development Charge Grant
<b>Employment Regional DC-based Grant</b> <b>NOTE: This program inaccessible for duration of Industrial RDC Grant</b>	A grant equal to a percentage of Regional DCs payable based on creation of full time jobs in manufacturing and professional, scientific and technical services sectors	Regional Development Charge Grant
<b>50% Industrial Expansion RDC Grant</b> <b>(MANDATORY MOVED OUTSIDE OF THE POLICY)</b>	A grant equal to Regional DCs for enlargements to existing industrial buildings for up to 50% of original gross floor area as required in the DC Act and until no longer mandatory in the Act.	Regional Development Charge Grant
<b>BROWNFIELD REMEDIATION</b>		
<b>Brownfield TIG Tier 1: Select Sites</b>	A matching tax increment grant for remediation costs on major brownfield sites whose remediation will result in significant economic,	Tax Increment Grant (Local CIP)

<i>Policy Category</i> Administrative	<i>Name of Policy</i> Niagara Region Incentives Policy
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	environmental, social, and health benefits; <del>increased benefit for projects with affordable housing</del>  Affordable Housing component is removed	
<b>Brownfield TIG Tier 2</b>	A matching tax increment grant (for remediation costs of brownfield sites eligible through local CIPs; <del>increased benefit for projects with affordable housing</del>  Affordable housing component is removed.	Tax Increment Grant (Local CIP)
<b>Brownfield Regional DC Deferral</b>	A deferral of Regional DCs for eligible brownfield sites until an occupancy permit is issued or up to five years from signing of agreement	Regional Development Charge Deferral
<b>Large-scale Brownfield Regional DC Grant</b>	A grant equal to Regional DCs for projects meeting the definition of brownfield, over 10 hectares in size, and in a Secondary Plan area or area subject to a Secondary Plan process as of August 25, 2022	Regional Development Charge Grant
<b>PUBLIC REALM</b>		
<b>Public Realm Investment Program</b> <del>(MOVED OUTSIDE OF THE POLICY TO PUBLIC WORKS)</del>	Matching grant for capital projects that provide public realm enhancements on Regional roads in core areas	Regional Matching Grant to Local Area Municipality

<i>Policy Category</i> Administrative	<i>Name of Policy</i> Niagara Region Incentives Policy
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<b>Policy Owner</b>	Growth Strategy and Economic Development
<b>Approval Body</b>	Regional Council
<b>Approval Date</b>	September 05, 2024
<b>Effective Date</b>	January 1, 2025
<b>Review by Date</b>	Within two years of effective date, January 2027

**1. Policy**

This policy identifies Regional incentive programs aligning per Council direction with the Council Priority Areas of Affordable Housing, Employment, Brownfield Remediation and Public Realm, and outlines general objectives and parameters for these programs.

1.1. This policy pertains to the programs listed in [Appendix A: Regional Incentive Programs](#).

1.2. Incentives are provided in these priority areas with the following goals:

- 1.2.1. To increase the amount of affordable housing in Niagara, particularly the supply of purpose-built rental housing, and to maintain existing affordable rental housing stock;
- 1.2.2. To attract and retain new businesses and full-time jobs to Niagara;
- 1.2.3. To encourage the remediation of contaminated sites for better environmental, economic, health and safety and urban planning outcomes.

1.3. Eligibility, application, approval, documentation, reporting, tracking, monitoring and payment requirements and practices for these Regional incentive programs will be outlined in the Procedures related to this policy.

1.4. Incentives will be provided subject to budgetary availability.

1.5. For Regional incentive programs requiring applications, only complete, correct and conforming applications will be considered.

1.6. Payment of grant incentives is contingent on compliance with all program requirements.

1.7. Key incentive program data and performance indicators will be collected, reviewed and reported on to demonstrate program effectiveness and accountability.

<i>Policy Category</i> Administrative	<i>Name of Policy</i> Niagara Region Incentives Policy
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1.8. Clear, consistent information on Regional incentive programs will be provided to program partners and stakeholders.

**2. Purpose**

The purpose of this policy is to align Regional incentive programs with the three priority areas of Affordable Housing, Employment, Brownfield Remediation identified by Regional Council, and to consolidate them under one policy.

**3. Scope**

Where incentives in this policy relate to mandatory Development Charge incentives, the incentives will continue until changed in the Development Charge Act. Where incentives in this policy relate to discretionary Regional Development Charge incentives, the incentives of Development Charge Bylaw 2022-71 will continue until the expiry of the bylaw on August 31, 2027.

No duplication of the following incentives is permitted:

- Affordable and Supportive Housing Regional Development Charge Deferral in this policy
- Employment Regional Development Charge Grant in this policy
- Brownfield Regional Development Charge Deferral in this policy
- Intensification Regional Development Charge Grant in this policy and Intensification Regional Development Charge Grant, Section 18 (a) & (b) of Bylaw 2022-71
- 50% Industrial Expansion Regional Development Charge Grant in this policy and 50% Industrial Expansion Regional Development Charge Grant, Section 12 to 17 of Bylaw 2022-71

**3.1. Roles and Responsibilities**

**3.1.1 Regional Council**

Approves, by resolution, the Regional Incentives Policy and any updates as necessary every five years.

Approves budget allocation to fund Regional incentive programs.

Approves in-year and year-end funding requirements of budget variances related to Regional incentive programs.

**3.1.2 Corporate Leadership Team**

Approves the Procedures related to this policy and any updates as necessary.

Provides budget recommendations to Council with respect to funding Regional incentive programs.

<i>Policy Category</i> Administrative	<i>Name of Policy</i> Niagara Region Incentives Policy
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**3.1.3 Commissioner, Growth Strategy and Economic Development or Designate**

Reviews and updates the Regional Incentives Policy as necessary every five years and submits any necessary changes for Council approval.

Creates necessary guiding strategies, supporting frameworks and procedures as required to administer this policy which may be amended from time to time.

Monitors compliance and adherence to this policy.

Develops and maintains appropriate tracking of Regional incentive programs covered under this policy and in related policies, programs or legislation, and reports on them annually to Regional Council.

Carries out the above tasks in coordination with Regional Commissioners, Directors, other Regional staff involved in administering these Regional incentive programs.

Provides recommendations to the Corporate Leadership Team with respect to incentive program funding.

**3.1.4 Commissioner, Corporate Services or Designate**

Coordinates with Commissioner of Growth Strategy and Economic Development or designate in administration, tracking and reporting of incentive policies and programs outlined in this policy and in related policies, programs or legislation.

Oversees Regional Development Charge Bylaw updates and recommends revisions as required to Regional Incentives Policy and relevant programs should the Development Charges Act be revised.

Provides recommendations to the Corporate Leadership Team with respect to incentive program funding.

**3.1.5 Director, Economic Development or Designate**

Coordinates with Commissioner of Growth Strategy and Economic Development or designate in administration, tracking and reporting of incentive policies and programs outlined in this policy and in related policies, programs or legislation.

Provides recommendations to the Corporate Leadership Team with respect to incentive program funding.

**3.1.6 Commissioner, Community Services or Designate**

Coordinates with Commissioner of Growth Strategy and Economic Development or designate in administration, tracking and reporting of incentive policies and programs outlined in this policy and in related policies, programs or legislation.

Provides recommendations to the Corporate Leadership Team with respect to incentive program funding.

<i>Policy Category</i>	<i>Name of Policy</i>
Administrative	Niagara Region Incentives Policy

**3.1.7 Director, Housing Services/CEO, Niagara Regional Housing or Designate**

Coordinates with Commissioner of Growth Strategy and Economic Development or designate in administration, tracking and reporting of incentive policies and programs outlined in this policy and in related policies, programs or legislation.

Provides recommendations to the Corporate Leadership Team with respect to incentive program funding.

**3.1.8 Director, Legal and Court Services or Designate**

Ensures that all Regional incentive program agreements satisfy all legal requirements as outlined in appropriate legislation and appropriately mitigate legal exposure for Niagara Region.

**4. References and Related Documents.**

**4.1. Legislation, By-Laws and/or Directives**

- Planning Act, R.S.O. 1990, c. P.13
- Municipal Act, 2001, S.O. 2001, c. 25
- Development Charges Act, 1997, S.O. 1997
- Canada-Ontario Community Housing Initiative
- Ontario Priorities Housing Initiative
- ICP 97-2011
- ICP 33-2013
- ICP 118-2013
- PDS-C 3-2017
- By-law 2017-89
- By-law 2017-98
- CSD 34-2019
- COM-C 32-2020

**4.2. Procedures**

Procedures for programs outlined in this policy organized by each of the three Priority Areas will be forthcoming.

**5. Related Policies**

- Regional Development Charges Deferral Payment Policy

**6. Appendices**

- [Appendix A: Regional Incentive Programs](#)



<i>Policy Category</i> Administrative	<i>Name of Policy</i> Niagara Region Incentives Policy
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**7. Document Control**

The electronic version of this document is recognized as the only valid version.

**Approval History**

Approver(s)	Approved Date	Effective Date
Council		

**Revision History**

Revision No.	Date	Summary of Change(s)	Changed by

<i>Policy Category</i> Administrative	<i>Name of Policy</i> Niagara Region Incentives Policy
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## Appendix A: **AMENDED** Regional Incentive Programs

Program	Program Description	Grant Type
<b>AFFORDABLE HOUSING</b>		
<b>Partnership Housing Program</b>	Partnerships with for- and non-profits to generate more purpose-built rental and move clients off the housing waitlist by using a suite of Regional incentives customized by project	Suite of Incentives (e.g., TIGs, DC grants and deferrals) for Affordable Housing Capital Development
<b>Affordable and Supportive Housing RDC Deferral</b>	A deferral of Regional DCs for affordable or supportive housing units in projects having an agreement with a Regional department or agency for as long as the units remain affordable	Regional Development Charge Deferral
<b>Non-Profit RDC-based Grant</b>	A grant for up to 100% of DCs payable for eligible non-profit developments	Regional Development Charge Grant
<b>EMPLOYMENT</b>		
<b>Gateway CIP Tax Increment Grant</b>	A matching tax increment grant for projects in the Gateway CIP area with eligible scores on economic and environmental criteria which result in increased assessment value	Tax Increment Grant (Local and Regional Gateway CIP)
<b>Gateway CIP RDC-based Grant</b>	A matching grant of Regional DCs payable for projects with exceptional scores (14+) on Gateway CIP criteria	Regional DC Grant (Local and Regional Gateway CIP)
<b>Niagara Employment Partnership TIG</b>	A matching tax increment grant for projects approved under local CIPs with eligible scores on economic and environmental criteria resulting in increased assessment value	Tax Increment Grant (Local CIP)

<i>Policy Category</i> Administrative	<i>Name of Policy</i> Niagara Region Incentives Policy
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<b>Industrial Use RDC-based Grant</b>	A grant equal to 100% of Regional DCs for new or expanded industrial developments meeting the definition of Industrial Use	Regional Development Charge Grant
<b>Employment Regional DC-based Grant</b>  <b>NOTE: This program inaccessible for duration of Industrial RDC Grant</b>	A grant equal to a percentage of Regional DCs payable based on creation of full time jobs in manufacturing and professional, scientific and technical services sectors	Regional Development Charge Grant
<b>BROWNFIELD REMEDIATION</b>		
<b>Brownfield TIG Tier 1: Select Sites</b>	A matching tax increment grant for remediation costs on major brownfield sites whose remediation will result in significant economic, environmental, social, and health benefits;	Tax Increment Grant (Local CIP)
<b>Brownfield TIG Tier 2</b>	A matching tax increment grant (for remediation costs of brownfield sites eligible through local CIPs;	Tax Increment Grant (Local CIP)
<b>Brownfield Regional DC Deferral</b>	A deferral of Regional DCs for eligible brownfield sites until an occupancy permit is issued or up to five years from signing of agreement	Regional Development Charge Deferral
<b>Large-scale Brownfield Regional DC Grant</b>	A grant equal to Regional DCs for projects meeting the definition of brownfield, over 10 hectares in size, and in a Secondary Plan area or area subject to a Secondary Plan process as of August 25, 2022	Regional Development Charge Grant

## Niagara Region Incentive Policy Program Descriptions and Uptake

### June 27, 2024

Program	Description	Provincial, Mandatory or Discretionary	Uptake 2022	Uptake 2023	Total \$ 2022/2023
<b>Affordable Housing</b>					
Welcome Home Niagara Home Ownership Program	Provides a forgivable loan for down payment assistance of 5% to a maximum set by the Province to assist renters at specific income levels who qualify for the program to purchase a home in Niagara Region.	Provincial	5	3	\$158,950
Niagara Renovates Homeownership	Provides a forgivable loan over 10 years for repairs and accessibility modifications for qualifying low and moderate income households.	Provincial	34	25	\$1,425,699
Niagara Renovates Multi-residential	Provides a forgivable loan over 10 years for repairs and accessibility modifications to owners of eligible rental properties.	Provincial	1	1	\$76,104
Non-Profit and Co-op Capital Repair Costs	Provides funding for capital repairs to non-profit and co-op housing providers identified in the Housing Services Act and having agreements with Housing Services.	Provincial	11	7	\$5,774,012
Housing Provider Capital Loan Program	Emergency loan program, with 25% being forgivable over time, to support repairs to non-profit and co-op affordable housing providers having agreements with Housing Services.	Provincial and Regional	1	0	\$1,600,000
Intensification Regional DC Grant	Exempts new dwelling units within or ancillary to existing residential units from payment of DCs.	Mandatory	154	217	\$6,421,000
Affordable and Supportive Housing Regional DC Deferral	Defers payment of 100% of Regional DCs on eligible units for a minimum of 20 years or as long as they remain eligible affordable.	Discretionary	0	0	\$0
Non-profit Affordable Rental Regional DC Deferral	Defers payment of 50-100% of Regional DCs for a minimum of 20 years for eligible units in qualifying developments owned by or under the operation of an incorporated non-profit.	Discretionary	0	0	\$0
Partnership Housing Program	Regional co-investment with not-for-profit or private sector to develop new purpose-build rental buildings.	Discretionary	0	1	\$1,750,000
Non-Profit Regional DC-based Grant	Provides a refund of up to 100% of Regional DCs to qualifying non-profit and charitable organizations based in Niagara Region.	Discretionary	2	2	\$189,000
Residential Rental Grant	Provides a grant of up to \$40,000 per unit for the creation of up to two secondary suites, remain at affordable rental levels for at least 10 years.	Discretionary	0	3	\$0
Small Building Rental Grant	Provides a grant for the construction of up to 5 net new rental units in buildings of six or fewer units, up to \$15,000 per unit, remain at affordable rental levels for at least 10 years.	Discretionary	0	0	\$0

<b>Mandatory DC Exemptions which will replace two deferral programs in Affordable Housing</b>					
Affordable and Attainable DC Exemption	<ul style="list-style-type: none"> <li>- Exempts 100% of DCs for eligible residential units</li> <li>- Required to meet Provincial criteria/thresholds</li> <li>- Minimum of 25 years remain affordable</li> <li>- Enter into agreement with the Region and LAM</li> </ul>	Mandatory due to Bill 23.  Affordable Exemption - in effect as of June 1, 2024.  Attainable Exemption – currently inoperable until further defined by the Ministry.			
Non-profit Housing DC Exemption	Exempts 100% of DCs for residential developments developed by a registered Not-for-Profit Agency.	Mandatory due to Bill 23 (November 2022)			
<b>Program</b>	<b>Description</b>	<b>Provincial, Mandatory or Discretionary</b>	<b>Uptake 2022</b>	<b>Uptake 2023</b>	<b>Total \$ 2022/2023</b>
<b>Employment</b>					
Industrial Use Regional DC Grant	Provides grants for up to 100% of Regional DCs for industrial projects.	Discretionary	9	12	\$5,710,000
Gateway CIP Tax Increment Grant (TIG)	Property tax reductions of between 40% and 100% for five to ten years to eligible property owners in Fort Erie, Niagara Falls, Port Colborne, Thorold, and Welland.	Discretionary	5	6	\$38,100,806
Gateway CIP Regional DC Grant	Provides grants for up to 100% of Regional DCs for employment projects. Capped at \$1.5 million.	Discretionary	0	0	\$0
Niagara Business Attraction TIG Program	Provides a matching TIG for employment projects approved under local CIPs.	Discretionary	0	0	\$0
50% Industrial Expansion Regional DC Grant	Provincially mandated to grant Industrial DCs up to 50% expansion of original footprint.	Mandatory	Combined with Industrial Use DC Grant		
<b>Brownfield</b>					
Brownfield Tax Increment Grant (TIG) Program (Phase out)	Provides a refund of taxes based on increased assessment resulting from development.	Discretionary	4	4	\$8,684,250
Brownfield Regional DC Deferral (New program)	Provides a deferral of 100% of Regional DCs for up to 5 years, or until occupancy.	Discretionary	0	0	\$0
Large-scale Brownfield Regional DC Grant (New program)	Provides Regional DC incentives for properties greater than 10 hectares.	Discretionary	0	0	\$0
Brownfield Tax Increment Grant (TIG) Tier 1 and Tier 2 (New program – October 2024)	Provides a refund of taxes based on increased assessment resulting from development.	Discretionary	0	0	\$0
<b>Public Realm</b>					

Public Realm Investment Program	Provides capital funding to Area Municipalities for streetscape projects on Regional roads.	Discretionary	5	4	\$700,000
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# 1) Municipal Engagement Workshop Summary

The purpose of this document is to provide a summary of the 2024 Incentive Review Engagement sessions with Area Municipalities. Regional staff were directed to engage municipalities as part of the upcoming report on the effectiveness and challenges of the current suite of Regional programs.

A cross-section of Municipal staff from Planning, Finance, Economic Development, and Public Works were invited to all three sessions.

The table below lists the attendance of Municipalities.

<b>April 25, 2024</b>	<b>April 27, 2024</b>	<b>May 2, 2024</b>
Niagara-on-the-Lake St. Catharines Pelham	Fort Erie Niagara Falls Thorold Welland	Grimsby Lincoln Port Colborne Wainfleet West Lincoln

Regional staff organized three engagement sessions focussed on answering the following three questions:

## 1. How has the process been to integrate the NRIP?

- What are the key existing challenges in integrating the NRIP?
- Can you foresee any future challenges part of future work/process/etc.?
- What do the Area Municipalities want to see to improve effectiveness when it comes to integrating the NRIP?

## 2. What are your objectives when it comes to integrating the NRIP?

- What are the Area Municipalities objectives for your incentives?
- What should the Region’s objectives for incentives be?
- Are there objectives being missed in the current Local and Regional process?

## 3. What data is important to collect in order to understand effectiveness?

- What data (what types of metrics) have Area Municipalities collected?
- Are there any challenges to collecting strong data?
- What KPI’s are important for measuring effectiveness?

The feedback received on the three questions from all 3 sessions was combined and summarized. The actual facilitation sheets are attached as Appendix 1.

## Question 1: How has the process been to integrate the NRIP?

What was heard	Potential Outcome Items	Region or Municipality	Session
<b>Theme: Increased Education</b>			
<p>Communicate public benefit of Incentive programs.</p> <p>(Ex. Incentivizing Brownfield development is a priority because land gets remediated and uses infrastructure that is already there)</p>	<ul style="list-style-type: none"> <li>• Develop KPIs and keep them up-to-date to report on effectiveness of programs, paint a long term picture.</li> <li>• Show Council and public finished projects.</li> <li>• Increase Municipal and Regional educational information on CIPs. Include this information on the websites.</li> <li>• Create communication plans to provide education on the community benefits through personal stories. Demonstrate the uplift to show the value of the incentive.</li> <li>• Provide education sessions for employees, public, and Councils.</li> </ul>	Region, Municipality	1,2,3
Confusion about Regional participation in incentive programs.	<ul style="list-style-type: none"> <li>• Show Regional interest in programs by grounding programs in Regional Council strategic priorities.</li> <li>• Get user feedback.</li> </ul>	Region	1,2,3
<b>Theme: Alignment</b>			
Importance of targeted programs. Clarify measurement and program criteria.	<ul style="list-style-type: none"> <li>• Align programs to 4 pillars.</li> <li>• Align program with council strategic priorities.</li> <li>• Create programs with criteria that have targeted outcomes (e.g. affordable, remediation, etc.)</li> <li>• Ensure funding amount relates to criteria (not arbitrary)</li> <li>• Ensure Regional and Municipal alignment for targeted programs.</li> </ul>	Region, Municipality	1,2,3
Align timing.	<ul style="list-style-type: none"> <li>• Ensure that program launch and review processes are predictable and</li> </ul>	Region, Municipality	1



# Niagara Region Incentive Review

What was heard	Potential Outcome Items	Region or Municipality	Session
(Ex. MOU's or program review.)	coordinated and align with other key processes such as budget approval cycles, legislation changes, bylaw updates.		
Region's role should be a one stop VS. Region should support the individual needs of Municipalities.	<ul style="list-style-type: none"> <li>Region to provide a 5th bucket for Municipalities to utilize for strategic/transformational projects.</li> </ul>	Region	2
Integration hasn't happened for rural municipalities (no CIP areas, downtowns, Brownfields or affordable housing)	<ul style="list-style-type: none"> <li>Provide information about what is available for agriculturally focused municipalities on website.</li> </ul>	Region	3
<p>Is there a need for more programs?</p> <p>(Ex. Change 'Affordable Housing' bucket to 'Housing' and support residential development by providing residential programs for all levels on the housing continuum.)</p>	<ul style="list-style-type: none"> <li>Review program suites.</li> <li>Create a program review cycle with periodic (pit stops) where programs can be evaluated and honed for better effectiveness.</li> <li>Remove or merge programs that do not meet current needs.</li> </ul>		2,3

## Niagara Region Incentive Review

What was heard	Potential Outcome Items	Region or Municipality	Session
Complexity of DC program, make it easier to get information, simplicity is key.	<ul style="list-style-type: none"> <li>Review program application forms and processes to ensure these are understandable.</li> <li>Provide up-to-date information to the municipalities on what is/is not in the DC Bylaw.</li> <li>Review Region’s programs to ensure grants are not already provided through mandatory exemptions.</li> </ul>		2,3
	<b>Theme: Simplification of Administrative Process</b>		
Need clarity on the application requirements in new Incentive Policy (4 pillars)  (Ex. Programs are confusing, Developers need support, difficult to find resources online)	<ul style="list-style-type: none"> <li>Region to provide upfront application requirements to Municipalities to communicate to developers.</li> <li>Simplify intake by creating a one-stop-shop for intake and questions.</li> <li>Create and distribute clear process maps.</li> <li>Enhance staff knowledge.</li> <li>Make an online grant calculator tool – calculates total incentive.</li> <li>Make it easier to find CIPs online.</li> <li>Create a verification system, explore a 3rd party verification system.</li> <li>Add resources and staffing software (AI?)</li> <li>Review of issues (ongoing and upcoming) at quarterly meetings.</li> </ul>	Region	1,2,3
Simplify Regional Paperwork.  (Ex. Investigate if Region should download creation and administration of grants and	<ul style="list-style-type: none"> <li>Simplify Region to Municipality paperwork by reviewing for duplicated or unnecessary questions.</li> <li>Establish one point of contact at Region.</li> </ul>	Region	2,3

What was heard	Potential Outcome Items	Region or Municipality	Session
incentives to Local level. Region would still contribute financially.			
New programs – launch with clarity regarding internal systems, billing, POs, etc.	<ul style="list-style-type: none"> <li>• Test programs (beta test), soft launch programs to enhance their delivery.</li> <li>• Carry out stakeholder sessions prior to launch to understand how they might be used.</li> </ul>	Region	1,2,3
Communication within Municipalities and with Region.	<ul style="list-style-type: none"> <li>• Facilitate webinar on application details (what each requirement means)</li> <li>• Create training video for Municipalities to show new hires the Regional process.</li> <li>• Ensure that development planners know the programs being offered by providing a list of programs.</li> <li>• Regularly update webpages with current information.</li> </ul>	Region	1,2
<b>Theme: Consistency</b>			
Lack of consensus about return on investment.	<ul style="list-style-type: none"> <li>• Create a KPI working group to identify agreed upon metrics to achieve consistency and help guide decision making.</li> </ul>	Region, Municipality	1
Consistency in terms and definitions.	<ul style="list-style-type: none"> <li>• Define 'Brownfield' 'eligible costs', etc. and have it consistent across Regional documents and programs, share with Municipalities.</li> </ul>	Region	1,2,3
Yearly Meeting.	<ul style="list-style-type: none"> <li>• Host a yearly meeting with municipalities to engage groups on challenges being faced to support efficient program delivery.</li> </ul>	Region, Municipality	3
Policy changes at the Provincial level	<ul style="list-style-type: none"> <li>• Region and municipalities to meet regularly to discuss how Policy changes affect programming.</li> </ul>	Region, Municipality	1,3

What was heard	Potential Outcome Items	Region or Municipality	Session
<p>– how do we keep up? (Ex. Definition of affordable/attainable housing not given.)</p>	<ul style="list-style-type: none"> <li>Evaluate and make program changes when necessary.</li> </ul>		
<p>Municipalities- Review how DC process is done, become more strategic and consistent with approach.</p>	<ul style="list-style-type: none"> <li>Seek to create a consistent delivery approach between municipalities hosting similar programs to facilitate better relationships with the development community.</li> </ul> <p>(For ex. If two municipalities have similar targeted programs - are there opportunities to make program processes consistent)</p>	Region, Municipality	3
<b>Theme: Financial Sustainability</b>			
<p>Secure regional funding/allocations earlier in the development process (helps with timing for developers)</p>	<ul style="list-style-type: none"> <li>Investigate how the regional portion of incentives can be secured earlier to development projects to add predictability and help solidify realization of these developments.</li> </ul>	Region	1
<p>Programs and budget – clarity where is the money coming from</p>	<ul style="list-style-type: none"> <li>Identify sources of funding for each program.</li> <li>Continue to plan and forecast upcoming potential commitments and ensure budget is available.</li> </ul>	Region	1,3
<p>Need to reframe how TIGs are discussed in political context and plan funding better.</p>	<ul style="list-style-type: none"> <li>Increase financial transparency about TIGs by creating KPIs that speak to program effectiveness.</li> </ul>	Region, Municipality	3

What was heard	Potential Outcome Items	Region or Municipality	Session
	<b>Theme: Additional Feedback</b>		
<p>Need infrastructure in place to grow well.</p> <p>Incentives should build communities not band aid problems.</p>	<ul style="list-style-type: none"> <li>Develop budgeting, design, and construction plans that focus resources and are able to support development timelines and shorten the time it takes to build.</li> <li>Consider adding innovation, sustainability and climate change frameworks to incentive programs to achieve regional sustainability goals.</li> </ul>	Region, Municipality	3

**Question 2:** What are your objectives when it comes to integrating the Niagara Region Incentive Policy (NRIP)?

What was heard: Municipal Objectives	What was heard: Regional Objectives
<b>Theme: Effectiveness of the 4 Pillars</b>	(All sessions)
<ul style="list-style-type: none"> <li>In general, the current framework of the 4 regional pillars supports Municipalities with their incentive objectives.</li> <li>Affordable Housing, Employment, Intensification of downtowns and core areas, around transit hubs and transit corridors, and brownfield remediation are high priorities. ADU programs and gentle density not matched by the region.</li> <li>Brownfield programs are important but should not just be focused on remediation of the land but other aspects of redevelopment.</li> </ul>	<ul style="list-style-type: none"> <li>No one size fits all solution.</li> <li>Region should provide support to Municipalities even when objectives are different.</li> <li>Region's role should be to move infrastructure forward and grow capacity. Old infrastructure replacement is expensive.</li> <li>Public realm program should be integrated with local and extended to smaller areas and communities.</li> <li>Align programs with commonalities and consolidating these.</li> </ul>

<b>What was heard: Municipal Objectives</b>	<b>What was heard: Regional Objectives</b>
<ul style="list-style-type: none"> <li>• Gateway employment programs are important to attracting jobs.</li> <li>• Public realm extend beyond regional roads, needs long term plans, maintenance costs issues, maximize impact.</li> <li>• Pillars still have too much variety of incentives and the need to tailor or target programs more effectively.</li> </ul>	<ul style="list-style-type: none"> <li>• Diversity is important – having programs that are flexible and able to meet local needs.</li> <li>• Intensify around downtown cores/transit hubs and corridors.</li> </ul>
<b>Potential Action Outcomes</b>	
<ul style="list-style-type: none"> <li>• Maintain the 4 pillars framework and consolidate programs and criteria for targeted outcomes.</li> <li>• Ensure that program criteria are sensitive to local needs.</li> <li>• Seek to expand the public realm program to other areas and provide funding support to offset long term maintenance cost.</li> <li>• Incentivize developments in downtowns and cores that offer a more vibrant contribution to making downtowns more livable and thereby more sustainable.</li> </ul>	
<b>Theme: Financial Sustainability and Doing More with Less</b>	<b>(All Sessions)</b>
<ul style="list-style-type: none"> <li>• Identifying priority incentive areas and having more targeted funding.</li> <li>• Financial sustainability – limited resources through granting of revenue through exemptions require financial sustainability models when prioritizing incentives.</li> <li>• Improving the speed of administering programs. Why are calculations different – need for better alignment.</li> </ul>	<ul style="list-style-type: none"> <li>• Development of financially stable model that allows Municipalities to keep taxpayers happy – need better ways of expressing benefits of incentives (not ROI) this allows both Region and Municipality to plan financially.</li> </ul>

# Niagara Region Incentive Review

What was heard: Municipal Objectives	What was heard: Regional Objectives
<ul style="list-style-type: none"> <li>• Better alignment of objectives is needed between Municipalities and the Region.</li> <li>• Better definition of roles and continuous communication with Region/Municipalities.</li> <li>• Greater idea elaboration of Community benefit needs to be developed so that its not just about financial ROI.</li> <li>• Knowing the value of the incentive to a development to understand its effectiveness.</li> </ul>	<ul style="list-style-type: none"> <li>• Limited financial resources mean fine-tuning of program areas to allow Municipalities to achieve their objectives. (Ex. Heritage, Climate change and sustainability, etc.) Region – add language to add flexibility to Municipalities to achieve local goals within Regional framework.</li> </ul>
<p><b>Potential Action Outcomes</b></p>	
<ul style="list-style-type: none"> <li>• Need to be measuring program data in a more fulsome way. Region and local priorities must meet local community needs.</li> <li>• Develop a framework to represent the various community benefits that arise from incentivizing development – a new bottom line.</li> <li>• Region and lams collaborate to simplify processes, define roles, applications, payment schedules, and metrics to deliver cleaner processes.</li> <li>• Simplify the needs for Municipal verification and enhance speed of administering incentives.</li> <li>• Greater investment in staffing through training programs, videos, process mapping at both Region and Municipal levels.</li> </ul>	
<p><b>Theme: Public Realm Objectives</b></p>	<p>(All Sessions)</p>
<ul style="list-style-type: none"> <li>• Urban Design and Public Realm</li> </ul>	<ul style="list-style-type: none"> <li>• Public Realm, funding of infrastructure, program flexibility, environmental sustainability such as housing around GO transit.</li> </ul>

What was heard: Municipal Objectives	What was heard: Regional Objectives
	<ul style="list-style-type: none"> <li>• PRIP – need clarity on who is overseeing it at Local level – provide information on what is the long-term costs/ benefit/ investment/ maintenance for public realm beyond just regional roads?</li> <li>• Expand public realm programs, integrate these with Municipal programs and extend to smaller areas or communities.</li> </ul>
<b>Potential Action Outcomes</b>	
Seek to expand the public realm program to other areas and provide funding support to offset long term maintenance cost.	
<b>Theme: Additional Feedback Not Common to all Sessions</b>	
<p><b>Session 1</b></p> <ul style="list-style-type: none"> <li>• Heritage as a municipal objective.</li> </ul> <p><b>Session 2</b></p> <ul style="list-style-type: none"> <li>• Consistent level of support from the Region in metrics, application processes, payment schedules.</li> <li>• Municipalities in the region find themselves competing for employment with the U.S.</li> </ul> <p><b>Session 3</b></p> <ul style="list-style-type: none"> <li>• Intensification (TIGs, Waterfront CIP).</li> <li>• Water/wastewater – outside urban boundary. Support greenhouse sector.</li> <li>• On-farm diversified/value added.</li> <li>• Money for secondary plans.</li> </ul>	<p><b>Session 2</b></p> <ul style="list-style-type: none"> <li>• Accessibility CIP – Retrofitting not just affordable.</li> </ul> <p><b>Session 3</b></p> <ul style="list-style-type: none"> <li>• What is our 100 year goal?</li> </ul>
<b>Potential Action Outcomes</b>	
Unique needs and perspectives within the Region’s municipalities arose through the engagement which will require isolation and further examination as programs and criteria evolve.	



## Niagara Region Incentive Review

**Question 3:** What data is important to collect in order to understand effectiveness?

<b>Types of Municipal Data Collected</b> (combined from all Sessions)		
<ul style="list-style-type: none"> <li>• Tax increment increase</li> <li>• Number of affordable units</li> <li>• Number of trails and Sidewalks increase</li> <li>• StatsCan Population increase/unit/timing issues</li> <li>• Master servicing plan</li> <li>• Environmental sustainability standards</li> <li>• Heritage buildings data</li> <li>• Public Realm Improvements</li> <li>• Federal and/or Provincial programming accessed</li> </ul>	<ul style="list-style-type: none"> <li>• Number of jobs created and retained (gateway)</li> <li>• Affordable number of new units and number of new rental units</li> <li>• Building permits issued</li> <li>• Land use</li> <li>• Property assessment</li> <li>• Traffic counts specific to business</li> <li>• Sustainable infrastructure improvements</li> <li>• Mapping of development acres</li> <li>• Lease retention rates</li> <li>• Vacancy rates</li> <li>• Number of conversions from commercial to residential</li> <li>• Cost/square foot without land</li> <li>• Provincial or federal grants</li> <li>• Accessory dwelling units</li> </ul>	<ul style="list-style-type: none"> <li>• Levels of Investment</li> <li>• Permit costs</li> <li>• construction costs</li> <li>• Construction jobs</li> <li>• Grant obligations and commitments</li> <li>• Housing/population growth</li> <li>• Number of applications</li> <li>• Type of residential units</li> <li>• Development numbers by land-use</li> <li>• Mapping of data</li> <li>• Measuring carbon footprint</li> </ul>

Key performance indicators (KPIs) are quantifiable measurements used to gauge a corporation's overall long-term performance. KPIs specifically help determine strategic, financial, and operational achievements, especially compared to those of other places. For Example: Niagara Region's delivery of attainable units in Niagara over a period of 5 years – compared with Peel Region).

## Niagara Region Incentive Review

<b>KPIs (All Sessions)</b>	<b>Data collection challenges Listed (All Sessions)</b>
<ul style="list-style-type: none"> <li>• Repurposing existing parcels</li> <li>• Achieving urban growth centre targets (# of units created)</li> <li>• Increased assessment/tax – community benefits</li> <li>• Number of jobs/hectare</li> <li>• Measure/ Outcome of carbon footprint</li> <li>• Increased number of residential units</li> <li>• Consider showing the “Value” proposition</li> <li>• Environmental sustainability measures/net zero targets</li> <li>• KPIs from Smart cities</li> <li>• Attainable housing units</li> <li>• Capturing investment value</li> <li>• PRIP – Number of trees planted</li> <li>• Private sector investment (land cost, construction cost, servicing costs)</li> <li>• Track rent averages for affordable housing</li> <li>• Remediation costs per square foot or per \$ incentive provided</li> </ul>	<ul style="list-style-type: none"> <li>• Price/unit to ensure consistent picture of affordability.</li> <li>• Definition of affordable needs to be consistent</li> <li>• Uniformity in definitions and policy</li> <li>• Capturing social ROI</li> <li>• No standard way to showcase number of people and jobs/hectare</li> <li>• Data sometimes assumption based</li> <li>• Need a template of what should be collected data wise</li> <li>• Lack of data to compare the success of programs</li> <li>• Data lag – the data/KPI sometimes don’t come in until later</li> <li>• Is there a difference between market forces for residential development and employment? (should we be using different tools to measure)</li> <li>• Measuring what is happening in downtowns and greenfields in order to figure out what is missing</li> <li>• MPAC delays (inconsistent service, old values)</li> <li>• Shifting targets resulting from changing policies (Province)</li> <li>• Discrepancy on forecast vs. real construction values</li> <li>• Complexity with reporting some grants</li> <li>• Measuring secondary/tertiary improvements over time</li> <li>• Qualitative inconsistencies</li> <li>• Staff turnover</li> <li>• Time/cost of data collection and analysis</li> <li>• Legislated data submission requirements change frequently (data not always comparable)</li> <li>• Future MPAC assessment (tax revenue) turn it into a positive (instead of saying you are missing 10 years of revenue)</li> </ul>

# Niagara Region Incentive Review

<b>KPIs (All Sessions)</b>  <ul style="list-style-type: none"> <li>• Pre vs. post assessment</li> </ul>	<b>Data collection challenges Listed (All Sessions)</b>
<b>Workshop Action item/outcome:</b>	
Establish a working group to help create uniformity in definitions and policy. Goal of the working group is to create and standardize key performance indicators, ensure meaningful data points are being collected and maintained.	

## 2) Developer Focus Group Meeting June 13, 2024

Asked for feedback on the following questions:

- What hurdles are there in the current development climate?
- What opportunities or challenges are there with access to Regional Incentives?
- There is a need in Niagara for housing. How should incentives be structured to provide the housing that’s needed most? (i.e. Rental)
- What are the challenges when working with Municipalities?
- Are there any constraints that impact the realization of development that can be addressed at a Regional level?

Responses are grouped into the following themes:

### Developer Engagement:

- Development industry wants to know how is NRIP performing? What is the data in terms of uptake and leveraging the existing programs
- What’s been the uptake on programs, construction value, number of units, number of affordable units, that is indicative of what should continue.

### Affordable Housing:

- There are 12 AH programs, could suffer from dilution. Have 3 or 4 significant meaningful programs? Dial back to effective, well funded programs for better results.
- Difficult to incentivize actual units, leverage is low for success rate. Affordable housing is different than Brownfields – with Brownfields the math is simpler. Don’t want to see all the focus on housing and then brownfields are not prioritized.
- Brownfield site with affordable housing should be bigger incentive.

## Niagara Region Incentive Review

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### **Brownfield:**

- Big picture narrative of brownfields has shifted to affordable housing and rental.
- Incentives should differentiate between development vs construction.
  - o Developers are separate from the constructions; Developers do not have control over if units are affordable.
- Remediation projects take a long time, and it does not help when programs are being removed and the project is NOT able to start the construction in order to absorb the “incentive”

### **Ideas for innovation:**

- Is there an opportunity to look at ways to bridge remediation projects that often take 5 years to remediate (depending on levels of contamination)
- Once an application is submitted to the LAM, want to have one common place where Developer, LAM, and Region can all access it.
- Speed of processing the application at the local levels is an issue, many still have to get Council approval, is there a way to delegate to staff a certain amount?
- Cost of remediated sites has gone up, should look at increasing the brownfield TIG and caps – Tier 1 and Tier 2 should be the same.

### **TIG agreement:**

- Provide guidelines to municipalities so it is a consistent approach.
- Need certainty when you enter into an agreement ( i.e. need longer then 5 years)
- Example of phased developments and perhaps having an overarching agreement that deals with all phases and has capped timeframes per phase with some flexibility.

## **3) Development Industry Engagement Session July 18, 2024**

Members from the following groups present:

- **Niagara Industrial Association**
- **Niagara Homebuilders’ Association**
- **Niagara Construction Association**
- **Non-Profit Housing Providers**

## Key Takeaways from Discussion

### Improvements to the Incentive Website and updates for easier navigation

- Create shortcuts and tools that make it easy to navigate the website. For example, create prompts such as “Are you building rental housing?”
- Ensure basic information is easy to find, such as application forms and contact information.

### Better timing, predictability of incentives, and better communication

- Incentive programs need to be predictable.
- Programs should have flexibility – appropriate sunset clauses and enough time to accommodate for any unexpected delays.
- Incentive programs should be introduced at the Pre-Consultation stage.
- Changes in incentive staffing should be communicated to the applicants so that there is a continuity and carriage of files

### Interest in building affordable/attainable housing

- Expectation that charity groups and non-profits are going to solve the housing shortage in Niagara has to change.
- There is interest in building affordable and attainable housing, but the definition of Affordable housing needs to widen in order for it to be financially feasible for private developers. Programs should be targeted and appropriately funded.
- Incentives may not be the direct solution to building more rental but would assist.

### Delays in Planning Processes are costly

- Approvals take too long and add to the cost of development, need to find efficiencies. For example, Non-profits need to have priority in the queue.
- Recognition that planning approval costs for non-profits impact these entities differently than for-profit entities.
- Recognition that planning applications of non-profit entities are often handled by volunteers at the non-profits who are salaried employees.
- Open proforma exercise to help understand how incentives help realize a development.

## **Niagara Region Incentive Review:**

### **Summary of Employment Incentives Within Canada and the United States.**

The purpose of this summary is to outline how Niagara Region uses incentives to attract employers to the Region. The Niagara Region has an Incentive Policy into which the Employment related incentives are found and located within the Employment Priority Area.

The Employment Priority Area was created out of a recognition that attracting and retaining Employment is a Council Strategic Priority objective. Within the current global business climate, the Region competes with the rest of the World. Specifically, the Region competes with other Upper Tier and Lower Tier municipalities throughout Ontario, municipalities in other Provinces, and even across the border in the United States.

The USA can offer a range of lucrative financial incentives that Canada does not. Canada's incentives emphasize innovation and clean technology through R&D support, while the U.S. offers a broader range of tax credits and incentives for job creation and investments in underserved areas.

To this end, the Niagara Region maintains robust incentives to remain competitive in attracting investment opportunities. To stand out, Niagara offers compelling financial incentives and support structures to attract businesses. By maintaining and enhancing incentive programs and ensuring these meet global standards, Niagara is attracting high-quality investments that drive economic growth and development. For example, recently, the Niagara Region in partnership with the City of Port Colborne was able to attract Asahi Kasei Separator Plant, a multi-billion dollar direct foreign investment, compared Niagara to other locations in North America.

Attracting new employers, like Asahi Kasei, was highlighted through the engagement with the Area Municipalities that reinforced the extensive capability of the Region to promote Niagara through the employment priority area suite of programs.

Below is summary of incentives that are offered within Canada and the USA which large employers weigh to determine where to establish.

### **Canada vs USA Incentives:**

Industrial businesses in Canada and the United States can benefit from various federal, state/provincial, and local/regional incentives, each with distinct focuses.

In Canada, federal programs like the Scientific Research and Experimental Development (SR&ED) Program, Strategic Innovation Fund (SIF), and Accelerated Investment Incentive provide significant tax credits and support for innovation and Research and Development (R&D). Provincial programs, such as the Ontario Innovation Tax Credit (OITC) and Alberta Investment Tax Credit (AITC), further bolster these efforts. Regional initiatives, like the Niagara Gateway Economic Zone CIP, offer targeted local incentives.

In the United States, federal incentives include the New Markets Tax Credit (NMTC), Opportunity Zones, and the Investment Tax Credit (ITC), which support investments in low-income areas and renewable energy. State programs, such as the California Competes Tax Credit and Texas Enterprise Fund, focus on job creation. Local agencies, like the New York City Industrial Development Agency (NYCIDA) and Detroit Economic Growth Corporation (DEGC), provide tax abatements, grants, and training. Both countries provide substantial support, with specific advantages based on business focus.

#### **Niagara Canada vs. Niagara USA:**

Businesses in Niagara, Canada, do not have access to various industrial financial incentives available just across the border in Buffalo, New York. One notable program is the Recharge NY initiative, which provides low-cost power to businesses in exchange for job creation and retention commitments. This program helps significantly reduce operational costs for energy-intensive industries, offering a competitive advantage to businesses operating in New York State.

September 27, 2024

**CL 14- 2024, September 26, 2024**

***Distribution List***

***SENT ELECTRONICALLY***

**Motion Respecting Municipal Codes of Conduct**

Regional Council, at its meeting held on September 26, 2024, passed the following motion:

WHEREAS on August 17, 2023, Regional Council supported the recommendations made by AMO that:

- a) Codes of Conduct should be updated to include workplace safety and harassment policies;
- b) Codes of Conduct should have an escalating enforcement mechanism through administrative monetary penalties that recognize local circumstances;
- c) Integrity Commissioners should have better, standardized training to improve consistency of decisions across the province;
- d) In the most egregious cases, such as harassment or assault, municipalities should be able to apply to a judge to remove a sitting member if recommended by an Integrity Commissioner;
- e) A member removed under this process should be unable to sit in another election during the term of office removed and the subsequent term;

WHEREAS Regional Council urged the Ontario Government to table and pass legislation to make these changes as soon as possible;

WHEREAS Bill 207, Municipal Accountability and Integrity Act, 2024, has been introduced that provides changes from the proposed Bill 5 which failed upon second reading including:

- a) Instead of municipalities hiring their own Integrity Commissioner (who then investigates them) an Integrity Commissioner Provincial Board would be established;
- b) Councils can no longer ignore an Integrity Commissioner recommendation that removal be elevated to the courts- it would go direct from an Integrity Commissioner to judicial review in instances of recommended removal;
- c) Adherence to anti-discrimination policies in addition to violence and harassment policies;
- d) Trauma-informed design;
- e) Protections for people who come forward; and
- f) A duty to report.



NOW THEREFORE BE IT RESOLVED:

1. That Niagara Regional Council **SUPPORTS** the call of the Association of Municipalities of Ontario (AMO) for the Government of Ontario to introduce legislation to strengthen municipal Codes of Conduct and compliance with them in consultation with municipal governments;
2. That the legislation **ENCOMPASSES** the Association of Municipalities of Ontario's recommendations for:
  - a) Updating municipal Codes of Conduct to account for workplace safety and harassment;
  - b) Creating a flexible administrative penalty regime, adapted to the local economic and financial circumstances of municipalities across Ontario;
  - c) Increasing training of municipal Integrity Commissioners to enhance consistency of investigations and recommendations across the province;
  - d) Allowing municipalities to apply to a member of the judiciary to remove a sitting member if recommended through the report of a municipal Integrity Commissioner; and
  - e) Prohibit a member so removed from sitting for election in the term of removal and the subsequent term of office; and
3. That a copy of this resolution **BE FORWARDED** to the President of the Association of Municipalities of Ontario, Robin Jones; Premier of Ontario, Doug Ford; Minister Paul Calandra, Member of Provincial Parliament, Jeff Burch; Member of Parliament, Wayne Gates; Member of Provincial Parliament, Jennie Stevens; Member of Provincial Parliament Sam Oosterhoff and all local area municipalities.

Yours truly,



Ann-Marie Norio  
Regional Clerk

:kl

CLK-C 2024-105

Distribution List:

President of the Association of Municipalities of Ontario  
Premier of Ontario  
Minister of Municipal Affairs and Housing  
Local MPPs  
Local Area Municipalities

Date: 26 June 2024  
Time: 4:00pm to 5:30pm  
Location: Pelham Town Hall – Council Chambers – 20 Pelham Town Square

Attendance: Brian Baty (Committee Member)  
Frank Adamson (Committee Member)  
Patrick O’Hara (Committee Member)  
Thom Hounsell (Committee Member)  
Diana Huson (Regional Councillor)  
Jason Marr (Director, Public Works)  
Adam Carter (Committee Member)  
Brian Eckhardt (Councillor Ward Two)  
Nicholas Palomba (Engineering Technologist, Public Works)  
Sydney Van Leeuwen (Administrative Assistant, Public Works)

Regrets: Lori Lehne (Committee Member)

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

Chair Baty called meeting at 4:01 pm

**2. Land Recognition Statement**

Chair Baty recited the land recognition statement.

**3. Approval of Agenda**

**Moved by:** Frank Adamson

**Seconded by:** Adam Carter

**BE IT RESOLVED THAT the agenda for the June 26, 2024, regular meeting of the Pelham Active Transportation Committee be adopted.**

**Carried**

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#### **4. Declaration of Pecuniary Interest and General Nature**

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

#### **5. Approval of Minutes**

**Moved by:** Thom Hounsell

**Seconded by:** Adam Carter

**BE IT RESOLVED THAT the minutes of the May 27, 2024, Pelham Active Transportation Committee be approved.**

**Carried**

#### **6. Regular Business**

##### **6.1. Transit Service Enhancements within the Town of Pelham – Sarah Leach, Deputy Clerk**

Sarah Leach spoke to the PATC about the Niagara Regional Transit updates to service and accessibility to Pelham residents.

Councillor Huson spoke about some discussion that was had at a regional level, specifically the concern with youth using public transit. Not enough connection and points of connection, not frequent enough service.

Sarah took feed back from the committee and will share those insights with Councillor Olson. Committee members voiced their concerns and questions regarding these updates and changes the system.

##### **6.2. Committee to Discuss Communication Department Assisting PATC with Banners and Signage**

Brian expressed the need to have the more specific signage for the new bicycle loops to make residents aware of the several locations within Pelham. He would like to see more public communication on the website and throughout Town.

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**Motion:** PATC requests the assistance of the Communication Department to design and order banners and related signage for the three bicycle loops within the Town of Pelham.

**Mover:** Frank Adamson  
**Second:** Patrick O'Hara

**Carried**

### **6.3. Canboro Rd – Multiuse Trail Discussion**

Staff discussed the UEM (Urban Environmental Management) Implementation Report that was provided to staff regarding the Multiuse feasibility along Canboro Road. They provided 3 options, and the possibility of this commencing. Staff has a report going to Council on July 10<sup>th</sup> speaking to this report from UEM. The Town has currently applied for a grant for \$50,000 that would assist in covering the cost of the feasibility study. Staff may ask, based on the next Council meeting for a budget item in the 2025 budget in the amount of \$125,000. This is the first step in the process.

**Motion:** PATC would like to move forward with endorsing the feasibility study to ensure there is a connection between Fonthill & Fenwick, specifically on Canboro Rd.

**Mover:** Thom Hounsell  
**Second:** Adam Carter

**Carried**

### **6.4. Bicycle Loop Signage**

Previously discussed above.

## **6.5. Share the Road – Designation Application**

Brian Baty is still working on the application and collecting information for the application. He will be also asking for the previous application.

## **6.6. Events**

### **6.6.1. Canada Day Parade**

The PATC will not be participating in the parade this year, not member availability.

### **6.6.2. Summerfest**

The PATC will have a booth at Summerfest on the Saturday, July 20<sup>th</sup>. Committee to use their budget for added expenses as the Summerfest Committee is no longer providing a budget to participating committees.

**Motion:** For the Committee to keep their added expenses to a maximum of \$350.

**Mover:** Frank Adamson  
**Seconder:** Adam Carter

**Carried**

Committee members to be onsite at 9:00a.m. and to end near 3:00pm – there are about 2-3 Committee members that are available to participate.

## **7. Other Business**

### **7.1. Upcoming Agenda Items – Committee Discussion**

#### Bicycle Signage

Current signage is confusing, more emphasis on ensuring that the signage makes sense.

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**Action:** For staff to install and purchase more T-bar posts to allow for individual signs be installed (example of this being Maple St & Memorial). Brian is hoping to have a final inspection with staff to ensure that everything is corrected. Jason asked that Brian or Adam let staff know when they are available, and they will tour the loops to ensure that all signage is correct and complete.

### Rumple Strips

Staff are working on installing signage, these are currently on order and the sharrows are to be painted by the fall. Thom mentioned the option of the installing bollards to make drivers appreciate that what appears to be paved shoulder appropriate for cyclists is unusable by cyclists, and this will allow drivers to understand why a cyclist is in the roadway. Committee members suggesting moving all lanes towards the north to allow more shoulder on the south side.

### Pedestrian Friendly Community

The feasibility to make Fonthill a pedestrian friendly community. Potentially making this a local movement. Patrick to share videos and articles with the committee regarding this.

### Start Me Up Niagara

Bike Me Up Niagara – program that asks for volunteers to assist with ensuring bicycles are provided and maintained for those that are in need, asks those who would like to donate used bicycles.

### Old Rail Trail

The potential and the participating parties (Rotary Club) that are interested making this connection. Staff are meeting with the parties and clubs that are interested in making this connection to Thorold.

### Public Outreach

Potentially reaching out to local cycling groups within Pelham. Using the communication platform to generate a survey for the residents of Pelham. Committee would like to ensure that the work they are discussion or wanting to implement are effective to residents of Pelham.

**Action:** Jason to ask Leah if there is a platform that we use for surveys and what the best platform might be to get information to and from residents.

#### Charity Bike Rides

Potentially being able to have the committee talk to those that run these rides. A standardized survey that they could potentially send to all participates of the ride.

**Action:** for Committee to think about survey questions and to provide them to Councillor Huson.

#### **7.2. Next meeting is scheduled for July 24, 2024**

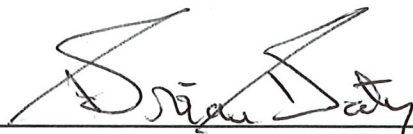
### **8. Adjournment**

**Moved:** Frank Adamson

**Seconded:** Thom Hounsell

**THAT this Regular Meeting of the Pelham Active Transportation Committee be adjourned at 5:26 p.m.**

**Carried**



**Chair, Brian Baty**



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**Administrative Assistant, Sydney Van Leeuwen**



Date: 28 August 2024  
Time: 4:00pm to 5:30pm  
Location: Meridian Community Centre – 100 Meridian Way – Main Floor Meeting Room

Attendance: Lori Lehne (Committee Member)  
Frank Adamson (Committee Member)  
Thom Hounsell (Committee Member)  
Diana Huson (Regional Councillor)  
Adam Carter (Committee Member)  
Brian Eckhardt (Councillor Ward Two)  
Nicholas Palomba (Engineering Technologist, Public Works)  
Brian Baty (Committee Chair)  
Sydney Van Leeuwen (Administrative Assistant, Public Works)

Regrets: Jason Marr (Director, Public Works)  
Patrick O’Hara (Committee Member)

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

Chair Baty called meeting at 4:09 pm

**2. Land Recognition Statement**

Chair Baty recited the land recognition statement.

**3. Approval of Agenda**

**Moved by:** Adam Carter  
**Seconded by:** Frank Adamson

**BE IT RESOLVED THAT the agenda for the August 28, 2024, regular meeting of the Pelham Active Transportation Committee be adopted.**

**Carried**

#### **4. Declaration of Pecuniary Interest and General Nature**

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

#### **5. Approval of Minutes**

**Moved by:** Lori Lehne

**Seconded by:** Thom Hounsell

**BE IT RESOLVED THAT the minutes of the June 26, 2024, Pelham Active Transportation Committee be approved.**

**Carried**

#### **6. Regular Business**

##### **6.1. Fonthill Spurline Rail Trail Project – Frank Adamson on behalf of Bruce Timms**

Frank Adamson and Bruce Timms met with Nicholas Palomba and Jason Marr regarding the Spurline Rial Trail. During their meeting, they discussed the possible action to take to accommodate the municipalities involved.

Frank Adamson recently spoke with Tom Rankin and asked if his team would be interested in a project such as this one and Tom Rankin mentioned that this would be of interest to them. Frank Adamson spoke regarding retaining grants, and potentially the Trillium organization would provide grant funding. Since the base is already in place, the addition of new paving would be possible.

Frank Adamson mentioned to the committee that there are 5 rotary clubs that have interest, Welland, Pelham and three in St. Catharines.

Nick spoke regarding the budget, and he does not believe there is a budget for this location right now. He does have a quote for one portion of the trail, for approx. \$80,000 (Lumber Yard to Hurricane). Currently, there is no budget for the remaining trail length.

Frank states that there seems to be an interest from the City of Thorold, just a matter of when they would continue the trail and grant availability.

Brian spoke to how Thorold is interested in creating a trail that connects Merrittville to Brock University area.

Frank will make a plan to meet with Bruce Timms and discuss what next steps they may be interested in.

**Motion:** Pelham Active Transportation Committee to seek assistance from the Town Grant Specialist with researching and submitting a grant related to Spurline Rail Trail (Steve Bauer) improvements.

**Mover:** Adam Carter

**Seconder:** Frank Adamson

**Carried**

## **6.2. PATC Banners – Discussion**

Increase Pelham Branding on the banner that only states pelham once.

Committee discussed updating possible things on the

**Action:** For Adam to write up each loop details that can be added to the website for more specifics of each loop.

The committee over all likes the banners and chose the one that matches the website branding best. They would like to move forward with this.

Next meeting, we will discuss the details and move a motion to order the banners for the 2025 event and festival season.

### 6.3. Bicycle Signage

Committee members noticed that there are some signs missing (stolen). Adam has been regularly riding the loops and have noticed that there are several locations that have signage behind tree leaves and too far back from the roadway.

Committee would like to meet with Jason/Ryan to drive through the loops to confirm signage locations as many have not ridden the loops have determined difficulty of locating specific signage.

Some signage adjustments can be made on existing signs (stop signs) for better visibility. Increasing the height and lowering the height to make them all the same height and consistent throughout all the loops. There are some intersections that do not have signage.

Brian suggested that the PW staff do monthly inventory or signage checks through the warmer months to ensure signage is present. Councillor Eckert mentioned that there is staff that are out regularly to ensure sightlines are good, however staff does appreciate being notified of issues.

Brian would like to see larger signage at both parks to indicate where in the specific loop you are in and where a specific location is directionally. Have a street sign at the top of the stop sign with loops indicate loop locations.

There are specific locations where Brian would like to see these installed at both park entrances and branches within the trails.

**Action:** For Brian to submit Nick a list of locations and names for the requested signage where there are changes in the loop (switching from one loop to another or changing direction).

**Action:** For Nick to confirm what specific signage would come out of the PATC budget vs. Town operating budget.

**Action:** For staff to investigate the cost of the requested name signage and replacement of arrow signage.

Committee members suggested creating a master list of where all the signage is located and easily notified if something is missing. Lori suggested that the committee members do this check annually to ensure that the signage is correct and present.

Signage along the trails indicating where they are to come off the trail system.

Online map and signage are not communicating.

Website needs to be updated to communicate accurate information – regularly update this page where necessary.

Action: Brian to sit down with Ryan to ensure all information is correct.

#### **6.4. Summerfest Update**

Committee members mentioned that all maps and information are very outdated that need to be updated for next year and the next season of markets and fests.

There were a lot of questions about connecting to neighbouring municipalities. More explanation or maps showing these connections.

A suggestion would be to have something printable that is similar to what we have on the website.

Future Summer Fest Price Ideas: Lighting (visibility lights) when riding use this as a prize for the future.

### **7. Other Business**

#### **7.1. Upcoming Agenda Items – Committee Discussion**

NPCA update: Councillor Huson is no longer on the board for the NPCA and she is unable to update the committee on ongoing projects. The 12-mile creek restoration is being handled through

the NPCA and the Town is committed to the project for \$100,000k.

**Action:** Frank to give an update to the committee regarding the Lathrop property and the trail systems within the property.

Effingham St Speeding Reduction Request to lower from 80km to 60km. Councillor Huson to confirm with the Niagara Region

The Big Move is happening the coming September that will be taking place throughout Pelham.

Action: Staff to investigate the cost of purchasing and installing "Share the Road" signage and if there are specific regulations that are required for installing these.

Nick spoke to how the share the roads signs are more so warning signs and there is availability to install these virtually anywhere.

Bike Repair Stations – where are these being installed are they to be installed at the MCC & TH.

**Action:** Nick to confirm with Ryan about the locations of these being installed.

Councillor Eckhardt spoke regarding the Policing enforcement has picked up in the Pelham area to ensure there is more safety in the area.

## **7.2. Next meeting is scheduled for September 25, 2024**

## **8. Adjournment**

**Moved:** Frank Adamson

**Seconded:** Thom Hounsell

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**THAT this Regular Meeting of the Pelham Active Transportation  
Committee be adjourned at 5:42 p.m.**

**Carried**

  
\_\_\_\_\_  
**Chair, Brian Baty**

  
\_\_\_\_\_  
**Administrative Assistant, Sydney Van Leeuwen**

**Meeting #:** 08-2024  
**Date:** Tuesday, August 6, 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  
                                 Derek Young  
                                 Jodi Legros  
                                 Pamela Duesling  
                                 Shannon Larocque

**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, Secretary-Treasurer Sarah Leach called the meeting to order at approximately 4:06 pm. S. Leach 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**

S. Leach recited the land recognition statement.

**4. Approval of Agenda**

**Moved By** Colin McCann

**Seconded By** Don Rodbard

**THAT the agenda for the August 6, 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**

There were no requests for withdrawal or adjournment.

**7. Applications for Minor Variance**

**7.1 A16-2024P - 25 Highway 20 East**

**Purpose of the Application**

The subject land is zoned Main Street (MS) in accordance with Pelham Zoning By-law 4481(2022), as amended. Application for relief is made, to facilitate an addition to and renovation of the existing dwelling to facilitate a 3-storey commercial hotel with 6 guest rooms (2 per floor) and a shared amenity space in the basement. The applicant seeks relief from the following section(s) of the Zoning By-law:

Section 8.2.3 (Zone Requirement) "Front Yard" – to recognize the front wall occupying 68% of the lot frontage and setback 11.36m from the front lot line whereas the By-law requires the façade to occupy a minimum of 75% of the lot frontage and be built within 0-3.0m of the front lot line; and

Section 8.2.3 (Zone Requirement) "First Floor Window Height" – to recognize an existing first floor window height of 0.71m whereas the By-law allows a first floor building height of 0.3m to 0.6m; and

Section 8.2.3 (Zone Requirement) “First Floor Height” – to permit an existing first floor height of 2.74m whereas the By-law requires a minimum first floor height of 4.5m;

The subject land is zoned Main Street (MS) in accordance with Pelham Zoning By-law 4481(2022), as amended. Application for relief is made, to facilitate an addition to and renovation of the existing dwelling to facilitate a 3-storey commercial hotel with 6 guest rooms (2 per floor) and a shared amenity space in the basement. The applicant seeks relief from the following section(s) of the Zoning By-law:

Section 8.2.3 (Zone Requirement) “Front Yard” – to recognize the front wall occupying 68% of the lot frontage and setback 11.36m from the front lot line whereas the By-law requires the façade to occupy a minimum of 75% of the lot frontage and be built within 0-3.0m of the front lot line; and

Section 8.2.3 (Zone Requirement) “First Floor Window Height” – to recognize an existing first floor window height of 0.71m whereas the By-law allows a first floor building height of 0.3m to 0.6m; and

Section 8.2.3 (Zone Requirement) “First Floor Height” – to permit an existing first floor height of 2.74m whereas the By-law requires a minimum first floor height of 4.5m; Section 8.2.3 (Zone Requirement) “Angular Plane” – 60-degree angular plane - to permit a 0.102m encroachment into the angular plane on the west side of the lot, whereas no encroachment into the angular plane is permitted.

### **Representation**

The Applicant, Roger Toma and Architect, Brett Lyver were present.

### **Correspondence Received**

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

### **Applicants Comments**

None.

### **Public Comments**

David Koudys raised several concerns, including increased traffic, headlights shining into his home at night, people regularly coming and

going, lack of parking, absence of a privacy fence, noise, water run-off and potential occupants of the hotel.

Mike Hogan offered no objection to the proposal.

Heather Hogan described the trees proposed for removal as "garbage trees" and did not object to their removal.

Brett Lyver, the Architect, stated there will be a privacy fence on both sides and expressed the ability to block light.

Roger Toma, the Applicant, stated his intention to ensure the neighbours remain comfortable and happy. He committed to minimizing excessive lighting, ensuring proper access to washrooms, and replacing the removed trees. He also noted that the Town has by-laws in place to address nuisances.

S. Leach, Secretary-Treasurer indicated she checked the [clerks@pelham.ca](mailto:clerks@pelham.ca) email address at 4:24 pm and confirmed no e-mails have been received concerning the subject application. S. Leach indicated the public comment portion of the application could be closed. The Committee agreed to close the public portion of the meeting and deliberate.

**Moved By** Don Rodbard

**Seconded By** Colin McCann

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

**Carried**

### **Member Comments**

Chair Cappa was absent during the consideration of this file.

A Member asked how many parking spots were proposed to which R. Toma responded six.

**Moved By** Don Rodbard

**Seconded By** Colin McCann

**THAT Application for relief of Section 8.2.3 (Zone Requirement) "Front Yard" – to recognize the front wall occupying 68% of the lot frontage and setback 11.36m from the front lot line whereas the By-law requires the façade to occupy a minimum of 75% of the lot**

**frontage and be built within 0-3.0m of the front lot line, is hereby:  
GRANTED**

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

- 1. The variance is minor in nature as the proposed renovation/conversion of the existing dwelling to a hotel will utilize the existing footprint of the dwelling and will not alter the existing front yard setback, or the percentage of the frontage occupied by the structure.**
- 2. The general purpose and intent of the Zoning By-Law is maintained.**
- 3. The intent of the Official Plan is maintained.**
- 4. The proposal is desirable for the appropriate development and/or use of the land because it will allow the existing dwelling to be converted to a commercial use, which is an example of adaptive reuse.**
- 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.**

**AND THAT Application for relief of Section 8.2.3 (Zone Requirement) “First Floor Window Height” – to recognize an existing first floor window height of 0.71m whereas the By-law allows a first floor building height of 0.3m to 0.6m, is hereby: GRANTED**

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

- 1. The variance is minor in nature as it is not anticipated to detract from the streetscape and will facilitate the conversion of the existing dwelling for commercial use.**
- 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 allow the existing**

**dwelling to be converted to a commercial use, which is an example of adaptive reuse.**

- 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.**

**AND THAT Application for relief of Section 8.2.3 (Zone Requirement) “First Floor Height” – to permit an existing first floor height of 2.74m whereas the By-law requires a minimum first floor height of 4.5m, is hereby GRANTED**

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

- 1. The variance is minor in nature as it is not anticipated to detract from the streetscape and will facilitate the conversion of the existing dwelling for commercial use.**
- 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 allow the existing dwelling to be converted to a commercial use, which is an example of adaptive reuse.**
- 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.**

**AND THAT Application for relief of Section 8.2.3 (Zone Requirement) “Angular Plane” – 60-degree angular plane - to permit a 0.102m encroachment into the angular plane on the west side of the lot, whereas no encroachment into the angular plane is permitted, is hereby: GRANTED**

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

- 1. The variance is minor in nature as no windows or living space encroach into the angular plane, and as such, issues of overlook are mitigated.**
- 2. The general purpose and intent of the Zoning By-Law is maintained.**
- 3. The intent of the Official Plan is maintained.**
- 4. The proposal is desirable for the appropriate development and/or use of the land because the minor encroachment into the angular plane is not anticipated to result in a built form that is inappropriate for the lands.**
- 5. This application is granted without prejudice to any other application in the Town of Pelham.**
- 6. The Committee of Adjustment considered the written and oral comments and agrees with the minor variance report analysis and recommendation that this application meets the Planning Act tests for minor variance.**

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

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

**Prior to Building Permit:**

- 1. To the Satisfaction of the Director of Community Planning and Development**
  - 1. Enter into a site plan agreement to the satisfaction of the Director of Community Planning and Development.**
- 1. 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.**

**Carried**

## **7.2 A17-2024P - 1311 Effingham Street**

Chair Cappa joined the hearing.

### **Purpose of the Application**

Application for relief is made, to facilitate an addition to the garage and an addition to the main floor of the dwelling. The applicant seeks relief from the following section(s) of the Zoning By-law:

Section 5.2.3 (Zone Requirements for a Single Detached Dwelling)  
“Minimum Corner Side Yard” – to permit a minimum corner side yard of 3.445m whereas the By-law requires a minimum corner side yard of 8.0m.

### **Representation**

The Applicants, Brian and Wendy Kremer were present.

### **Correspondence Received**

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

### **Applicants Comments**

None.

### **Public Comments**

None.

S. Leach, Secretary-Treasurer indicated she checked the [clerks@pelham.ca](mailto:clerks@pelham.ca) email address at 4:33 pm and confirmed no e-mails have been received concerning the subject application. S. Leach indicated the public comment portion of the application could be closed. The Committee agreed to close the public portion of the meeting and deliberate.

**Moved By** Colin McCann

**Seconded By** John Cappa

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

**Carried**

## **Member Comments**

None.

**Moved By** Colin McCann

**Seconded By** John Cappa

**THAT Application for relief of Section 5.2.3 (Zone Requirements for a Single Detached Dwelling) “Minimum Corner Side Yard” – to permit a minimum corner side yard of 3.445m whereas the By-law requires a minimum corner side yard of 8.0m, is hereby: GRANTED**

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

- 1. The variance is minor in nature as the reduction to the setback is not anticipated to result in a negative impact on the adjacent uses, the streetscape, or substantially remove any of the amenity space of the lot.**
- 2. The general purpose and intent of the Zoning By-Law is maintained.**
- 3. The intent of the Official Plan is maintained.**
- 4. The proposal is desirable for the appropriate development and/or use of the land because as it will permit design flexibility while maintaining adequate area for amenity space, drainage, and private sewage system servicing capabilities.**
- 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.**

**Prior to Building Permit:**

- 1. To the Satisfaction of the Director of Community Planning and Development**



1. **The applicant prepare and submit a Tree Protection Plan, to the satisfaction of the Town.**
  2. **Conduct a Stage 1-2 Archaeological Assessment prepared by a licensed archaeologist and receive clearance from the Ministry of Citizenship and Multiculturalism. At a minimum, the Assessment must cover the building envelope of the proposed lot eligible for disturbance, and be accepted by the Ministry prior to clearance of this condition. The licensed archaeologist may recommend further archaeological analysis or preservation steps be taken. No demolition, grading or other soil disturbances shall take place on the subject land prior to the issuance of a Ministry letter confirming that all archaeological resource concerns have been mitigated and meet licensing and resource conservation requirements.**
2. **To the Satisfaction of the Director of Public Works**
1. **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.**

**Carried**

### **7.3 A19-2024P - Block 173 of Saffron Meadows**

#### **Purpose of the Application**

Application for relief is made to facilitate the construction of a street townhouse dwelling. The applicant seeks relief from the following section(s) of the Zoning By-law: Section 10 Exceptions – RM1-96 - Section 3(d) “Minimum Exterior Side Yard” – to permit a minimum exterior side yard setback for a covered porch of 1.6m whereas the By-law requires a minimum exterior side yard setback of 2.0m.

Application for relief is made to facilitate the construction of a street townhouse dwelling. The applicant seeks relief from the following section(s) of the Zoning By-law: Section 10 Exceptions – RM1-96 - Section 3(d) “Minimum Exterior Side Yard” – to permit a minimum exterior side yard setback for a covered porch of 1.6m whereas the By-law requires a minimum exterior side yard setback of 2.0m.

## **Representation**

The Agent, Eric Beauregard was present.

## **Correspondence Received**

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

## **Applicants Comments**

Eric Beauregard, the Agent, expressed agreement with the staff recommendation report.

## **Public Comments**

None.

S. Leach, Secretary-Treasurer indicated she checked the [clerks@pelham.ca](mailto:clerks@pelham.ca) email address at 4:39 pm and confirmed no e-mails have been received concerning the subject application. S. Leach indicated the public comment portion of the application could be closed. The Committee agreed to close the public portion of the meeting and deliberate.

**Moved By** Colin McCann

**Seconded By** Don Rodbard

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

**Carried**

## **Member Comments**

None.

**Moved By** Don Rodbard

**Seconded By** Colin McCann

**THAT Application for relief of Section 10 Exceptions – RM1-96 - Section 3(d) “Minimum Exterior Side Yard” – to permit a minimum exterior side yard setback for a covered porch of 1.6m whereas the By-law requires a minimum exterior side yard setback of 2.0m, is hereby: GRANTED**

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

- 1. The variance is minor in nature as the reduction to the setback is not anticipated to result in a negative impact on the adjacent uses, the streetscape, or substantially remove amenity space on the lot.**
- 2. The general purpose and intent of the Zoning By-Law is maintained.**
- 3. The intent of the Official Plan is maintained.**
- 4. The proposal is desirable for the appropriate development and/or use of the land because it will allow for appropriate development of a wraparound covered porch on a corner lot.**
- 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 that no sideyard walkways that impede sideyard swales shall be permitted.**

**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.**

**Prior to Building Permit:**

- 1. 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.**

**Carried**

## **8. Applications for Consent**

### **8.1 B14-2024P - 28 Lorimer Street**

## **Purpose of the Application**

Application is made for consent to partial discharge of mortgage and consent to convey 420.82 square metres of land (Part 1), for future construction of a single detached dwelling. Part 2 is to be retained for continued residential use of the dwelling known municipally as 28 Lorimer Street.

## **Representation**

The Agent, Ron Vahrmeyer was present.

## **Correspondence Received**

1. Town of Pelham Planning
2. Town of Pelham Public Works
3. Town of Pelham Building
4. Hydro One
5. Patti Tomczyk
6. Kathryn Silkiewicz

## **Applicants Comments**

Ron Vahrmeyer, the Agent, expressed agreement with the staff recommendation report.

## **Public Comments**

Kathryn Silkiewicz expressed concerns about potential flooding and the loss of privacy and shade resulting from tree removal. Additionally, she questioned the legitimacy and accuracy of the survey.

Linda Stoop voiced concerns about severing a valuable piece of property, including exacerbated flooding and the removal of trees.

In response, R. Vahrmeyer explained that the grading work will be conducted to ensure water is properly managed and does not flow where it shouldn't. He also confirmed that the survey was conducted by an authorized surveyor in Ontario and assured that tree removal would be minimized as much as possible.

S. Leach, Secretary-Treasurer indicated she checked the [clerks@pelham.ca](mailto:clerks@pelham.ca) email address at 4:51 pm and confirmed no e-mails have been received concerning the subject application. S. Leach indicated the public comment portion of the application could be closed. The

Committee agreed to close the public portion of the meeting and deliberate.

**Moved By** Colin McCann  
**Seconded By** John Cappa

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

**Carried**

### **Member Comments**

The Chair highlighted the inclusion of a condition to address grading and drainage. Derek Young, Manager of Engineering, clarified that the Town can only manage surface water, not the water table.

A Member inquired whether it would be appropriate to impose a condition requiring the rebuilding of the existing barrier fence. Shannon Larocque, Manager of Planning, responded that the Committee could impose such a condition, though it was not initially recommended by the Planning department since it pertains to the removal of the shed rather than the fence.

R. Vahrmeyer, unsure of the current conditions, mentioned that if there was an attached fence that needed to be removed, it would be reinstalled.

The Chair highlighted the inclusion of a condition to address grading and drainage. Derek Young, Manager of Engineering, clarified that the Town can only manage surface water, not the water table.

A Member inquired whether it would be appropriate to impose a condition requiring the rebuilding of the existing barrier fence. Shannon Larocque, Manager of Planning, responded that the Committee could impose such a condition, though it was not initially recommended by the Planning department since it pertains to the removal of the shed rather than the fence.

R. Vahrmeyer, unsure of the current conditions, mentioned that if there was an attached fence that needed to be removed, it would be reinstalled.

**Moved By** Colin McCann  
**Seconded By** John Cappa

**THAT Application is made for consent to partial discharge of mortgage and consent to convey 420.82 square metres of land (Part 1), for future construction of a single detached dwelling. Part 2 is to**

**be retained for continued residential use of the dwelling known municipally as 28 Lorimer Street is hereby: GRANTED;**

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

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

- 1. That the applicant confirm that no existing utilities currently cross the proposed new property line. Should any services cross this new property line, the applicant will be responsible for costs associated with their relocation and/or removal.**
- 2. Construction of new or modification of existing driveways requires a Driveway Entrance Permit. This permit is obtained through the Public Works Department. All associated costs with this permit are the responsibility of the owner.**
- 3. That 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, to the satisfaction of the Director of Public Works, or designate.**
- 4. That Part 1 be individually serviced with its own sanitary and water connections and constructed in accordance with Town of Pelham Engineering Standards. Installation of any services will require a Temporary Works Permit obtained through the Public Works Department. These works are to be completed prior to consent and the applicant shall bear all costs associated with these works. Locate cards are to be provided to the Town once works are complete.**
- 5. That the applicant provide a Functional Servicing Report including a full stormwater management strategy.**

**To the Satisfaction of the Director of Community Planning & Development**

- 1. That the applicant provide a tree preservation plan (including trees on lot grading plan) and that the applicant provide a cash in lieu should the applicant remove Town owned tree per Town tree policy.**
- 2. That the applicant sign the Town of Pelham's standard "Memorandum of Understanding" explaining that development**

**charges and cash-in-lieu of the dedication of land for park purposes are required prior to the issuance of a Building Permit.**

- 3. That the applicant be responsible for replacing/re-installing any gaps in fencing created as a result of severance file B14-2024P.**

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

- 1. That the Secretary-Treasurer be provided with a registrable legal description of the subject parcel, together with a copy of the deposited reference plan, if applicable, for use in the issuance of the Certificate of Consent.**
- 2. That the final certification fee of \$436, payable to the Treasurer, Town of Pelham, be submitted to the Secretary-Treasurer. All costs associated with fulfilling conditions of consent shall be borne by the applicant.**

**This decision is based on the following reasons:**

**The application conforms to the policies of the Town of Pelham Official Plan, Regional Policy Plan and Provincial Policy Statement, and complies with the Town's Zoning By-law.**

- 1. This Decision is rendered having regard to the provisions of Sections 51(24) and 51(25) of the Planning Act, R.S.O., as amended.**
- 2. The Committee of Adjustment considered all written and oral submissions and finds that, subject to the conditions of provisional consent, this application meets Planning Act criteria, is consistent with the Provincial Policy Statement and complies with the Growth Plan, the Niagara Region Official Plan and the Town Official Plan.**

**Carried**

**8.2 B13-2024P - 764 Canboro Road**

**Purpose of the Application**

Application is made for consent to partial discharge of mortgage and consent to convey 1052 square metres of land (Part 1), for the future

construction of a semi-detached dwelling. Part 2 is to be retained for future construction of a semi-detached dwelling.

### **Representation**

The Agent, Todd Barber was present.

### **Correspondence Received**

1. Town of Pelham Planning
2. Town of Pelham Public Works
3. Town of Pelham Building
4. Hydro One
5. Niagara Region
6. Bell Canada
7. Bill and Ann Van Lochem

### **Applicants Comments**

Todd Barber, the Agent, noted that semi-detached homes are a legal conforming use on the property, and his client chose a less dense development option. He also stated that he has no concerns regarding the requests from Bell Canada.

### **Public Comments**

Debbie van Maaren expressed concerns that the development would not blend in with the existing neighbourhood and raised issues related to traffic and safety, noting that some sidewalks slope toward the road.

Brittany Brochu echoed these concerns, including the potential influx of vehicles, and inquired whether the properties were intended for rental or ownership.

Ann VanLochem voiced concern that not all neighbours had received notice of the meeting. She also raised issues about increased traffic and the lack of medians.

S. Leach indicated that notice of the meeting was distributed to residents within a 60-metre radius.

The Chair mentioned that he had no questions regarding the consent and commended the Town for addressing the concerns. Derek Young, Manager of Engineering, noted that the engineering drawings had not yet been reviewed.



A Member inquired whether the Town was prepared to proceed with the proposed detached garage. Shannon Larocque, Manager of Planning, responded that building code requirements must be met before a building permit can be issued. In response to Brittany Brochu's questions, S. Larocque indicated that parking would be accommodated in both the garage and the driveway.

S. Leach read aloud an email from Debbie van Maaren, in which she expressed additional concerns about safety, neighborhood conformity, parking, and water and sewer issues.

S. Leach, Secretary-Treasurer indicated she checked the [clerks@pelham.ca](mailto:clerks@pelham.ca) email address at 5:20 pm and confirmed no e-mails have been received concerning the subject application. S. Leach indicated the public comment portion of the application could be closed. The Committee agreed to close the public portion of the meeting and deliberate.

**Moved By** Colin McCann  
**Seconded By** John Cappa

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

**Carried**

### **Member Comments**

A Member noted that increased traffic is a natural consequence of community growth. While expressing sympathy for concerns about the changing streetscape, the Member pointed out that as development progresses, older homes will inevitably be replaced. The Member also observed that, in addition to the garage, the lot appears to have space for at least three or four vehicles without needing to resort to on-street parking.

D. Young expressed concern about the proposal. S. Larocque explained that a condition for the lot grading and drainage plan was included to give the applicant the opportunity to prepare a proposal for review and approval. T. Barber expressed surprise at the concern, noting that the grading plan had been with the Town for some time.

**Moved By** Colin McCann  
**Seconded By** Don Rodbard

**THAT Application made for consent to partial discharge of mortgage and consent to convey 1052 square metres of land (Part 1), for the future construction of a semi-detached dwelling. Part 2 is to be retained for future construction of a semi-detached dwelling, is hereby: GRANTED;**

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

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

- 1. That the Applicant confirm no existing utilities cross the proposed new property line. Should any services cross this new property line nor rely on adjacent properties.**
- 2. Obtain approval for a Driveway Entrance & Culvert Permit, as applicable, issued through the Public Works department, to Town standards. The applicant shall bear all costs associated with these works.**
- 3. Lots are to be individually serviced with sanitary and water connections and constructed in accordance with Town of Pelham Engineering Standards. Installation of any services will require a Temporary Works Permit obtained through the Public Works Department. These works are to be completed prior to consent and the applicant shall bear all costs associated with these works. Locate cards are to be provided to the Town once works are complete.**
- 4. Submit a comprehensive Lot Grading & Drainage Plan for all parcels demonstrating that the drainage neither relies, nor negatively impacts neighbouring properties, and that all drainage will be contained within the respective lots, to the satisfaction of the Director of Public Works, or designate.**

**To the Satisfaction of the Director of Community Planning & Development**

- 1. Sign the Town of Pelham's standard "Memorandum of Understanding" explaining that development charges and cash-in-lieu of the dedication of land for park purposes are required prior to the issuance of a Building Permit.**

2. That the Owner provide a written agreement that they will grant Bell Canada any easements that may be required, which may include a blanket easement, for communication/telecommunication infrastructure. In the event of any conflict with existing Bell Canada facilities or easements, the Owner shall be responsible for the relocation of such facilities or easements.

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

1. That the Secretary-Treasurer be provided with a registrable legal description of the subject parcel, together with a copy of the deposited reference plan, if applicable, for use in the issuance of the Certificate of Consent.
2. That the final certification fee of \$436, payable to the Treasurer, Town of Pelham, be submitted to the Secretary-Treasurer. All costs associated with fulfilling conditions of consent shall be borne by the applicant.

**This decision is based on the following reasons:**

1. The application conforms to the policies of the Town of Pelham Official Plan, Regional Policy Plan and Provincial Policy Statement, and complies with the Town's Zoning By-law.
2. This Decision is rendered having regard to the provisions of Sections 51(24) and 51(25) of the Planning Act, R.S.O., as amended.
3. The Committee of Adjustment considered all written and oral submissions and finds that, subject to the conditions of provisional consent, this application meets Planning Act criteria, is consistent with the Provincial Policy Statement and complies with the Growth Plan, the Niagara Region Official Plan and the Town Official Plan.
4. The Applicant is aware that, in relation to the Stage 1 and 2 Archaeological Assessment, a formal acceptance letter from the Ministry of Citizenship and Multiculturalism must be circulated to the Niagara Region prior to the issuance of a building permit.

**Carried**

## 9. Applications for Minor Variance (Continued)

### 9.1 A14-2024P - 764 Canboro Road - Part 1

File A14-2024P and A15-2024P were considered concurrently.

#### **Purpose of the Application**

Application A14-2024P is made, to facilitate the construction of a semi-detached dwelling. The applicant seeks relief from the following section(s) of the Zoning By-law: Section 3.28.1(b)(ix) “Second Dwelling Units – Urban Area” – to permit an interior side yard setback for an accessory structure of 0m whereas the By-law requires 1m.

Application A15-2024P is made, to facilitate the construction of a semi-detached dwelling. The applicant seeks relief from the following section(s) of the Zoning By-law: Section 3.28.1(b)(ix) “Second Dwelling Units – Urban Area” – to permit an interior side yard setback for an accessory structure of 0m whereas the By-law requires 1m.

#### **Representation**

The Agent, Todd Barber was present.

#### **Correspondence Received**

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

#### **Applicants Comments**

Todd Barber, the Agent, mentioned that there are large farmhouses in the area and that the second dwelling unit (SDU) was designed to blend in with the existing houses, creating the impression that it is not a semi-detached dwelling. He also noted that a variance is being sought due to a miscommunication with the Planning department, which he believes will ultimately enhance the development.

#### **Public Comments**

Debbie van Maaren sought clarification on whether the proposal includes two or three units. It was clarified that there are currently two units proposed, with the potential for an additional unit, which is not being proposed at this time.

Brittany Brochu expressed concern regarding the concern raised by the Manager of Engineering.

S. Leach, Secretary-Treasurer indicated she checked the [clerks@pelham.ca](mailto:clerks@pelham.ca) email address at 5:48 pm and confirmed no e-mails have been received concerning the subject application. S. Leach indicated the public comment portion of the application could be closed. The Committee agreed to close the public portion of the meeting and deliberate.

**Moved By** Colin McCann  
**Seconded By** John Cappa

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

**Carried**

#### **Member Comments**

A Member inquired whether the driveway allows two cars to pass each other. Todd Barber confirmed that two cars can pass in front of the garage, but not within the single laneway. He also mentioned that he does not anticipate much traffic.

A Member inquired whether the driveway allows two cars to pass each other. Todd Barber confirmed that two cars can pass in front of the garage, but not within the single laneway. He also mentioned that he does not anticipate much traffic.

**Moved By** Colin McCann  
**Seconded By** John Cappa

**THAT Application A14-2024P for relief of Section 3.28.1(b)(ix) “Second Dwelling Units – Urban Area” – to permit an interior side yard setback for an accessory structure of 0m whereas the By-law requires 1m, is hereby: GRANTED;**

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

- 1. The variance is minor in nature as it is anticipated to have negative impacts on the streetscape or adjacent properties. The structure will appear as one building.**
- 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 is not anticipated to result in negative impacts on adjacent properties, will facilitate the construction of a detached garage and SDU on each future lot which is permitted in the zoning by-law, will not alter the function of the subject property, and is not anticipated to alter the streetscape in a significant way.**
5. **This application is granted without prejudice to any other application in the Town of Pelham.**
6. **The Committee of Adjustment considered the written and oral comments and agrees with the minor variance report analysis and recommendation that this application meets the Planning Act tests for minor variance.**

**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.**

**Prior to Building Permit:**

1. **To the Satisfaction of the Director of Community Planning and Development**
  1. **That the approval of the minor variance A14-2024P is subject to Consent File B13/2023P obtaining final approval.**
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.**

**Carried**

**Moved By** Colin McCann  
**Seconded By** John Cappa

**THAT Application A15-2024P for relief of Section 3.28.1(b)(ix) “Second Dwelling Units – Urban Area” – to permit an interior side**

yard setback for an accessory structure of 0m whereas the By-law requires 1m, is hereby: **GRANTED**;

The above decision is based on the following reasons:

1. The variance is minor in nature as it is anticipated to have negative impacts on the streetscape or adjacent properties. The structure will appear as one building.
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 is not anticipated to result in negative impacts on adjacent properties, will facilitate the construction of a detached garage and SDU on each future lot which is permitted in the zoning by-law, will not alter the function of the subject property, and is not anticipated to alter the streetscape in a significant way.
5. This application is granted without prejudice to any other application in the Town of Pelham.
6. The Committee of Adjustment considered the written and oral comments and agrees with the minor variance report analysis and recommendation that this application meets the Planning Act tests for minor variance.

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.

**Prior to Building Permit:**

1. To the Satisfaction of the Director of Community Planning and Development
  1. That the approval of the minor variance A15-2024P is subject to Consent File B13/2023P obtaining final approval.
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.**

**Carried**

**9.2 A15-2024P 764 Canboro Road - Part 2**

File A15-2024P was considered concurrently with file A14-2024P. See file A14-2024P for minutes and decision.

**10. Minutes for Approval**

**Moved By** Colin McCann  
**Seconded By** Don Rodbard

**THAT the Committee of Adjustment minutes dated June 3rd and July 2nd, 2024, be approved.**

**Carried**

**11. Adjournment**

**Moved By** John Cappa  
**Seconded By** Colin McCann

**BE IT RESOLVED THAT this Meeting of the Committee of Adjustment be adjourned until the next regular meeting scheduled for September 3, 2024 at 4:00 p.m.**

**Carried**



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John Cappa, Chair



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Sarah Leach, Secretary-Treasurer



Date: 26 June 2024  
Time: 4:00pm to 5:30pm  
Location: Pelham Town Hall – Council Chambers – 20 Pelham Town Square

Attendance: Brian Baty (Committee Member)  
Frank Adamson (Committee Member)  
Patrick O’Hara (Committee Member)  
Thom Hounsell (Committee Member)  
Diana Huson (Regional Councillor)  
Jason Marr (Director, Public Works)  
Adam Carter (Committee Member)  
Brian Eckhardt (Councillor Ward Two)  
Nicholas Palomba (Engineering Technologist, Public Works)  
Sydney Van Leeuwen (Administrative Assistant, Public Works)

Regrets: Lori Lehne (Committee Member)

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

Chair Baty called meeting at 4:01 pm

**2. Land Recognition Statement**

Chair Baty recited the land recognition statement.

**3. Approval of Agenda**

**Moved by:** Frank Adamson

**Seconded by:** Adam Carter

**BE IT RESOLVED THAT the agenda for the June 26, 2024, regular meeting of the Pelham Active Transportation Committee be adopted.**

**Carried**

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#### **4. Declaration of Pecuniary Interest and General Nature**

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

#### **5. Approval of Minutes**

**Moved by:** Thom Hounsell

**Seconded by:** Adam Carter

**BE IT RESOLVED THAT the minutes of the May 27, 2024, Pelham Active Transportation Committee be approved.**

**Carried**

#### **6. Regular Business**

##### **6.1. Transit Service Enhancements within the Town of Pelham – Sarah Leach, Deputy Clerk**

Sarah Leach spoke to the PATC about the Niagara Regional Transit updates to service and accessibility to Pelham residents.

Councillor Huson spoke about some discussion that was had at a regional level, specifically the concern with youth using public transit. Not enough connection and points of connection, not frequent enough service.

Sarah took feed back from the committee and will share those insights with Councillor Olson. Committee members voiced their concerns and questions regarding these updates and changes the system.

##### **6.2. Committee to Discuss Communication Department Assisting PATC with Banners and Signage**

Brian expressed the need to have the more specific signage for the new bicycle loops to make residents aware of the several locations within Pelham. He would like to see more public communication on the website and throughout Town.

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**Motion:** PATC requests the assistance of the Communication Department to design and order banners and related signage for the three bicycle loops within the Town of Pelham.

**Mover:** Frank Adamson  
**Seconder:** Patrick O'Hara

**Carried**

### **6.3. Canboro Rd – Multiuse Trail Discussion**

Staff discussed the UEM (Urban Environmental Management) Implementation Report that was provided to staff regarding the Multiuse feasibility along Canboro Road. They provided 3 options, and the possibility of this commencing. Staff has a report going to Council on July 10<sup>th</sup> speaking to this report from UEM. The Town has currently applied for a grant for \$50,000 that would assist in covering the cost of the feasibility study. Staff may ask, based on the next Council meeting for a budget item in the 2025 budget in the amount of \$125,000. This is the first step in the process.

**Motion:** PATC would like to move forward with endorsing the feasibility study to ensure there is a connection between Fonthill & Fenwick, specifically on Canboro Rd.

**Mover:** Thom Hounsell  
**Seconder:** Adam Carter

**Carried**

### **6.4. Bicycle Loop Signage**

Previously discussed above.

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## 6.5. Share the Road – Designation Application

Brian Baty is still working on the application and collecting information for the application. He will be also asking for the previous application.

## 6.6. Events

### 6.6.1. Canada Day Parade

The PATC will not be participating in the parade this year, not member availability.

### 6.6.2. Summerfest

The PATC will have a booth at Summerfest on the Saturday, July 20<sup>th</sup>. Committee to use their budget for added expenses as the Summerfest Committee is no longer providing a budget to participating committees.

**Motion:** For the Committee to keep their added expenses to a maximum of \$350.

**Mover:** Frank Adamson  
**Second:** Adam Carter

**Carried**

Committee members to be onsite at 9:00a.m. and to end near 3:00pm – there are about 2-3 Committee members that are available to participate.

## 7. Other Business

### 7.1. Upcoming Agenda Items – Committee Discussion

#### Bicycle Signage

Current signage is confusing, more emphasis on ensuring that the signage makes sense.

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**Action:** For staff to install and purchase more T-bar posts to allow for individual signs be installed (example of this being Maple St & Memorial). Brian is hoping to have a final inspection with staff to ensure that everything is corrected. Jason asked that Brian or Adam let staff know when they are available, and they will tour the loops to ensure that all signage is correct and complete.

### Rumple Strips

Staff are working on installing signage, these are currently on order and the sharrows are to be painted by the fall. Thom mentioned the option of the installing bollards to make drivers appreciate that what appears to be paved shoulder appropriate for cyclists is unusable by cyclists, and this will allow drivers to understand why a cyclist is in the roadway. Committee members suggesting moving all lanes towards the north to allow more shoulder on the south side.

### Pedestrian Friendly Community

The feasibility to make Fonthill a pedestrian friendly community. Potentially making this a local movement. Patrick to share videos and articles with the committee regarding this.

### Start Me Up Niagara

Bike Me Up Niagara – program that asks for volunteers to assist with ensuring bicycles are provided and maintained for those that are in need, asks those who would like to donate used bicycles.

### Old Rail Trail

The potential and the participating parties (Rotary Club) that are interested making this connection. Staff are meeting with the parties and clubs that are interested in making this connection to Thorold.

### Public Outreach

Potentially reaching out to local cycling groups within Pelham. Using the communication platform to generate a survey for the residents of Pelham. Committee would like to ensure that the work they are discussion or wanting to implement are effective to residents of Pelham.

**Action:** Jason to ask Leah if there is a platform that we use for surveys and what the best platform might be to get information to and from residents.

#### Charity Bike Rides

Potentially being able to have the committee talk to those that run these rides. A standardized survey that they could potentially send to all participates of the ride.

**Action:** for Committee to think about survey questions and to provide them to Councillor Huson.

#### **7.2. Next meeting is scheduled for July 24, 2024**

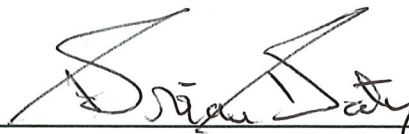
### **8. Adjournment**

**Moved:** Frank Adamson

**Seconded:** Thom Hounsell

**THAT this Regular Meeting of the Pelham Active Transportation Committee be adjourned at 5:26 p.m.**

**Carried**



**Chair, Brian Baty**



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**Administrative Assistant, Sydney Van Leeuwen**

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Date: 28 August 2024  
Time: 4:00pm to 5:30pm  
Location: Meridian Community Centre – 100 Meridian Way – Main Floor Meeting Room

Attendance: Lori Lehne (Committee Member)  
Frank Adamson (Committee Member)  
Thom Hounsell (Committee Member)  
Diana Huson (Regional Councillor)  
Adam Carter (Committee Member)  
Brian Eckhardt (Councillor Ward Two)  
Nicholas Palomba (Engineering Technologist, Public Works)  
Brian Baty (Committee Chair)  
Sydney Van Leeuwen (Administrative Assistant, Public Works)

Regrets: Jason Marr (Director, Public Works)  
Patrick O’Hara (Committee Member)

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

Chair Baty called meeting at 4:09 pm

**2. Land Recognition Statement**

Chair Baty recited the land recognition statement.

**3. Approval of Agenda**

**Moved by:** Adam Carter  
**Seconded by:** Frank Adamson

**BE IT RESOLVED THAT the agenda for the August 28, 2024, regular meeting of the Pelham Active Transportation Committee be adopted.**

**Carried**



#### 4. Declaration of Pecuniary Interest and General Nature

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

#### 5. Approval of Minutes

**Moved by:** Lori Lehne

**Seconded by:** Thom Hounsell

**BE IT RESOLVED THAT the minutes of the June 26, 2024, Pelham Active Transportation Committee be approved.**

**Carried**

#### 6. Regular Business

##### 6.1. Fonthill Spurline Rail Trail Project – Frank Adamson on behalf of Bruce Timms

Frank Adamson and Bruce Timms met with Nicholas Palomba and Jason Marr regarding the Spurline Rial Trail. During their meeting, they discussed the possible action to take to accommodate the municipalities involved.

Frank Adamson recently spoke with Tom Rankin and asked if his team would be interested in a project such as this one and Tom Rankin mentioned that this would be of interest to them. Frank Adamson spoke regarding retaining grants, and potentially the Trillium organization would provide grant funding. Since the base is already in place, the addition of new paving would be possible.

Frank Adamson mentioned to the committee that there are 5 rotary clubs that have interest, Welland, Pelham and three in St. Catharines.

Nick spoke regarding the budget, and he does not believe there is a budget for this location right now. He does have a quote for one portion of the trail, for approx. \$80,000 (Lumber Yard to Hurricane). Currently, there is no budget for the remaining trail length.

Frank states that there seems to be an interest from the City of Thorold, just a matter of when they would continue the trail and grant availability.

Brian spoke to how Thorold is interested in creating a trail that connects Merrittville to Brock University area.

Frank will make a plan to meet with Bruce Timms and discuss what next steps they may be interested in.

**Motion:** Pelham Active Transportation Committee to seek assistance from the Town Grant Specialist with researching and submitting a grant related to Spurline Rail Trail (Steve Bauer) improvements.

**Mover:** Adam Carter

**Seconder:** Frank Adamson

**Carried**

## **6.2. PATC Banners – Discussion**

Increase Pelham Branding on the banner that only states pelham once.

Committee discussed updating possible things on the

**Action:** For Adam to write up each loop details that can be added to the website for more specifics of each loop.

The committee over all likes the banners and chose the one that matches the website branding best. They would like to move forward with this.

Next meeting, we will discuss the details and move a motion to order the banners for the 2025 event and festival season.

### 6.3. Bicycle Signage

Committee members noticed that there are some signs missing (stolen). Adam has been regularly riding the loops and have noticed that there are several locations that have signage behind tree leaves and too far back from the roadway.

Committee would like to meet with Jason/Ryan to drive through the loops to confirm signage locations as many have not ridden the loops have determined difficulty of locating specific signage.

Some signage adjustments can be made on existing signs (stop signs) for better visibility. Increasing the height and lowering the height to make them all the same height and consistent throughout all the loops. There are some intersections that do not have signage.

Brian suggested that the PW staff do monthly inventory or signage checks through the warmer months to ensure signage is present. Councillor Eckert mentioned that there is staff that are out regularly to ensure sightlines are good, however staff does appreciate being notified of issues.

Brian would like to see larger signage at both parks to indicate where in the specific loop you are in and where a specific location is directionally. Have a street sign at the top of the stop sign with loops indicate loop locations.

There are specific locations where Brian would like to see these installed at both park entrances and branches within the trails.

**Action:** For Brian to submit Nick a list of locations and names for the requested signage where there are changes in the loop (switching from one loop to another or changing direction).

**Action:** For Nick to confirm what specific signage would come out of the PATC budget vs. Town operating budget.

**Action:** For staff to investigate the cost of the requested name signage and replacement of arrow signage.

Committee members suggested creating a master list of where all the signage is located and easily notified if something is missing. Lori suggested that the committee members do this check annually to ensure that the signage is correct and present.

Signage along the trails indicating where they are to come off the trail system.

Online map and signage are not communicating.

Website needs to be updated to communicate accurate information – regularly update this page where necessary.

Action: Brian to sit down with Ryan to ensure all information is correct.

#### **6.4. Summerfest Update**

Committee members mentioned that all maps and information are very outdated that need to be updated for next year and the next season of markets and fests.

There were a lot of questions about connecting to neighbouring municipalities. More explanation or maps showing these connections.

A suggestion would be to have something printable that is similar to what we have on the website.

Future Summer Fest Price Ideas: Lighting (visibility lights) when riding use this as a prize for the future.

### **7. Other Business**

#### **7.1. Upcoming Agenda Items – Committee Discussion**

NPCA update: Councillor Huson is no longer on the board for the NPCA and she is unable to update the committee on ongoing projects. The 12-mile creek restoration is being handled through

the NPCA and the Town is committed to the project for \$100,000k.

**Action:** Frank to give an update to the committee regarding the Lathrop property and the trail systems within the property.

Effingham St Speeding Reduction Request to lower from 80km to 60km. Councillor Huson to confirm with the Niagara Region

The Big Move is happening the coming September that will be taking place throughout Pelham.

Action: Staff to investigate the cost of purchasing and installing "Share the Road" signage and if there are specific regulations that are required for installing these.

Nick spoke to how the share the roads signs are more so warning signs and there is availability to install these virtually anywhere.

Bike Repair Stations – where are these being installed are they to be installed at the MCC & TH.

**Action:** Nick to confirm with Ryan about the locations of these being installed.

Councillor Eckhardt spoke regarding the Policing enforcement has picked up in the Pelham area to ensure there is more safety in the area.

## **7.2. Next meeting is scheduled for September 25, 2024**

## **8. Adjournment**

**Moved:** Frank Adamson

**Seconded:** Thom Hounsell

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**THAT this Regular Meeting of the Pelham Active Transportation  
Committee be adjourned at 5:42 p.m.**

**Carried**

  
\_\_\_\_\_  
**Chair, Brian Baty**

  
\_\_\_\_\_  
**Administrative Assistant, Sydney Van Leeuwen**

**Date:** 10, September, 2024  
**Time:** 9:00 a.m.  
**Location:** Council Chambers, Town Hall

**Attendance:** Wayne Olson, Councillor (part time left at 10:20 am)  
John Wink, Councillor  
Brian Eckhardt, Councillor  
Michael Cottenden, Member  
Bill Crumm, Chair

**Staff Present:** David Cribbs, CAO  
Teresa Quinlin-Murphy, Director of Corporate Services & Treasurer  
Usama Seraj, Manager of Financial Services & Deputy Treasurer  
Andrea Metler, Secretary

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

Noting that quorum was present, Chair Bill Crumm called the meeting to order at approximately 9:00 a.m.

## **2. Land Recognition Statement**

The Chair Bill Crumm recited the land recognition statement.

We begin this meeting by acknowledging the land on which we gather is the traditional territory of the Haudenosaunee and Anishinaabe peoples, many of whom continue to live and work here today. This territory is covered by the Upper Canada Treaties and is within the land protected by the Dish With One Spoon Wampum agreement. Today this gathering place is home to many First Nations, Metis, and Inuit peoples and

acknowledging reminds us that our great standard of living is directly related to the resources and friendship of Indigenous people.

### **3. Approval of Agenda**

**Moved by** Member Michael Cottenden  
**Seconded by** Councillor John Wink

**THAT the agenda for the September 10, 2024 regular meeting of the Pelham Finance and Audit Committee be adopted.**

**Carried**

### **4. Declaration of Pecuniary Interest and General Nature**

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

### **5. Approval of Minutes**

The Committee approved the minutes from the May 22, 2024 Pelham Finance and Audit Committee meeting.

**Moved by** Councillor Wayne Olsen  
**Seconded by** Councillor Brian Eckhardt

**THAT the minutes of the May 22, 2024 Pelham Finance and Audit Committee meeting be approved.**

**Carried**

### **6. Unfinished Business**

#### **6.1. Different Rate Structures for Water**

Addressed prior to meeting.



## **6.2. PFAC Committee Workplan**

Addressed prior to meeting.

## **7. Regular Business**

### **7.1. Power Point Presentation**

The Treasurer provided an outlined to the Pelham Finance and Audit Committee (PFAC) that the key agenda item for this meeting was the 10-Year Capital Plan and the funding sources for the 10-Year Plan. The Treasurer explained further to the Committee that staff began working on the 10-Year Plan in February and the planning for this was a well represented team consisting of the Senior Leadership Team and key Managers from the Finance, Public Works and Planning Departments and the Fire and Recreation, Culture and Wellness Departments were brought in when it pertained to their section. The Treasurer mentioned how pleased she was that staff were able to spend three (3) to four (4) months meeting to determine the 2025 projects, and the projects for the next Five (5) and ten (10) years. The 10-Year Capital Plan was brought to Council on May 10, 2024 for information only and then staff had to determine the funding sources for these projects. At the same time, the Development Charges background study was being updated and once there was a good draft, staff was able to first fund projects with the Development Revenues then with the grants and reserves and whatever was left over was debt. The Treasurer noted that staff discovered from the original list that went to Council that there were too many projects to be funded and the Town of Pelham would have to take out a lot of debt in order to fund all of these projects. The Deputy Treasurer will show through a power point presentation this process and will provide the complete list of the 10-Year Capital Plan and the Updated Cash Management and Debt Policy.

A Member asked for the order of funding for projects to be repeated and the Treasurer responded with DC revenues and grants, then reserves and debt. The member further asked about the assumptions around grants. The Treasurer noted that there are two (2) main grants that the Town receives annually. The first one is the OCCIF Grant and the Canada Community Benefits Grant. The Town receives approximately \$ 750,000 from one and \$550,000 from the other. These are known grants and any

projects for example the swimming pool that has already been approved for \$2.3 million dollars, then these approved grants are included in the 10-year plan. There are some red circled grant projects for example the library. The Treasurer noted that these projects do not move forward until the grant money is approved. With the DC revenue, staff had to look at the reserves, and the Development Charges (DC) Debt. If there is DC revenue there may not be enough collected in the year to cover the projects funded by the DC revenue so DC debt will be taken out. The Treasurer explained that there are two (2) types of debt, DC debt and tax debt.

A Member asked the question about the DC funding source, as to whether the developers typically pay afterwards which is why the Town has to take out the DC debt. The Treasurer responded yes, it is when the DC Revenue is collected, when the developer takes out the building permit at the time they are developing. The issue the Town has is that there are approved plans of subdivisions that right now the developers are not taking out the building permits, but the subdivisions have been approved by Council to move forward. The issue the Town has is that the numbers that staff have supports the growth but the developers are not ready to take out the permits yet. A Member questioned asked if the DC debt was short term debt financing through the bank or is the DC debt through debentures? The Treasurer responded Debentures.

The CAO commented that there is an alternative model. The Town has a subdivision by the Meridian Community Centre (MCC) and the developer is building the roads for the Town and the developer will get paid back by the DC. This is one instance where the Town does not have to come up with the money or the work, but supervises it. That happens in large projects and is more common in big cities and uncommon in smaller communities like the Town of Pelham because the Town does not have the financial heft for this. The Town is very interested in pursuing this alternative model more frequently in the future, the developer is the one taking on the risk or bridge financing.

The Deputy Treasurer provided an overview of the the 10-Year Capital Plan with Funding Sources, the Debt and Reserves Forecast, and the Debt Policy and Reserve Policy Update.

Due to funding constraints, \$22.9 million of DC funded projects were pushed out of the 10-Year forecast so they are still within the DC Study time period but outside of the 10-Year Forecast. The reason being, affordability, in terms of if there is a slow forecast of growth, the Town does not want to build all these roads and take on additional debt and then if the growth does not come then the Town does not collect the DC and staff want to be mindful of that. The Treasurer commented that those are the East Fenwick projects that are being pushed off a year. If the developers are really keen to develop East Fenwick, then that is one that they can upfront the DC expenses.

The Deputy Treasurer noted that this is the final draft format of the 10-Year Capital Forecast and staff are still fine tuning it and there may be a few items updated before it goes to Council in the fall.

A Committee Member questioned that with the total funding for the next ten (10) years from development charges being \$23.6 million did the Deputy Treasurer have a sense of what the concern was from developers in regards to the \$106 million. The Deputy Treasurer responded that the DC Study looks at the time period up until 2050, so the forecast is a longer time period. We moved out \$22.9 million worth of DC projects that are part of that \$106 million that they are quoting, but it does not change the DC study because for the study the time period they look at is much longer than the 10-Year Forecast that staff look at.

A Member asked the Deputy Treasurer to highlight what projects require a high debt over the next four years. The Deputy Treasurer outlined the following projects budgeted amounts and years; \$6,128,600 in 2026 for Fire Station 1, \$5.3 million in 2027 for road reconstruction for Pancake Lane; \$2 million for the property acquisition for the Public Works facility in 2028 and the following year the \$2,968,000 is for the construction of that facility and the balance in 2028 is for road reconstruction for College and Emmitt Street. The Treasurer pointed out that staff had to go through the list of projects and with the limited resources in Public Works, had to look at what they could handle, it was a very complicated exercise to balance everything and as the CAO mentioned, also align with what the Region was doing with some of these projects.

The Treasurer noted that it is a 2% annual increase for the reserves from the tax levy and this is consistent with what the other municipalities are doing as well.

A Member commented that these are worst case scenarios because looking at some of the roads, the Town is not projecting grants for some of these and if looking at water and wastewater that is being done around Daleview. A lot of that money came from federal grants for some projects. For example, Station Street, College and Emmitt Street, the Town could get some funding from some of the levels of government. The Treasurer commented that last year for Church Street, the Town received over \$660,000 from the Region, which was not in the original budget and the Town applied and met the qualifications for that and she noted that this is a conservative approach.

The Deputy Treasurer pointed out that in terms of debt, staff have done a good job trying to avoid any new debt whether tax or non-tax funded in the last few years and revenues grow every year so the percentage is starting to come down as the Town's debt is being paid off. Staff always provide an updated ARL because this number runs two (2) years behind from the Ministry, so staff always do a projection in each budgeted year. The projected amount for 2025 is \$2.8 million or 9.52% which shows that the Town is heading in the right direction. The Treasurer noted that best practice in the province is to be below 10%. The Treasurer further commented that in 2017, the Town was at around 15% and the plan was heading towards 20%, and she is very pleased that it has come down to where it is today.

The Treasurer noted to the Committee that the reason for the Fire Station 1 and Public Works facility depicted in the purple line on the chart is to show that the Town has existing debt and as the debt comes due, the Town will have enough money in the debt reduction reserve to fund that without increasing the tax levy, this reserve was so critical to help with future debt.

A Member asked the question about what happens if the library does not meet the accessibility requirements at the end of 2025 if the renovations are not done. The CAO responded that the Ontario Government will be building in an enforcement mechanism. The Town has obtained some recent grants and now has money to pay for the shelves to make them accessible. There are three key accessibility pieces that the library needs, better shelves, better bathrooms and an elevator or lift. The Town received a grant from OTF for \$200,000 to fund two-thirds of the shelving costs which is \$300,000 and the other \$100,000 is coming out of the reserves.

A Member questioned how good the assumption of the 3% increase was. The Treasurer responded that the taxes would increase 3% every year and that is what the assumption is based on to cover inflation and salary increases.

A Member asked the Deputy Treasurer about using reserves to fund capital, and whether it can be assumed that staff excluded this debt repayment reserve so it is an operating relief reserve that it is used for and the Deputy Treasurer responded yes, that it is a debt stabilization reserve. The Treasurer commented that if the Town did not have this reserve, then when the debt comes off from when projects are paid off, it will offset the increase of the tax levy because now the Town will have a savings and when the debt is taken out, the Town would have a huge hit so this really helps to smooth it out so there are no peaks and valleys especially related to debt.

The Development Charges (DC) Open house was held August 27<sup>th</sup> and to summarize one of the main concerns that the developers had was that they were looking at the forecast and there was \$160 million expenditures projected in the DC Study and they were concerned that the rates are based on the Town anticipating building 169 units of housing each year for the next ten (10) years and \$160 million divided by the number of housing units over ten (10) years and this is how much the Town will need to collect in development charges per unit of housing. The developer's concern is that there is a slow down in demand for housing or prices have come down significantly from where they have peaked and the developers are concerned that they will be on the hook for the \$160 million expenditures but the revenues will not be there for them to pay that. Staff mentioned to the Developers at the Open House similar to our 10-Year Capital Plan that the amount of \$160 million is forecasted and is dependent upon a number of things. The CAO had mentioned earlier in the meeting different agreements about front loading with the developers and about some other strategic partnerships. The Deputy Treasurer commented that there was a lot of good discussion at the open house and the developers seemed willing to work with the Town.

A Member commented that they were in attendance at the open house and are in agreement with the Deputy Treasurer's summary of the open house. The Member further commented that when the Consultant brought up the different partnerships and that there was nothing stopping the developers from putting in the infrastructure to start right away, the Member noticed that this seemed to be new information for some of the developers and for

the Member as well. The Member felt that this is a good idea and maybe word will spread.

The Treasurer highlighted to the Committee that the amended DC Background Study will be brought to the October 2<sup>nd</sup> Council meeting and the updated one will be posting to the Public two weeks prior. The Consultants for the Town are in the process of updating it and hopefully it will pass on October 2<sup>nd</sup> and the Town will be able to start charging the higher fees.

A Member asked if there are any restrictions on what the Town can do for the settlement of these development charges when they pay it back or how the Town pays it back, as to whether it can be modified in any way or is that called bonusing? The Treasurer responded that how some municipalities do it, is when they collect the DC revenue that is when they can give it back to the developers. Right now the Town takes on the risk for a project and takes out a debt then the Town has to wait till the revenue comes in to replenish the reserve but if the Developers upfront the infrastructure then when the Town collects the DC revenue, the developers have to wait for however long it takes for the development, that is how the Town pays them back, it is not bonusing it aligns with how the collection happens.

The challenges being faced by the Region is their debt burden is expected to double over the next five (5) years. It is not only the Region's own debt but also the debt they need to take out on behalf of the other municipalities, this is a cause for concern. The rating agency has raised some concerns about the Region's debt burden and as of last fall they did not change or lower the Region's rating but through discussions they are keeping an eye on the Region's forecast to see how it changes and how the debt burden evolves over the next few years. The Region is looking to see if they can get a second rating from a different agency which would allow them to open up to other investors because there are a lot of investors in capital markets that would require two (2) ratings and that would come at a cost and it is up to the Region to see if they will approve that or not. Another key challenge is infrastructure Ontario debt is subject to what they call the sector limit and it is \$623 million for the Region and there is only about \$55 million of room left to borrow from Infrastructure Ontario (IO). The Region has about \$20 million of room that frees up each year as their debt expires but this is where it stands right now. The Town is competing with ten (10) other municipalities to see whose debt fits best with what the IO offers and it is always the cheapest and best option for the Town and because of the sector

limit it may not always be the case and the Town may have to go through capital markets which are more complicated and can be more costly. Another challenge is the annual repayment limit and other affordability considerations and any municipality that takes out debt has to keep those two things in mind. A Member asked that with the Town's projections, are staff projecting utilizing debentures in certain years but there may be that possibility that they can not access those debentures? The CAO responded that the Town may be forced to borrow from a bank rather than from Infrastructure Ontario. The Member asked how typical is it for a municipality to go to a bank for financing for 20 years? The CAO responded that it did happen with a couple of Municipalities, for example Norfolk and Lampton. In the municipal world IO is the best option and municipalities will be competing for low interest debt. A Member asked the Deputy Treasurer that when introducing the possible debt to be around fifteen (15) years, is this not contrary to when the IO debt is best used for twenty (20) year terms, and how does that factor. The Treasurer commented that most of our debt is at fifteen (15) years. The Deputy Treasurer noted that the Fire Station 1 and the Public Works facility, are both forecasted for 20 years because they are facilities, both would qualify for what the Region is trying to do. The Treasurer noted that for the debt policy it is critical for the Town to be pushing towards being below the 10% because out of thirteen (13) municipalities, only two are over the 10% and many are under 5%. The Debt Policy update will be going to Council on October 2, 2024.

A Member suggested that what might be helpful to Council when bringing this plan forward is aligning it with the assumptions made and the impact on the tax levy. It came up a couple of times with the assumption of the 2% increase associated to the reserves and also the 3% operating and any other assumptions made. With the establishment of the Debt Reserve Policy there should not be any tax increases associated with the assumption of the new debt because based on it being in a surplus position over the 10-Year outlook and all new debt taken out should be fully funded through the established reserve. The Treasurer responded that there is not enough money. Deputy Treasurer commented that by the end of 2033, the expired debt payments from the operating budget that are built in are about \$1,227,611 which is what is contributed every year from the expired debt payments and what is needed to be funded is \$1,155,000 just for the two facilities. The difference is only about \$100,000 and that is all that continues to be funded for a new project. It shows a surplus because the Town had some debt payments that expired from 2024 - 2027 where there was no

new debt and it builds up a one time surplus in the reserve fund but then as the surplus is eaten through by new debt that comes on then on an annually basis contributing \$1.2 million to the reserve fund and taking \$1.15 million. The Treasurer clarified that what the Member is saying is that the Town is carrying forward \$1.2 million and the Member commented that this could be used to offset other debt repayments or show it as an impact on the tax levy not related to the two big projects. An important element is how much the taxes are going to go up to sustain the plan that staff is presenting to Council.

A Member noted that a good news story to showcase to the Public is that the exercise that the Town went through to scale back the Capital Plan from \$184 million shared by the media back in May to \$146 million which is now being brought forth to Council with a \$40 million reduction to the Capital Plan. The Member further mentioned that getting the Capital Plan down from \$184 million to \$146 million that capacity was a factor and highlighted in one of the power point slides and when staff looked at the capital and the debt there were approximately \$5 million of capital approved projects prior to 2023. Is the Town looking at why those projects have not come to fruition, there seems to be a lag. The Treasurer responded that it is just the timing of them. The CAO commented that staff have self assessed that this in an area for opportunity for improvement.

**Moved by**                      **Councillor John Wink**  
**Seconded by**                **Member Michael Cottenden**

**THAT the Committee received the Power Point Presentation for information.**

**Carried**

## **7.2. 10-Year Capital Plan with Funding Sources**

**Moved by**                      Councillor Brian Eckhardt  
**Seconded by**                Member Michael Cottenden



**THAT the Committee received the 10-Year Capital Plan with Funding Source for information.**

**Carried**

### **7.3. Updated Cash Management and Debt Policy**

Through discussion the Pelham Finance and Audit Committee was in agreement to recommend the updated Cash Management and Debt Policy.

**Moved by** Councillor John Wink  
**Seconded by** Member Michael Cottenden

**THAT the Committee recommends the Updated Cash Management and Debt Policy.**

**Carried**

### **7.4. Vacant Pelham Finance and Audit Committee Position**

The committee discussed the vacant position created from Caroline Mann resigning from the Pelham Finance and Audit Committee in August 2024. Recommendation that two external CPA members be selected since the two current external members are completing their 5<sup>th</sup> year on this committee.

## **8. Adjournment**

**Moved by** Member Michael Cottenden  
**Seconded by** Councillor Brian Eckhardt

**THAT this Regular Meeting of the Pelham Finance and Audit Committee be adjourned at 10:32 a.m.**

**Carried**

*Bill Crumm*

Bill Crumm (Oct 4, 2024 15:34 EDT)

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**Chair, Bill Crumm**

*Andrea Metler*

**Andrea Metler, Administrative Assistant, Corporate Services**

**Subject:** Proposed 2025 Council Meeting Schedule

**Recommendation:**

**BE IT RESOLVED THAT Council receive Report #2024-0185 Proposed 2025 Council Meeting Schedule, for information;**

**AND THAT the 2025 Council Meeting Schedule as appended to this report be approved;**

**AND THAT Council direct Staff to publish the 2025 Council Meeting Schedule to the Town of Pelham website;**

**AND THAT Council direct the Town Clerk to prepare the necessary amendments to the procedural by-law, reducing the number of regular Council meetings in July and August from three to two, while scheduling no meetings during March Break, and eliminate the first regular meeting of Council in April, and present it to Council at the next regular meeting.**

**Background:**

The Town of Pelham's Procedural By-law 4507(2022) establishes the framework for the Council Meeting Schedule. According to this By-law, regular meetings of Council are scheduled for the first and third Wednesday of each month, with an additional meeting on the second Wednesday for Public Meetings under the *Planning Act*.

On May 29, 2024, Council approved the 2025 Budget Meeting Schedule, which has been incorporated into the draft schedule. The proposed meeting schedule for the upcoming year has been crafted to accommodate statutory holidays, world religious holidays, major municipal conferences and other significant events.

**Analysis:**

While the proposed meeting schedule has been crafted in accordance with the Procedural By-law, staff acknowledge that Council implemented significant changes to the schedule in 2024. These changes proved to be advantageous, and staff

believe it may be worthwhile to carry them forward into the 2025 meeting schedule.

Staff propose scheduling the March Public Meeting under the *Planning Act* on the third Wednesday, with the second regular meeting of Council rescheduled to the fourth Wednesday, to accommodate March Break (March 10<sup>th</sup> to 14<sup>th</sup>). Should Council adopt this approach, Council could consider cancelling the first regular meeting of Council in April to avoid consecutive meetings, consistent with their decision in 2024. Senior Town leadership is of the opinion that this adjustment did not adversely impact corporate business in 2024.

Section 45 of Procedural By-law 4507(2022) outlines the default summer recess schedule, consisting of three regular Council meetings in July and August. However, staff propose reducing this to two summer meetings—one in July and one in August—with a Public Meeting under the *Planning Act* tentatively scheduled for each month. As a trial, this amendment was successfully implemented in 2024 without disrupting corporate business. Furthermore, should a time-sensitive matter arise, the Mayor has the capacity to call a Special Meeting.

For clarity, the proposed amendments are detailed below.

#### **Financial Considerations:**

Adopting the 2025 Council Meeting Schedule does not have a direct financial impact.

#### **Alternatives Reviewed:**

The following alternatives may be considered, with options that can be combined if desired:

##### Option One: Two Summer Meetings

Amend the appended schedule to remove one regular meeting of Council during the summer. Staff recommend removing the meeting scheduled for July 23, 2025. This adjustment would result in one regular meeting of Council in July and one in August.

##### Option Two: March Break

Amend the appended schedule to accommodate March Break by postponing the Public Meeting under the *Planning Act* and the Regular Council meeting by one week.

##### Option Three: Cancellation of First Regular Meeting in April

If Council adopts Option Two, and to prevent consecutive meetings, amend the schedule to cancel the first regular meeting of Council in April, originally scheduled for April 2, 2025.

Should Council wish to amend the schedule to incorporate Option One, Option Two, Option Three, or a combination thereof, Council may pass a motion to approve the appended schedule as amended. Procedurally, this approval would serve as a one-time decision. Therefore, staff recommends that Council direct a procedural by-law amendment to recognize these changes going forward, allowing the Clerk's office to prepare and present the Council Schedule inclusive of such amendments. Approval of this report will serve as public notice of the Town's intention to amend the Procedural By-law accordingly.

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

Developing a meeting schedule in advance of the calendar year allows for the publication of scheduled meetings on the Town's website, increasing initiatives in transparency, communication, and community engagement.

**Consultation:**

None.

**Other Pertinent Reports/Attachments:**

Proposed 2025 Council Meeting Schedule.

**Prepared and Recommended by:**

Sarah Leach, BA  
Acting Town Clerk

**Prepared and Submitted by:**

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

All Regular Meetings of Council, unless otherwise posted: 9:00 am

All Public Meetings under the *Planning Act*, unless otherwise posted: 5:30 pm

All meeting agendas, minutes and video are posted to the Council Calendar. All meetings are livestreamed on the Town of Pelham YouTube Channel.

<b>Date and Time</b>	<b>Purpose of Meeting</b>
<b>January</b>	
Wednesday, January 15, 2025	Council
<i>Note: Rural Ontario Municipal Association ('ROMA') Conference (Jan 19-21)</i>	
Wednesday, January 22, 2025	Public Meeting Under the <i>Planning Act</i> (if required)
Wednesday, January 29, 2025	Council *Draft Water and Wastewater Budgets available for Council and Pelham Finance & Audit Committee Review*
<b>February</b>	
Wednesday, February 5, 2025	Council *Water and Wastewater Budgets Special Meeting Presentation at COW as part of Regular Council*
Wednesday, February 12, 2025	Public Meeting Under the <i>Planning Act</i> (if required)
Wednesday, February 19, 2025	Council *Water and Wastewater Budget consideration for Council approval*
<b>March</b>	
Wednesday, March 5, 2025	Council
Wednesday, March 19, 2025 * March Break: March 10-14, 2025	Public Meeting Under the <i>Planning Act</i> (if required)
Wednesday, March 26, 2025	Council
<b>April</b>	
Wednesday, April 2, 2025	Council
Wednesday, April 9, 2025	Public Meeting Under the <i>Planning Act</i> (if required)
Wednesday, April 16, 2025	Council
<b>May</b>	
Wednesday, May 7, 2025	Council
Wednesday, May 14, 2025	Public Meeting Under the <i>Planning Act</i> (if required)
Wednesday, May 21, 2025	Council
<i>Note: Canadian Association of Municipal Administrators ('CAMA') Conference (May 26-28, 2025) Federation of Canadian Municipalities ('FCM') Conference (May 29-June 1, 2025)</i>	
<b>June</b>	
Wednesday, June 4, 2025	Council
<i>Note: Association of Municipal Managers, Clerks and Treasurers of Ontario ('AMCTO') Conference (June 8-11)</i>	
Wednesday, June 11, 2025	Public Meeting Under the <i>Planning Act</i> (if required)
Wednesday, June 18, 2025	Council
<b>July</b>	
Wednesday, July 2, 2025	Council
Wednesday, July 9, 2025	Public Meeting Under the <i>Planning Act</i> (if required)

All Regular Meetings of Council, unless otherwise posted: 9:00 am

All Public Meetings under the *Planning Act*, unless otherwise posted: 5:30 pm

All meeting agendas, minutes and video are posted to the Council Calendar. All meetings are livestreamed on the Town of Pelham YouTube Channel.

Wednesday, July 23, 2025	Council
<b>August</b>	
Wednesday, August 6, 2025	Council
Note: Association of Municipalities of Ontario ('AMO') Conference (TBD)	
Wednesday, August 13, 2025	Public Meeting Under the <i>Planning Act</i> (if required)
<b>September</b>	
Wednesday, September 3, 2025	Council
Wednesday, September 10, 2025	Public Meeting Under the <i>Planning Act</i> (if required)
Wednesday, September 17, 2025	Council
<b>October</b>	
Wednesday, October 1, 2025	Council
Wednesday, October 8, 2025	Public Meeting Under the <i>Planning Act</i> (if required)
Wednesday, October 15, 2025	Council
<b>November</b>	
Wednesday, November 5, 2025	Council
Wednesday, November 12, 2025	Public Meeting Under the <i>Planning Act</i> (if required)
Wednesday, November 19, 2025	Council
<b>December</b>	
Wednesday, December 2, 2025	Council
Wednesday, December 10, 2025	Public Meeting Under the <i>Planning Act</i> (if required)
Wednesday, December 17, 2025	Council

All meeting times are in accordance with Procedural By-law No. 4507(2022), as amended.

Holiday closures on the following page.

All Regular Meetings of Council, unless otherwise posted: 9:00 am

All Public Meetings under the *Planning Act*, unless otherwise posted: 5:30 pm

All meeting agendas, minutes and video are posted to the Council Calendar. All meetings are livestreamed on the Town of Pelham YouTube Channel.

The Town of Pelham municipal buildings will be closed in observation of the following holidays:

Wednesday, January 1, 2025	New Year's Day
Monday, February 17, 2025	Family Day
Friday, April 18, 2025	Good Friday
Monday, April 21, 2025	Easter Monday
Monday, May 19, 2025	Victoria Day
Tuesday, July 1, 2025	Canada Day
Monday, August 4, 2025	Civic Holiday
Monday, September 1, 2025	Labour Day
Monday, October 13, 2025	Thanksgiving
Tuesday, November 11, 2025	Remembrance Day
Wednesday, December 24, 2025 • Recognized ½ day	Christmas Eve
Thursday, December 25, 2025	Christmas Day
Friday, December 26, 2025	Boxing Day
Wednesday, December 31, 2025 • Recognized ½ day	New Year's Eve



**Subject:** Status of Fees and Charges Update**Recommendation:**

**THAT Council receive Report #2024-0227 – Status of Fees and Charges Update, for information;**

**AND THAT Council direct staff, following completion of the fee review by Watson & Associates Economists Ltd., to provide a further report making recommendations for fees and charges to be imposed by the Town.**

**Background:**

The Fees and Charges By-law is reviewed annually by staff and updated as necessary to ensure that amounts charged by the Town are appropriate. In addition, the Town has retained Watson & Associates Economists Ltd. to review Recreation, Planning and Engineering fees. That review is expected to be completed by the end of the year for Recreation and in the first quarter of 2025 for Planning and Engineering. In the interim, this report will provide an update on staff work in this area.

**Analysis:**

The Town has authority to impose fees and charges for services or activities it provides and for the use of Town property. The annual User Fees and Charges guide sets out the fees charged by Town departments for various services, which generally reflect administrative and financial costs incurred by the Town to provide them.

The Community Planning & Development Services department fee schedule includes items such as development, official plan, zoning by-law, site plan and subdivision applications and various building permits. The Public Works department fee schedule includes engineering items such as culverts, various permit reviews and development inspections. Per recent legislation changes Watson & Associates are completing a time study and fee review for performing engineering intake and reviews for Consolidated Linear Infrastructure and Environmental Compliance approvals. These submissions are related to engineering approvals for new development applications specifically related to water and wastewater connections and infrastructure.

As noted above, Watson & Associates is currently reviewing Planning and Engineering fees and charges. This detailed review is taking some time to complete as it includes time and resources for each development application and permit. The full review of the Community Planning & Development Services and Public Works fee schedules will be completed in the first quarter of 2025. Only minor changes in these fees and charges will be included in the 2025 User Fees and Charges By-law coming to Council for approval on December 18, 2024.

In addition, Public Works staff have recently completed an analysis of the Town's rates for cemetery operations. Research results suggest that the Town is undervaluing the fees for these services resulting in less than full cost recovery. Public Works staff are preparing a report for Council's consideration regarding the current rates and new proposed rates. It is anticipated that this report will appear on a November agenda.

The Fire & By-law Services department fee schedule includes items such as fire route applications, fire inspections, burn and fireworks permits, and fire department calls to emergency situations. For motor vehicle collision attendance, fees are generally based on rates set by the provincial Ministry of Transportation (MTO). The MTO has not yet published its rates for 2025, but they will be referenced by the Town when available.

All other departments have reviewed their fee schedules and have provided input on any changes to be presented to Council for consideration in due course.

One further item that Council may wish to consider is whether the Town should have different rates for residents and non-residents. This would apply primarily to activity rates charged by the Recreation, Culture and Wellness department, although it could also apply to cemetery fees and emergency response fees.

The Town has legal authority to pass a fees and charges by-law that differentiates on any basis the Town considers appropriate, provided that the by-law is not discriminatory under the *Canadian Charter of Rights and Freedoms* or the *Ontario Human Rights Code*. Prohibited grounds of discrimination include citizenship and place of origin. However, neither of these is the same as place of residence, which is not a prohibited ground of discrimination. As a result, the Town is able to impose different fees on residents and non-residents for services provided by the Town or the use of Town property, although in all circumstances there must be a reasonable connection between the cost of the service provided and the amount charged by the Town.

Should Council wish to explore the possibility of resident and non-resident rates, staff will include further information and recommendations in the report to be provided after the Watson & Associates fee review is complete.

**Financial Considerations:**

There are no direct financial implications associated with this report.

**Alternatives Reviewed:**

None as this report is for information only.

**Strategic Plan Relationship: Financial Health**

Setting appropriate fees and charges supports the financial health of the Town.

**Consultation:**

The Senior Leadership Team was consulted in the preparation of this report.

**Other Pertinent Reports/Attachments:**

None.

**Prepared and Recommended by:**

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

**Prepared and Submitted by:**

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

**Subject:** Cash Management and Debt Policy Updated

**Recommendation:**

**BE IT RESOLVED THAT Council receive Report #2024-0223 Cash Management and Debt Policy Updated, for information;**

**AND THAT Council approve the updated S400-07 Capital Financing and Debt Management Policy, as appended.**

**Background:**

The current S400-07 Capital Financing and Debt Management Policy (Debt Policy) was approved by Council on January 13, 2020.

There is a requirement that this policy shall be presented to Council for review (and update if required) every four years, or more frequently as deemed necessary by Council, the Chief Administrative Officer, or the Treasurer. Appendix 1 has the updated policy.

Capital assets can be financed through a variety of funding sources such as Reserve Funds, Grants, Debt, or Development Charges.

The objective of the Town of Pelham's Debt management strategy is twofold:

1. Ensure any future financing needs are met (sustainability)
2. Adapt and respond to any unanticipated capital of operating funding requirements should they arise (flexibility)

Municipalities have provincial limits on the amount of debt they can hold. Provincial limits on municipal debt are based on a maximum percentage of "own-source revenues" that may be used to service debt costs (interest and principal payments) on an annual basis. In Ontario, municipalities may incur long-term debt for municipal infrastructure as long as annual debt payments do not exceed 25% of "own-source" revenues. This is referred to as the Annual Repayment Limit (ARL). The ARL is essentially the maximum amount that a municipality can pay in principal

and interest payments in the year for new long-term debt (and in annual payments for other financial commitments).

The establishment of the Internal Debt Limit that is in the Debt Policy (section 4.4) was determined after the Town recognized the importance of protecting and preserving capital while maintaining solvency and liquidity to meet ongoing financial requirements. To ensure long-term financial sustainability and flexibility, the Town will strive to implement an Internal Debt Limit which is lower than the ARL. This was established after reviewing the best practices of other municipalities in the province. To maintain financial sustainability, many Ontario municipalities set their Internal Debt Limit lower than the ARL. The goal of the approved Debt Policy was to set the Internal Debt Limit to 10% of Own-Source Revenues by 2030. Since the Town was well above the 10% limit at the time when the debt policy was approved, a phased-in approach was established to achieve the target internal limit. The phase-in targets as approved in the updated debt policy are as follows:

- a) From 2025 to 2029: Annual Debt Financing Charges shall not exceed 12% of Own-Source Revenues.
- b) From 2030 onward: Annual Debt Financing Charges shall not exceed 10% of Own-Source Revenues.
- c) The Town will strive toward the target that a maximum of 50% of the anticipated obligatory Reserve Fund collections will be spent on Debt so as to maintain a minimum cash balance in the Reserve Fund.
- d) Annual Debt Financing Charges for non-tax supported Debentures, such as water and wastewater rate supported Debt, shall not exceed 10% of own-source rate-supported revenues.

### **Analysis:**

Financial sustainability is one of the key objectives of the Town's strategic plan. The existing debt policy was established almost 5 years ago, and the capital financing needs and assumptions have drastically changed over the last 5 years. There several input variables that go into determining an appropriate level of debt the Town should have:

1. Annual Repayment Limit (ARL) – The province of Ontario mandates that municipalities' annual debt servicing cost cannot exceed more than 25% of their own source revenues. The ARL is calculated on a cumulative basis; therefore, any existing debt reduces the room available for future borrowing.

2. Capital Expenditures – Debt is most often used to fund capital expenditures when the Town doesn't have sufficient funding available in reserves and other funding sources such as grants, external contributions, donations etc. have been exhausted. Having a robust long range capital forecast allows the Town to forecast when cash will be needed for major capital expenditures, which helps shape the debt forecast.
3. Sustainability of Reserves – A long range reserve forecast is used to determine the level of capital expenditures that is anticipated to be funded from reserves. Any capital expenditures that cannot be funded from reserves will require other funding sources such a debt (after exhausting all other sources such as grants, external funding contributions, etc.). Having a sustainable contribution to capital reserves from the operating budget provides some predictability on future reserve balances and the need for debt.
4. Existing Debt – It is important to review the existing debt load resulting from past capital expenditure. Higher existing debt load limits the Town on future borrowing needs without significantly impacting taxpayers.
5. Affordability – The affordability factor seems an obvious consideration, however it can easily be overlooked when confused with the ARL. Although the province sets the ARL at 25%, many municipalities cannot afford to reach the ARL limit without having significant tax rate increases to service this debt. This is especially true for smaller municipalities like Pelham where a \$1 million debt issue would add roughly 0.5% to the tax levy (example based on a 15-year debt issue at 5%).

### Debt Repayment Reserve

The Town established a debt repayment reserve in December 2023 with Council approval. The purpose of the reserve is to offset operating budget increases due to issuance of new debt for major rehabilitation projects (i.e. fire station, PW facility etc.). The Debt Repayment Reserve is funded from existing expiring debt payments which are already built into the operating budget.

The draft 2025 10-year capital plan includes two major facility rehabilitations in the next 5 years; Fire Station 1 in 2026 and a Public Works Facility in 2028. The rehabilitation of these 2 major facilities is anticipated to cost over \$13 million. It should also be noted that no monies have been identified with respect to the library renovation project. Pelham's existing reserves will not be able to fund these rehabilitation costs and debt will likely have to be issued for these projects.

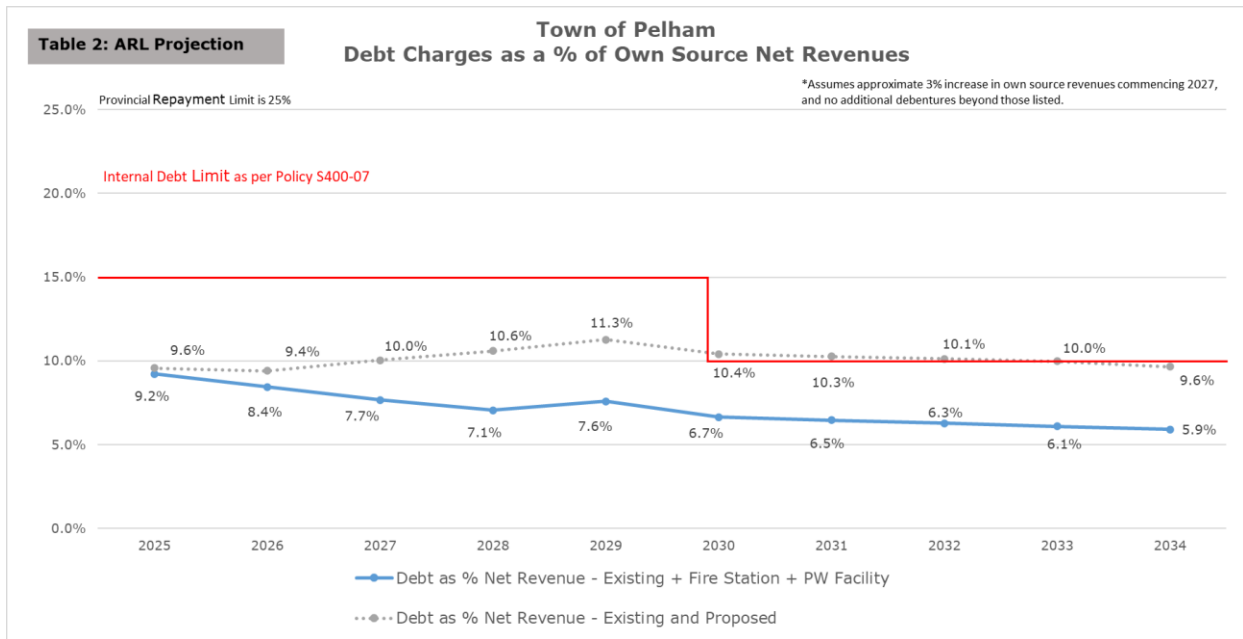
The forecast of the debt repayment reserve indicates that there will be sufficient funds to cover the annual debt servicing cost for both of these major facilities rehabilitation projects. This provides some flexibility to the Town as without the offset from this reserve, the tax levy would require substantial future increases to manage the new debt from these projects. Table 1 below presents the debt repayment reserve forecast:

<b>Table 1: Debt Repayment Reserve Fund</b>										
	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033
Opening Balance	-	150,347	503,989	743,086	931,615	1,075,528	936,666	1,008,284	1,079,903	1,151,521
Transfer to Reserve - Note 1										
Bridge Loan	150,347	150,347	150,347	150,347	150,347	150,347	150,347	150,347	150,347	150,347
Roads - Pelham St (310)		102,264	102,264	102,264	102,264	102,264	102,264	102,264	102,264	102,264
Fire Station #2		101,031	101,031	101,031	101,031	101,031	101,031	101,031	101,031	101,031
RDS - Port Robinson		27,028	27,028	27,028	27,028	27,028	27,028	27,028	27,028	27,028
Fire Station #3			153,650	153,650	153,650	153,650	153,650	153,650	153,650	153,650
RDS - Fenwick Downtown Rev				175,816	175,816	175,816	175,816	175,816	175,816	175,816
RDS - East Fonthill Roads Constr				68,836	68,836	68,836	68,836	68,836	68,836	68,836
REC - Predevelopment for New Facility							111,648	111,648	111,648	111,648
RDS - East Fonthill Roads (Wellspring/Shaw)							122,405	122,405	122,405	122,405
RDS - Summersides: East to Rice							195,831	195,831	195,831	195,831
RDS - Summersides: Station to Wellspring							18,756	18,756	18,756	18,756
<b>Total Additions</b>	<b>150,347</b>	<b>353,642</b>	<b>534,319</b>	<b>778,971</b>	<b>778,971</b>	<b>778,971</b>	<b>1,227,611</b>	<b>1,227,611</b>	<b>1,227,611</b>	<b>1,227,611</b>
Transfer From Reserve - Note 2										
Fire Station 1 - New Debt			295,222	590,443	590,443	590,443	590,443	590,443	590,443	590,443
PW Facility - Property Acquisition					44,615	89,230	89,230	89,230	89,230	89,230
PW Facility - Construction						238,160	476,320	476,320	476,320	476,320
<b>Total Subtractions</b>	<b>-</b>	<b>-</b>	<b>295,222</b>	<b>590,443</b>	<b>635,058</b>	<b>917,833</b>	<b>1,155,993</b>	<b>1,155,993</b>	<b>1,155,993</b>	<b>1,155,993</b>
<b>Ending Balance</b>	<b>150,347</b>	<b>503,989</b>	<b>743,086</b>	<b>931,615</b>	<b>1,075,528</b>	<b>936,666</b>	<b>1,008,284</b>	<b>1,079,903</b>	<b>1,151,521</b>	<b>1,223,139</b>

### Annual Repayment Limit (ARL)

The Town of Pelham's 2024 Annual Repayment Limit Statement shows the Town is using \$2.9 million, or 10.77% of Net Revenues to service its debt. This is down from 13.5% in 2023. Pelham's 2025 ARL is projected to be \$2.8 million or 9.57%. The improvement in the Town's ARL has been a result of increasing own-source revenues and the absence of new debt issues in the last few years.

At the time of writing this report, staff was finalizing the 2025 Draft Capital budget. Table 2 below provides a projection of the ARL over the next 10 years based on the capital expenditures currently included in the 2025 10-year capital plan.



Based on the current 10-year capital forecast, the ARL would not go above 11.3% in the next 10 years. The blue line represents the Town’s existing debt as well as new debt for 2 major facilities (Fire Station 1 and PW Facility, and for this purpose ignoring the library renovation project) that will be offset by the debt repayment reserve contributions. The dotted line represents the forecasted debt currently proposed in the draft 2025 10 year-capital plan.

It is important to note that when staff reviewed the first draft of the 2025 10-year capital plan, the major expenditures from this forecast would push the ARL to 21.8% at its peak in 2031. Under this scenario, the Town would be non-compliant with its internal debt policy and there would be serious affordability concerns related to the high debt servicing cost. Staff have completed a detailed review of the 10-year capital forecast over the past several months to get it to a more affordable and manageable place.

Comparison to Niagara Municipalities

Niagara Region has been in discussion with Local Area Municipalities (LAMs) to enhance collective debt planning and adapt common strategies for capital financing. The Region issues the debt on behalf of LAMs and its currently facing several challenges regarding debt such as, high debt burden for Niagara Region, potential risk to Niagara Region’s credit rating, Infrastructure Ontario debt limit and Annual Repayment limit considerations.

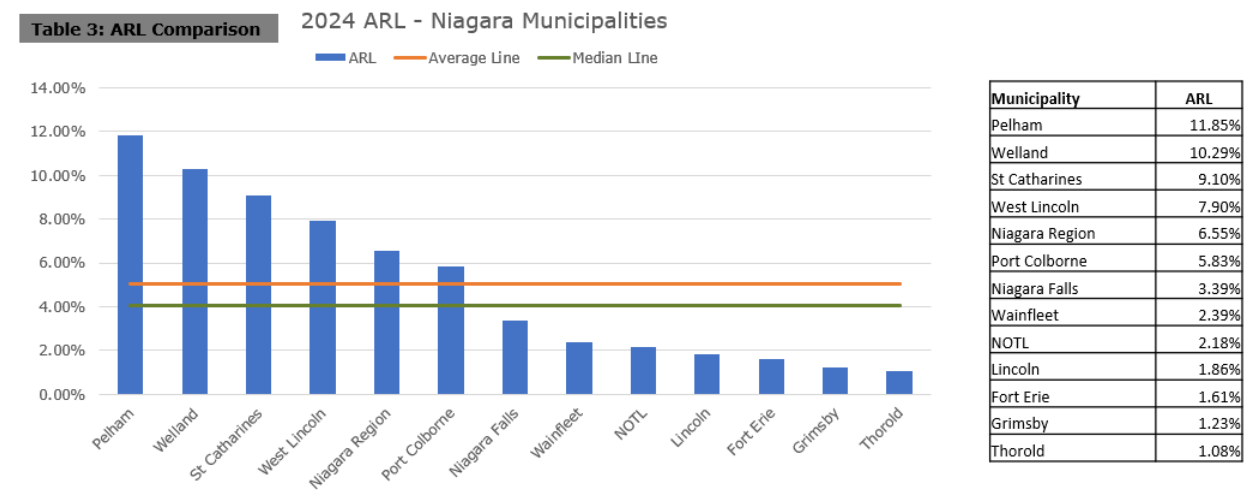
In order to mitigate these risks, The Region is proposing some strategies such as moving to sustainable funding models for infrastructure replacement by ensuring



adequate funds are transferred to reserves each year and using collective debt planning by working with LAMs to smooth debt ask and maintain debt room for growth and strategic projects.

Table 3 below shows the comparison of Annual Repayment Limit for Niagara Municipalities.

Pelham continues to have the highest ARL in all of Niagara region, based on the most recent available data from Financial Information Return (FIR). In fact, Pelham’s ARL is more than twice the average (5.07%) and almost three times the median (4.03%) of the Niagara region municipalities. Absences of new debt issuances combined with increased in revenue has lowered the ARL over the last number of years. It is important to maintain this trajectory as the Town continues to pay off its large existing debt commitments.



## Recommendations

Staff are recommending the following changes to the debt policy:

1. Phased in internal debt limit from 2025-2030 is recommended to be lowered to 12% from 15%. Internal debt limit beyond 2030 is set at 10% (no change from existing policy)
2. It is recommended that the debt policy be updated to include the reference to the new Debt Repayment Reserve. This reference should briefly discuss the history, purpose, and funding source for the new debt repayment reserve.

On September 10, 2024 the Pelham Finance and Audit Committee reviewed and supported the updated policy.

**Financial Considerations:**

Updating the debt policy does not have a direct financial impact. However, the debt policy limit guides many important decisions in financing of capital projects as outlined throughout this report.

**Alternatives Reviewed:**

The alternative is to not reduce the internal debt limit currently and maintain existing policy limit of 15% until 2029 and 10% from 2030 onwards. This alternative is not recommended due to the reasons outlined above.

**Strategic Plan Relationship: Financial Health**

The Financial Health of the Town is a key strategic objective and ensuring that the Town's finances have a healthy balance of debt, reserves, grants, and development charges to finance capital projects.

**Consultation:**

Pelham Finance and Audit Committee

**Other Pertinent Reports/Attachments:**

Appendix 1: Updated S400-07 Capital Financing and Debt Management Policy

**Prepared and Recommended by:**

Usama Seraj, B.Com.(Hons.), CPA, CMA  
Manager Financial Services and Deputy Treasurer

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

**Prepared and Submitted by:**

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



<b>Policy Name: Capital Financing and Debt Management Policy</b>	<b>Policy No: S400-07</b>
Committee approval date:	December 16, 2019
Council approval date:	January 13, 2020
Revision date(s):	<del>October 21, 2020</del> <u>October 21, 2024</u>
Department/Division:	Corporate Services

**1. Purpose**

The purpose of this policy is to establish guiding principles, primary objectives, key management and administrative responsibilities, and standards of care for the prudent financing of the Town’s operating and capital needs.

**2. Policy Statement**

A policy governing the management and administration of capital financing and debt.

**3. Definitions**

**Amortizing Debenture:** A Debenture for which the total annual payment (principal and interest) is approximately even throughout the life of the Debenture issue.

**Annual Debt Financing Charges:** The total mandatory payments of principal and interest in respect of outstanding Long-Term Debt.

**Annual Repayment Limit (ARL):** For the purpose of this Policy, it has the same meaning as the Debt and Financial Obligation Limit, in accordance with The Act, O. Reg. 403/02. Generally, municipalities in Ontario may incur Long-Term Debt for infrastructure as long as annual Debt payments do not exceed 25% of “own source” revenues without prior approval of the Local Planning Appeal Tribunal (LPAT). The ARL is the maximum amount that a municipality can pay in principal



and interest payments in the year for new Long-Term Debt without first obtaining approval from LPAT. The ARL is provided annually to the municipality by the Ministry of Municipal Affairs and Housing, and must be updated by the Treasurer prior to Council authorizing an increase in Debt financing for capital expenditures.

**Bank Loan:** A loan between the Town and a bank listed in Schedule I, II, or III of the *Bank Act (Canada)*, a loan corporation registered under the *Loan and Trust Corporations Act*, or a credit union to which the *Credit Unions and Caisses Populaires Act, 1994* applies.

**Budget:** An estimated financial plan of revenue and expenditure for a set period of time.

**Capital Financing:** A generic term for the financing of capital assets. This can be achieved through a variety of sources such as the tax levy, grants, Reserve Funds, Debt, or financing leases.

**Construction Financing:** A form of Debt financing in which the issuer does not pay any principal or interest for a period of up to 5 years during the construction or rehabilitation of the facility from which a revenue stream is expected to be generated. Construction Financing must be obtained in accordance with section 408(4)(d) of The Act, and O. Reg. 278/02, amended to O. Reg. 76/16.

**Council:** The Council of the Town of Pelham.

**Debenture:** A formal written obligation to repay specific sums on certain dates. In the case of a municipality debentures are typically unsecured, that is, backed by general credit rather than by specified assets. The Town assumes responsibility for debentures issued on its behalf by the Regional Municipality of Niagara, the upper-tier municipality, under section 401 of The Act. Under subsection 401(3.1), those debentures constitute joint and several obligations of the Regional Municipality of Niagara and the Town.



**Debt:** Any obligation for the payment of money. For Ontario municipalities, debt would normally consist of Debentures as well as either notes or cash from financial institutions. Financial Guarantees and/or Letters of Credit provided by the Town will be considered as Debt and will be governed by this Policy.

**Financial Guarantee:** An agreement whereby the Town will take responsibility for the payment of Debt in the event that the primary liable fails to perform.

**Development Charges (DC):** Fees collected from developers at time of building permit issuance to help pay for the cost of infrastructure required to provide municipal services to new development, such as roads, fire protection, water and sewer infrastructure, and recreation facilities. Development Charges are imposed under the Town's Development Charges By-law.

**Infrastructure Ontario, or Successor Organization:** Any entity established by the Province of Ontario to provide Ontario municipalities, universities and hospitals with access to alternative financing service for longer-term fixed rate loans for the building and renewal of public infrastructure.

**Installment (Serial) Debenture:** A Debenture of which a portion of the principal matures each year throughout the life of the Debenture issue.

**Internal Debt Limit:** The internal limit, approved by Council, regarding Debt payments as a percentage of "own source" revenues. This limit is not referring to limits imposed by The Act or regulations thereunder, but may not exceed the ARL.

**Lease Financing Agreement:** A lease allowing for the provision of Municipal Capital Facilities, where the lease may or will require payment by the Town beyond the current term of Council. For example, a vehicle lease.

**Letter of Credit:** A binding document from a bank guaranteeing that an "applicant's" payment to a "beneficiary" will be received on time and for the correct amount. In the event that the applicant is unable to make payment, the bank will be required to cover the full or remaining amount of the purchase (Debt).



**Lifecycle Renewal Projects:** Projects that maintain the infrastructure that is in place today, for example resurfacing roads or replacing roofs.

**Long-term Bank Loan:** Long-term Debt provided by a bank, or syndicate of banks.

**Long-term Debt:** Any Debt for which the repayment of any portion of the principal is due beyond one year.

**Municipal Capital Facilities:** Tangible capital assets that include land, as defined in the *Assessment Act*, works, equipment, machinery and related systems and infrastructures.

**Own-Source Revenue:** Determined by the Ministry of Municipal Affairs and Housing, it is revenue for the fiscal year excluding certain items such as grants, proceeds from the sale of real property, contributions or net transfers from a Reserve or Reserve Fund, donated tangible capital assets, equity earnings in government business enterprises, and revenue from other municipalities.

**Present Value of Minimum Lease Payments:** Minimum lease payments include all amounts that the lessee is expected to pay over the term of the lease, any mandatory renewal term, and any required purchase at termination of the lease. The present value measures the future payments in today's dollars because the value of money decreases over time due to inflation.

**Reserve:** An appropriation from net revenue and/or cost savings at the discretion of Council, after the provision for all known expenditures. It has no reference to any specific asset and does not require the physical segregation of money or assets as in the case of a Reserve Fund. Municipal Councils may set up Reserves for any purpose for which they have the authority to spend money, as outlined in section 290(4) of The Act. Reserves are either "discretionary" or "non-discretionary". Discretionary Reserves are funded by the tax levy or other funding sources, and drawdowns or transfers from the Reserve can be approved for any



purpose at Council's discretion. Non-discretionary Reserves are "non-tax supported", and receive revenues and incur expenses on their own without support from the general tax levy; drawdowns from non-discretionary Reserves must be for expenditures related to their revenue source as approved by Council. Non-discretionary Reserves include the Water and Wastewater Reserves.

**Reserve Fund:** Funds that have been set aside either by a by-law of the municipality or by a requirement of senior government statute or agreement to meet a future event. As a result, Reserve Funds are either "discretionary" being those set up by Council, or "obligatory" being those set up by virtue of a requirement of senior government statute or agreement. Municipal councils may set up Reserve Funds for any purpose for which they have the authority to spend money, as outlined in section 290(4) of The Act. Discretionary Reserve Funds can be funded from the general tax levy or they can be "non-tax supported", and receive revenues and incur expenses on their own without support from the general tax levy; drawdowns from non-tax supported Reserve Funds must be for expenditures related to their revenue source as approved by Council. Non-tax supported Reserve Funds include the Building Department Reserve Fund.

**Rolling-Stock:** Equipment that moves on wheels used for transportation and/or transit purposes. Examples include trucks and buses.

**Short-Term Debt:** Any Debt for which repayment of the entire principal is due within one year.

**The Act:** The *Municipal Act*, 2001, S.O. 2001, c.25, as amended.

**Town:** The Corporation of the Town of Pelham.

**Treasurer:** The individual appointed by the municipality as Treasurer, in accordance with section 286 of The Act.



#### 4. General Provisions

##### 4.1 Principles and Objectives

Council may, where it is deemed to be in the best interest of its taxpayers, approve the issuance of Debt for its own purposes. Capital financing and Debenture practices will be responsive and fair to the needs of both current and future taxpayers and will be reflective of the underlying life cycle and nature of the expenditure.

The guiding principles for the Town's Capital Financing and Debt program shall be:

##### a) Adherence to statutory requirements

Capital financing may be undertaken if and when it is in compliance with the relevant sections of The Act, the *Development Charges Act*, and their related regulations. These requirements include, but are not limited, to:

- i) The term of temporary or Short-Term Debt for operating purposes will not exceed the current fiscal year, and will be borrowed in accordance with section 407 of The Act, and with the Town by-law in that regard.
- ii) The term of Capital Financing will not exceed the lesser of 40 years or the useful life of the underlying asset, in accordance with section 408(3) of The Act. The maximum term over which an asset may be financed is set out in Appendix A.
- iii) Long-term Debt will only be issued for capital projects in accordance with section 408(2.1) of The Act.
- iv) The total annual financing charges cannot exceed the Annual Repayment Limit, as applicable, unless approved by the Local





Planning Appeal Tribunal (LPAT), in accordance with O. Reg. 403/02 amended to O. Reg 45/18.

- v) Prior to entering into a Lease Financing Agreement, an analysis will be prepared that assesses the costs as well as the financial and other risks associated with the proposed lease with other methods of financing, in accordance with section 401(8) of The Act.
- vi) Prior to passing a Debenture by-law which provides for installments of principal, interest, or both, and said installments are not payable during the period of construction of an undertaking, Council will consider all financial and other risks related to the proposed Construction Financing.

**b) Long-term financial sustainability and flexibility**

The Town of Pelham's Debt management strategy will seek to ensure that it is able to meet any future financing needs (sustainability), and that it can adapt and respond to unanticipated capital or operating requirements should they arise (flexibility).

- i) The Capital Financing program will be managed in a manner consistent with other long-term planning, financial and management objectives.
- ii) Prior to the issuance of any new Capital Financing, consideration will be given to its impact on future ratepayers in order to achieve an appropriate balance between Capital Financing and other forms of funding.
- iii) To the extent practicable, replacement assets as well as regular or ongoing capital expenditures (for example annual replacement of firefighter protective gear) will be recovered on a "pay as you go" basis through rates, taxy levy, user fees or Reserves and Reserve Funds.



- iv) It is recognized that Reserves must be developed and maintained, as outlined in the Town's Reserve and Reserve Fund Policy, for all capital assets owned by the Town to ensure long-term financial flexibility.

**c) Limitation of financial risk exposure**

- i) The Capital Financing program will be managed in a manner to limit, where practicable, financial risk exposure. The Town will generally only issue Debt with interest rates that will be fixed over its term. Notwithstanding, if a borrowing structure is presented for which there is a material financial advantage and/or it is deemed prudent for the Town to issue Debt that is subject to interest rate fluctuations, the Town may, at the discretion of the Treasurer, consider entering into this type of arrangement. Variable interest rate structures must be in accordance with O. Reg. 247/01.
- ii) The Town shall not issue long-term financing on projects/capital works until they are substantially complete or a discernable phase is complete, in order to minimize borrowing costs and ensure that principal amounts required are known with certainty.
- iii) Financing leases have different financial and non-financial risks than traditional Debt. These risks may include contingent payment obligations, lease termination provisions, equipment loss, equipment replacement options, guarantees and indemnities. These risks will be identified prior to entering into any material financing lease.

**d) Minimizing long-term cost of financing**

The timing, type and term of financing for each capital asset will be determined with a view to minimize both its and the Town's overall long-term cost of financing. Factors to be considered include:

- i) Current versus future interest rates;



- ii) Shape of the interest rate curve and recent economic forecasts;
- iii) Availability of related Reserve or Reserve Fund monies;
- iv) Pattern of anticipated revenues or cost savings attributable to the project; and
- v) Providing a buffer for significant unanticipated expenditures, or loss of revenues beyond the control of the Town.

#### **4.2 Suitable and Authorized Financing Instruments**

##### **a) Short-term (Under One Year)**

Financing of operational needs for a period of less than one year pending the receipt of taxes and other revenues, or interim financing for capital assets pending long-term Capital Financing, may be from the following sources:

- i) Reserves and Reserve Funds (this may be used as the primary source of short-term financing provided that interest is paid in accordance with the Town's Reserve and Reserve Fund Policy);
- ii) Bank line of credit;
- iii) Short-term promissory notes issued to approved financial institutions; and
- iv) Infrastructure Ontario (or successor organization) short-term advances pending issuance of long-term Debentures.

Short-term borrowing for operational needs borrowed under section 407 of The Act, shall not exceed the amount specified in the Town by-law 4122(2019), or a successor by-law.



**b) Long-Term (Greater than One Year)**

Financing of capital assets for a period greater than one year may be from any of the following sources:

- i) Debentures issued by the Regional Municipality of Niagara, which, dependent on their policy and financial practice, may be in the form or a combination of installment, term, amortizing, or variable interest rate.
- ii) Reserves and discretionary Reserve Funds may be used for both interim and medium-term, for a period of no greater than five years if deemed cost effective or otherwise necessary. Any borrowing must be in accordance with the Town's established Reserve and Reserve Fund Policy.
- iii) Long-term Bank Loans may be either a fixed or variable interest rate as determined by the Treasurer. Fixed rates will be preferred, in order to reduce interest rate risk.
- iv) Construction Financing may be used for a period up to five years during construction or rehabilitation of certain facilities from which a revenue stream is expected to be generated upon its completion.
- v) Lease Financing Agreements (capital financing leases) may be used when it provides material and measurable benefits compared to other forms of financing.

**4.3 Financing Risk Identification and Mitigation Strategies**

The following financing risks have been identified and linked with mitigation strategies. It is recognized that there may be additional risks associated with certain types of financing. Any additional risk must be identified and considered prior to their use, and only if it meets the criteria in this Policy.



**a) Debt Capacity for Future Priority Projects**

The Town could face the risk in any fiscal year of having insufficient Debt capacity to fully execute its priority capital projects based on the ARL.

Risk mitigation:

- The capital plan will show the amount of Debt financing that will be required for each project over a minimum of ten years;
- Each project will be prioritized by staff on the basis of criteria such as health and safety impact, impact on the Town's growth plan, and/or any strategic plan adopted by Council, to ensure priority projects can be completed;
- Debt financing shall be avoided as a source of funding for Lifecycle Renewal Projects; and
- The Town will develop an Internal Debt Limit that is lower than the provincial limit, to allow for future additional Debt funding if necessary.

**b) Liquidity Risk**

The Town could face the risk that it would be unable to respond to an unanticipated emergency or infrastructure need if a significant portion of operating revenue is committed to paying for existing Long-Term Debt.

Risk mitigation:

- Debt financing shall be avoided as a source of funding for lifecycle renewal projects;



- The Town will develop an Internal Debt Limit that is lower than the provincial limit, to allow for future additional Debt funding if necessary; and
- The Town will strive to meet the minimum recommended and target balances as outlined in the Town's Reserve and Reserve Fund Policy.

**c) Construction Financing Risk**

Construction Financing may be used to fund Debt needed for a capital project that will eventually generate a revenue stream which could be used to make principal and interest payments (e.g. recreation centre).

**Risks:**

- Interest rates may increase from the time the rate for the construction loan is established and the completion of the construction;
- The final cost of construction could be materially more or less than initially forecasted and financed; and
- The construction project may not be able to proceed or may not be completed for technical and/or other reasons.

**Risk mitigation:**

- Prior to Council approval of a project requiring a Construction Financing loan, the Treasurer will prepare a report outlining recent economic forecasts regarding interest rates, along with a sensitivity analysis outlining the impact that changing interest rates could have on loan payments, as well as the potential impact on the Debt Limit.



- Long-Term Debt will not be issued until all critical construction contracts have been awarded and the project is substantially completed, or a discernable phase is complete.

**d) Financing Lease Agreement Risk**

Leases may be used to finance equipment, vehicles, buildings, land or other assets that the Town does not own, cannot acquire, or for which the benefits of leasing outweigh the benefits of purchasing.

**Risks:**

- Uncertainty of leasing costs if the contract needs to be extended or renewed;
- The potential for seizure or removal of leased equipment if the leasing company goes into default on its obligations to its creditors;
- The lease may include contingent payment obligations; and
- The Town may not have the ability to terminate the lease immediately if the asset is no longer required.

**Risk mitigation:**

- The Town will enter into Lease Financing Agreements with payments that are fixed over the lease term and any additional lease payments are known with certainty;
- Lease Financing Agreements will only be entered into with vendors in accordance with the Town's Procurement Policy; and
- Prior to entering into a Lease Financing Agreement, the Treasurer will prepare a report for Council outlining the costs and financial and other risks inherent in the agreement.



**e) Interest Rate Risk**

Where the Town enters into short-term or long-term borrowing at variable interest rates, there is a risk that volatility in the financial market would result in increasing Debt payment costs.

Risk mitigation:

- Fixed rate borrowing will be preferred; and
- Where variable-rate borrowing is used, a maximum of 10% of total outstanding Town Debt may be variable, and must comply with O. Reg. 247/01. This will exclude Construction Financing, which is temporary until a Debenture is issued.

**4.4 Internal Debt Limit**

The Town recognizes the importance of protecting and preserving capital while maintaining solvency and liquidity to meet ongoing financial requirements. In order to ensure long-term financial sustainability and flexibility, the Town will strive to implement an Internal Debt Limit which is lower than the ARL. This internal limit will be phased in as follows:

- ~~a) From 2020 to 2024: Annual Debt Financing Charges shall not exceed 20% of Own-Source Revenues.~~
- ~~b)a) From 2025 to 2029: Annual Debt Financing Charges shall not exceed 15.12% of Own-Source Revenues.~~
- ~~b)b) From 2030 onward: Annual Debt Financing Charges shall not exceed 10% of Own-Source Revenues.~~

The Town will strive toward the target that a maximum of 50% of the anticipated obligatory Reserve Fund collections will be spent on Debt in order to maintain a minimum cash balance in the Reserve Fun





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- e)d) Annual Debt Financing Charges for non-tax supported Debentures, such as water and wastewater rate supported Debt, shall not exceed 15% of own-source rate-supported revenues.

**4.5 Debt Repayment Reserve**

The Town established a new debt repayment reserve in December 2023 under Council's direction. The purpose of this reserve is to mitigate significant increases in the operating budget as a result of new debt issuance and the relating principal and interest cost. The debt repayment reserve will be funded from principal and interest payments already built into the operating budget for existing debt as it expires. When future debt is issued, the debt repayment reserve can be used to transfer funds to the operating budget to fully or partially offset the cost of issuance of new debt.

**4.54.6 Thresholds for Debt Issuance**

In recognition of the cost of issuing Debt as well as the annual interest cost, the Town will not issue Debt for a capital project or group of projects where the Town's share of the project (including water and wastewater) is less than \$100,000.

**4.64.7 Rolling-Stock**

The Town will not issue Long-Term Debt for Rolling-Stock. Purchases of Rolling-Stock are to be funded through the use of Reserves, or lease funding where the overall cost to the taxpayer will be lower than if the vehicle was purchased.

**4.74.8 Non-Tax Supported Projects**

The Town has areas which have been identified as being "Non-Tax Supported", that is to say that the activity receives revenues and incurs expenses on its own without support from the general tax levy. These Non-Tax Supported activities include, but are not limited to, the water system and the wastewater system.

- a) Where a project includes tax-supported and non-tax supported activities (for example road reconstruction where water and sanitary sewers are also

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replaced), the financing will be shared between the general tax levy and the non-tax supported activity.

- b) The cost of the project will be split proportionately between the tax-supported and non-tax supported activities based on the estimated cost provided by the engineer.
- c) Funds received from senior levels of government will be attributed, where allowed under the terms of the agreement, to the tax-supported portion first.



Any remaining funding after the allocation to the tax-supported costs, is then attributed to the non-tax supported portion in the same ratio as the costs are attributed.

- d) Debt, and related interest, taken on by the Town for the use of a non-tax supported activity will be repaid by the revenues of that activity.

#### **4.84.9 Lease Financing Agreements**

The discussion of financial and other risks to the Town of using Lease Financing Agreements is included in section 4.3 d) of this Policy.

The Lease Financing Agreement must include a schedule of all fixed payments, if any, required by the agreement and that may be required by any extension or renewal of the agreement, in accordance with O. Reg. 604/06, s. 2.

#### **a) Immaterial Lease Financing Agreements**

- i) Lease Financing Agreements which will be considered immaterial for the Town will be defined as those which, individually for one asset result in payments less than or equal to \$15,000 per year, and for which the Present Value of Minimum Lease Payments is less than or equal to \$75,000. In aggregate, immaterial leases shall not exceed payments of \$50,000 per year, and the total Present Value of Minimum Lease Payments shall not exceed \$150,000.
- ii) Prior to entering into an immaterial Lease Financing Agreement, it must be the opinion of the Treasurer and Council that the proposed agreement is within this category and that its costs and risks, in combination with all the others of this category entered into or proposed to be entered into in that year by the Town, would not result in a material impact for the community.
- iii) The Treasurer will report to Council annually regarding Lease Financing Agreements (see Reporting Requirements below).

**b) Material Lease Financing Agreements**

- i) Any Lease Financing Agreements not classified under 4.8 a) i) will be considered material.
- ii) Prior to entering into any material lease financing agreement, Council shall meet all of the requirements of section 401(10) of The Act, including but not limited to requiring a report of the Treasurer, obtaining legal and financial advice, notifying the Regional Municipality of Niagara, and performing an assessment of the report prepared by the Treasurer.
- iii) At any time after the Treasurer prepares a report under section 401(10)(1) of The Act, if the Treasurer becomes of the opinion that a changed circumstance may result in a material impact for the Town, the Treasurer will update the report and present it to Council as soon as reasonably possible.
- iv) The Treasurer will report to Council annually regarding Lease Financing Agreements (see Reporting Requirements below).

**4.94.10 Standard of Care****a) Ethics and Conflicts of Interest**

Officers and employees involved in the Capital Financing process are expected to abide by the Town's Code of Ethics. In particular, they shall:

- i) Refrain from personal business activity that could conflict with the proper execution and management of the Capital Financing program, or that could impair their ability to make impartial decision;
- ii) Disclose any material interests in financial institutions with which they conduct business;



- iii) Disclose any personal financial/investment institutions with which they conduct business;
- iv) Disclose any personal financial/investment positions that could be related to the performance of their Capital Financing duties; and
- v) Not undertake personal financial transactions with the same individual with whom business is conducted on behalf of the Town.

**b) Responsibilities**

- i) Council:
  - Shall approve Capital Financing in accordance with this policy;
  - Shall develop and evaluate policies to ensure that administrative practices and procedures are in place to maintain the long-term financial flexibility of the Town and limit financial risk exposure; and
  - The Mayor may execute and sign documents on behalf of the Town with respect to the issuance of Debt approved by Council.
- ii) The Town Clerk:
  - May certify and sign documents on behalf of the Town with respect to the issuance of Debt approved by Council.
- iii) The Treasurer shall:
  - Review and recommend the type and term of financing for capital projects and operating requirements;
  - Calculate the Financial Obligation Limit for the Town as prescribed by The Act;



- Approve the timing and structure of Debt issues;
- Co-ordinate the preparation of Debt issue by-laws for Council;
- Execute and sign documents on behalf of the Town and perform all other related acts with respect to the issuance of Debt as approved by Council;
- Review and recommend to Council the financial and business aspects of any material lease agreements and transactions; and
- Ensure all reporting requirements identified in this Policy are met.

**c) Delegation of Authority**

- i) The Treasurer will have the overall responsibility for the Capital Financing program of the Town.
- ii) No person shall be permitted to engage in a Capital Financing activity except as provided within this Policy.
- iii) The Treasurer shall establish a system of controls to regulate the activities of the Corporate Services department and exercise control over all Capital Financing activity.

**d) Requirement for External Advice**

Town staff is expected to have sufficient knowledge to prudently evaluate standard financing transactions. However, should in their opinion the appropriate level of knowledge not exist for unusual or non-standard transactions, or as otherwise directed by Council, outside financial and/or legal advice will be obtained.

**e) Reporting Requirements**

The Treasurer shall prepare the following reports for submission to Council:



- i) Annual Audited Financial Statements.
- ii) A request for authority for temporary borrowing up to a stipulated amount to meet the day-to-day expenditures, pending receipt of tax levies, user fees and revenues anticipated during the year.
- iii) As part of the annual Budget:
  - A Debenture schedule for the year, including opening balance, principal and interest payments anticipated, new proposed Debt to be issued, and expected closing balance;
  - The Treasurer's Adjustment of the ARL, beginning with the most recently submitted Financial Information Return, and adding in additional approved Debt, as well as showing the impact of proposed Debt in the capital plan;
  - A report on financial indicators, including, but not limited to, those listed in Appendix B. The report will include an analysis of those indicators, a comparison to other similar municipalities, where available, and a discussion of the impact that is anticipated from the long-term capital plan. If new Debt is recommended in the capital Budget, the report will include the expected impact of the new Debt on the financial indicators. If new Debt is recommended outside of the Budget process, this report must be prepared prior to Council approval;
  - A list of any outstanding leases which are immaterial and require payment beyond the current year;
  - If there are any outstanding Lease Financing Agreements, an estimate of the proportion of financing leases to the Town's total Long-Term Debt, a description of any changes since the previous year's report, if any, and a statement that in his or her opinion all financing leases were made in accordance with this Policy; and
  - A statement indicating that the capital plan is compliant with this Policy.





- iv) Prior to entering into a finance lease, which is other than immaterial, a report meeting all of the requirements of section 401(10) of the Act, including, but not limited, to:
- A comparison between the fixed and estimated costs and the risks associated with the proposed lease and those associated with other methods of financing;
  - A statement summarizing, as may be applicable, the effective rate or rates of financing for the lease, the ability for lease payment amounts to vary and the methods or calculations, including possible financing rate changes, that may be used to establish that variance under the lease;
  - A statement summarizing any contingent payment obligations under the lease that could result in a material impact for the Town;
  - A summary of assumptions applicable to any possible variations in the agreement payment and contingent payment obligations; and
  - Any other matters the Treasurer or Council considers advisable.
- v) Prior to the Town passing a by-law providing for Construction Financing, a report meeting the requirements of O. Reg. 278/02, amended to O. Reg. 76/16, including, but not limited to:
- The fixed and estimated costs to the Town;
  - Whether the costs of the proposed financing for construction of the undertaking are lower than other methods of financing available;
  - A detailed estimate with respect to the terms of the Town's expectation of revenue generation from the undertaking, once constructed;



- The risks to the Town if the undertaking is not constructed or completed within the period of construction as estimated by Council; and
  - The financial and other risks for the Town.
- vi) Other reports in line with this policy shall be brought forward to Council as needed.

**c) Policy Review:**

This policy shall be presented to Council for review (and update if required) every four years, in the first year of each newly elected Council, or more frequently as deemed necessary by Council, the Chief Administrative Officer, or the Treasurer.

**5. Attachments**

- Appendix A Maximum Financing Term of an Asset
- Appendix B Debt-Related Financial Indicators

Policy S400-07 Appendix A  
Town of Pelham: Corporate Services  
Maximum Financing Term of an Asset

Maximum Financing Term	Type of Asset
3 Years	Computer Software Desktop/Laptop Computer, Monitor
5 years	Audio, Video, and Security Equipment Computer Server and Network Equipment Office Equipment Office Furniture
10 years	General Purpose Vehicle Park Facility, Trail Parking Lot Public Works Facility Sidewalk Specialized Equipment Specialized Vehicle (e.g. Snow Plow, Fire Truck) Street Lighting, Traffic Signal Underground Wiring Unlicensed Mobile (e.g. Tractor, Ice Resurfacer) Water Meter
20 years	Bridge, Culvert Fire Station Library Office Building Road Sanitary sewer, Storm Sewer Watermain, Hydrant
30 years	Recreational Facility with Useful Life > 30 years

Policy 5400-07 Appendix B  
Town of Pelham: Corporate Services  
Debt-Related Financial Indicators

Indicator	Category	Definition	Importance	Benchmarks	Agency/Source	Calculation
Debt Servicing Cost as a % of Own-Source Revenues	Flexibility	Percentage of revenues that are used to pay for principal and interest on debt (Revenue excludes items which are not guaranteed or non-recurring, such as grants, development charges, and gains on disposal of tangible capital assets. See Definitions in this Policy. Debt excludes non-recurring items such as lump-sum or balloon payments.).	A measure of the Town's ability to service debt payments. A higher number indicates that debt servicing is consuming a higher portion of the operating budget and may constrain the funding that is available for other service delivery.	<ul style="list-style-type: none"> <li>Provincial limit is 25%.</li> <li>The MMAH monitors a similar indicator, Debt Servicing as a % of Total Revenues (Less Donated TCA). Less than 5% is low risk, 5 to 10% is moderate risk, and above 10% is high risk.</li> </ul>	MMAH, modified	<u>Debt Servicing Cost for the Year (SLC 81 9920 01)</u> Own-Source Revenues (SLC 81 2610 01)
Debt Service Coverage Ratio	Flexibility	Cash flow that is available to pay for principal and interest on debt.	A measure of the Town's ability to service debt with recurrent operating cash flows. If this ratio is 1, the Town has just enough cash flow to pay for debt servicing. If it is less than one, the Town operating income is constrained in covering debt servicing costs.	<ul style="list-style-type: none"> <li>Less than 1 is constrained, 1 is just sufficient to cover debt servicing, 1.5 or higher would indicate more flexibility to meet operating demands.</li> </ul>	Infrastructure Ontario, modified	<u>Adjusted Operating Surplus*</u> Debt Servicing Cost for the Year (SLC 81 9920 01)  *Adjusted Operating Surplus = Own-Source Revenues (SLC 81 2610 01) - Operating Expenses (SLC 40 9910 07) + Amortization (SLC 40 9910 16) + Interest on Long-term Debt (SLC 40 9910 02)
Debt to Reserve Ratio	Flexibility	Total debt outstanding as a ratio of total reserves (excluding obligatory reserve funds).	A measure of the amount of debt taken out that will need to be funded in the future, versus the amount that has been put away into reserves to provide for future expenditures. A ratio of greater than 1 means that debt outstanding exceeds reserves available. A ratio of less than 1 means that debt outstanding is lower than reserves available.	<ul style="list-style-type: none"> <li>Less than 1 is low risk, 1 to 1.25 is moderate risk, and above 1.25 is high risk.</li> </ul>	BMA Study	<u>Total Long-term Liabilities (SLC 70 2699 01)</u> Total Reserves and Discretionary Reserve Funds (SLC 60 2099 03 + SLC 60 2099 02)
Debt per Capita	Flexibility	The amount of debt that is outstanding per Town citizen.	A measure of how much debt is outstanding per citizen of the Town. This can give an indication of the amount of future tax revenues that need to be recovered to pay for existing infrastructure, and a high level of debt relative to other similar municipalities may mean that the Town would have less flexibility to respond to an unanticipated event or expenditure.	<ul style="list-style-type: none"> <li>We do not have a specific benchmark, but the Town ratio can be compared to other similar municipalities to provide a point of reference.</li> </ul>	BMA Study	<u>Total Long-term Liabilities (SLC 70 2699 01)</u> Population (SLC 01 0041 01)
Net Financial Assets (Net Debt) as a % of Own-Source Revenues	Sustainability	Net financial assets (or net debt) as a percentage of Own-Source Revenues. (Revenue excludes items which are not guaranteed or non-recurring, such as grants, development charges, and gains on disposal of tangible capital assets. See Definitions in this Policy.).	A measure of the amount that Own-Source Revenue is servicing debt. A ratio less than zero indicates that the Town is in a Net Debt position (liabilities exceed financial assets). An increasing negative number may indicate challenges for long-term sustainability because an increasing amount of future revenues will be required to pay for the existing debt.	<ul style="list-style-type: none"> <li>The MMAH indicates greater than -50% is low risk, -50% to -100% is moderate risk, and less than -100% is high risk.</li> <li>Trend should be viewed over a minimum 3-year period.</li> </ul>	MMAH, modified	<u>Net Financial Assets (Net Debt) (SLC 70 9945 01)</u> Own-Source Revenues (SLC 81 2610 01)
Total Reserves and Reserve Funds as a % of Operating Expenditures	Sustainability	Total reserves and discretionary reserve funds as a percentage of operating expenditures.	A measure of the amount of funds that have been set aside for future needs and contingencies. A higher percentage means that the Town may be relying less on debt or putting funds away for future expenditures. A lower percentage may mean that the Town is relying more heavily on in-year tax levy and rates to pay for expenditures.	<ul style="list-style-type: none"> <li>The MMAH indicates greater than 20% is low risk, 10% to 20% is moderate risk, and less than 10% is high risk.</li> <li>The Town will consider greater than 40% is low risk, 20% to 40% is moderate risk, and less than 20% is high risk.</li> </ul>	MMAH	Total Reserves and Discretionary Reserve Funds (SLC 60 2099 03 + SLC 60 2099 02) Total Expenses - Revenue Received from Other Municipalities for Operations - Revenue Received from Other Municipalities for Tangible Capital Assets (SLC 40 9910 11 - SLC 12 9910 03 - SLC 12 9910 07)
Asset Consumption Ratio	Sustainability	Accumulated amortization of tangible capital assets as a percentage of historical cost of tangible capital assets	A measure of the amount of the Town capital assets' life expectancy which has been consumed. A higher ratio may indicate that there are significant replacement needs, and a lower ratio may indicate that there is not significant aging of the Town's capital assets.	<ul style="list-style-type: none"> <li>The MMAH indicates less than 50% is low risk, 50% to 75% is moderate risk, and greater than 75% is high risk.</li> </ul>	MMAH	Closing Accumulated Amortization Balance of Tangible Capital Assets (SLC 51 9910 10) Closing Cost Balance of Tangible Capital Assets (SLC 51 9910 06)

Note: "SLC" refers to the Financial Information Return (FIR) schedule, line, column

**Subject:** Recommendation Report – Applications for Draft Plan of Subdivision & Zoning By-law Amendment – Maplewood Estates

**Recommendation:**

**BE IT RESOLVED THAT Council receive Report #2024-207 - Recommendation Report – Applications for Draft Plan of Subdivision & Zoning By-law Amendment – Maplewood Estates, for information as it pertains to File Nos. 26T19-02-2024 & AM-04-2024;**

**AND THAT Council directs Planning staff to prepare the necessary Zoning By-law amendment for Council consideration at the next Regular Meeting of Council;**

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

**Executive Summary:**

The purpose of this report is to provide Council with a recommendation regarding applications for Draft Plan of Subdivision and Zoning By-law amendment for the development known as Maplewood Estates, located at 729, 735, and 743 Quaker Road.

**Location:**

The lands are located on the south side of Quaker Road, lying approximately 100 metres east of Pelham Street (Figure 1). The lands are comprised of three (3) existing parcels. The subject lands are 1.215 hectares in area and have approximately 92 metres of frontage along Quaker Road. There are currently three (3) single detached dwellings located on the lands. The lands are generally flat in topography and are sparsely vegetated. The surrounding land uses include:

**North:** Residential uses comprised of single detached dwellings and townhouse dwellings.

**East:** Residential uses and future vacant development lands (Bauer Landing).

**South:** Vacant agricultural lands recently brought into the urban settlement area.

**West:** Residential and commercial uses.

Staff note the adjacent lands to the south were recently brought into the urban area boundary per the 2022 Niagara Region Official Plan. Town staff will be preparing a Secondary Plan for the urban boundary expansion area. The application includes the potential for a future street connection to the lands to the south to ensure that future development can be integrated and will not be negatively impacted.

Staff note that the Quaker Road reconstruction project is currently underway and in the construction phase. To support existing and future flows and system connectivity associated with growth, improvements are currently being undertaken from the intersection of Rice Road and Quaker Road, westward to the intersection of Quaker and Pelham Street. As part of the scope of work, the following is included as part of the project: local sanitary sewer replacement, watermain replacement, and urbanization including storm sewers, curb and gutter, sidewalks (both sides of the road between Pelham Street and Line Avenue), and bike lane. The subject lands are along a portion of Quaker where the road reconstruction is being completed. Construction is anticipated to be complete by May 2025.

*Figure 1: Property Location*



## **Project Description and Purpose:**

The original draft plan of subdivision that was the subject of the statutory public meeting proposed the following:

- 14 Lots (Lots 1-14) for Single Detached Dwellings;
- 2 Blocks (Blocks 15-16) for eight (8) Street Townhouse Dwellings;
- 3 Blocks (Blocks 17-19) for six (6) Semi-Detached Dwellings;
- 1 Block (Block 20) for a future pedestrian walkway;
- 1 Block (Block 21) for a 0.3m reserve; and,
- 0.267 hectares for future roadways (Street 'A').

In an effort to address the concerns raised by Town staff, Council and members of the public, the applicant has provided a revised draft plan of subdivision (Figure 3), which now proposes:

- 10 Lots (Lots 1-10) for Single Detached Dwellings;
- 3 Blocks (Blocks 11-13) for eight (8) Semi-Detached Dwellings;
- 3 Blocks (Blocks 14-16) for twelve (12) Street Townhouse Dwellings;
- 1 Block (Block 17) for a future vehicular connection to the adjacent condominium development to the east;
- 1 Block (Block 18) for a 0.3m reserve; and,
- 0.309 hectares for future roadways (Street 'A').

This change results in a reduction of four single detached dwellings lots, the addition of four additional street townhouse dwellings, a new vehicular connection to the adjacent condominium development to the east (Bauer Landing), and a redesigned interface with the lands to the south. The revised proposal provides a cul-de-sac bulb with a reserve block that has the potential to be opened should connection to the lands to the south be contemplated in the future.

The originally proposed Zoning By-law Amendment would rezone the lands from the existing Residential Development (RD) zone to a site-specific R2 (Residential Two), a site specific RM1 (Residential Multiple 1) zone and site-specific OS (Open Space) zones. The zoning change would permit the use of the lands for single detached dwellings, semi-detached dwellings, street townhouse dwellings and accessory uses subject to special regulations (please refer to Zoning By-law No. 4481(2022) section of this report). Staff note the site-specific Open Space zone is no longer necessary with the removal of the pedestrian walkway and replacement with the block for condominium roadway.

The development is proposed to be serviced via the existing 300mm watermain on Quaker Road, and existing 300mm diameter municipal sanitary sewer on Quaker Road. A 375mm diameter storm sewer stub will be constructed to the development entrance as part of the proposed Quaker Road Reconstruction Project.

Figure 2: Original Draft Plan of Subdivision

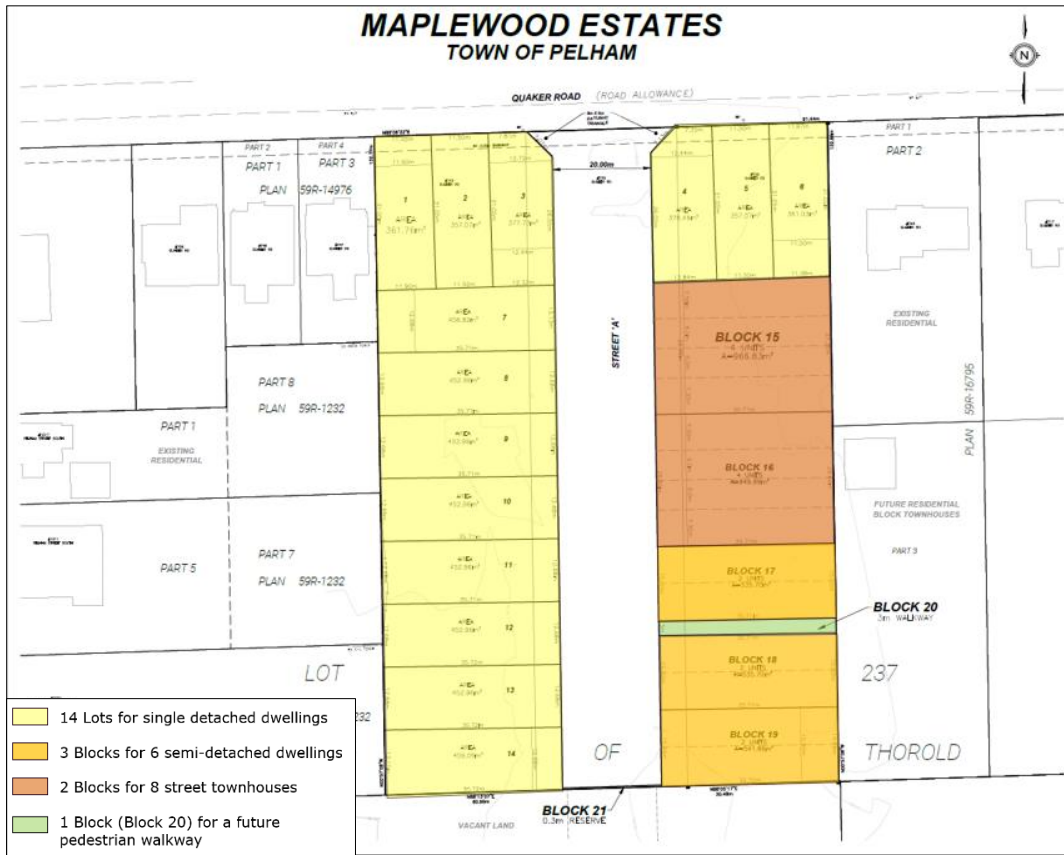
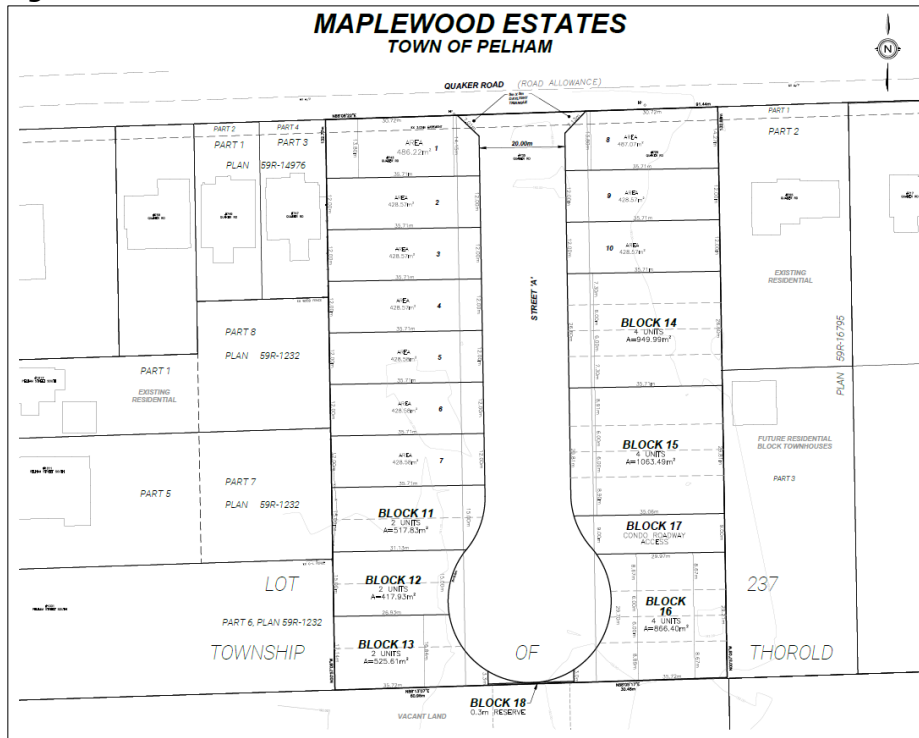


Figure 3: Revised Draft Plan of Subdivision





## **Policy Review:**

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

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

Section 51 of the *Planning Act* allows for consideration of a plan of subdivision. Section 51 (24) of the *Act* states that in considering a draft plan of subdivision regard shall be had, among other matters, to the health, safety, convenience, accessibility for persons with disabilities and welfare of the present and future inhabitants of the municipality and to:

- The effect of development of the proposed subdivision on matters of provincial interest as referred to in section 2;
  - ✓ See Provincial Policy Statement and Growth Plan for the Greater Golden Horseshoe analysis in sections below.
- Whether the proposed subdivision is premature or in the public interest;
  - ✓ The application is not considered premature and is able to uphold the public interest as it is within the Urban Area Boundary where development is to be directed. The development maintains a potential connection to the south should the lands develop in the future.
- Whether the plan conforms to the official plan and adjacent plans of subdivision, if any;
  - ✓ See Official Plan discussion below.
- The suitability of the land for the purposes for which it is to be subdivided;
  - ✓ The lands and surrounding neighbourhood are predominately low to medium density residential dwellings. The development would facilitate the construction of similar housing types on lands suitable for such use.
- The number, width, location and proposed grades and elevations of highways, and the adequacy of them, and the highways linking the highways in the proposed subdivision with the established highway system in the vicinity and the adequacy of them;
  - ✓ The proposed road system is adequate as shown on the neighbourhood plan submitted by the applicant. Connections to adjacent properties are included.

- The dimensions and shapes of the proposed lots;
  - ✓ The dimensions and shapes of the proposed lots will be able to comfortably site future dwellings.
- The restrictions or proposed restrictions, if any, on the land proposed to be subdivided or the buildings and structures proposed to be erected on it and the restrictions, if any, on adjoining land;
  - ✓ N/A
- Conservation of natural resources and flood control;
  - ✓ No natural resources or flood concerns have been identified.
- The adequacy of utilities and municipal services;
  - ✓ The subdivision will be connected to municipal infrastructure and have access to the full range of public services. Utilities have provided no objections to the applications.
- The adequacy of school sites;
  - ✓ Available nearby. School Boards were circulated and did not provide objections to the applications.
- The area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes;
  - ✓ Land being conveyed for roadways is adequate.
- The extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy; and,
  - ✓ See Official Plan discussion below.
- The interrelationship between the design of the proposed plan of subdivision and site plan control matters relating to any development on the land, if the land is also located within a site plan control area designated under subsection 41 (2) of this *Act*.
  - ✓ The development is not subject to site plan control.

***Greenbelt Plan, 2017***

The subject parcel is in an identified settlement area that is outside of the Greenbelt Plan Area; therefore, the policies of the Greenbelt Plan do not apply.

### **Niagara Escarpment Plan, 2017**

The subject parcel is not located in the Niagara Escarpment Plan Area; therefore, the Niagara Escarpment Plan policies do not apply.

### **Provincial Policy Statement, 2020**

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

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

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

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

Policy 1.1.3.3 provides for the promotion of intensification and redevelopment accommodating a significant supply and range of housing options where it can be accommodated taking into account the building stock, availability of existing and planned infrastructure and public service facilities required to accommodate the needs of the development. The development provides for the redevelopment of the lands, and will contribute to the housing stock of the settlement area.

The proposed draft plan of subdivision will add new housing types (townhouses and semi-detached dwellings) to the surrounding area, and within the Settlement Area of Fonthill as a whole. The applications will contribute to available housing options at varying price points.

The density of the development provides for the efficient use of land and planned/existing infrastructure that minimizes land consumption and costs of servicing. There are adequate public service facilities, including commercial uses and the Steve Bauer Trail within a short walking distance. Additional parkland will be included in the South Fonthill Secondary Plan Area in future. Active transportation

options will be available with the provision of bicycle lanes and sidewalks on Quaker Road.

Based on this information, the proposed draft plan of subdivision and zoning by-law amendment are consistent with the Provincial Policy Statement subject to approval of the recommended conditions of draft plan approval.

### ***Growth Plan for the Greater Golden Horseshoe, 2020***

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

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

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

The development of additional single detached, townhouse and semi-detached dwellings on the property will intensify the Built-Up Area from the currently existing three single detached dwellings. The varying built form (single detached, semi-detached and street townhouses) in the subdivision will support the formation of a vibrant neighbourhood and contribute to available housing choice and ownership options (Bauer Landing condominium adjacent).

The proposed draft plan of subdivision will increase the development density of 23.05 units per hectare, ensuring that the overall minimum of 50 jobs and persons per hectare density is achieved.

It is Planning staff's opinion that the applications are consistent with the policies of the Growth Plan for the Greater Golden Horseshoe.

### ***Niagara Region Official Plan, 2022***

The lands are designated as Built-Up Area in the Niagara Region Official Plan. The lands are designated as Urban Area (Built-Up Area) in the Niagara Region Official Plan.

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

Region to meet future housing needs while at the same time making efficient use of infrastructure, community services and urban lands.

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

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

Policy 2.3.1 provides the direction with regards to a mix a housing options and specifically Policy 2.3.1.1 states that the development of a range and mix of densities, lot, and unit sizes, and housing types, including affordable and attainable housing, will be planned throughout settlement areas to meet housing needs at all stages of life.

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

- a) facilitating compact built form; and
- b) incorporating sustainable housing construction materials or practices, green infrastructure, energy

The subdivision and zoning by-law amendment will increase housing choice with different unit types and sizes in the Town. The development will contribute to the annual intensification rate for the Town. The draft plan shows a compact built form, as promoted in Provincial, Regional, and local policy documents. New construction will be required to meet energy efficiency and accessibility requirements in the Ontario Building Code.

Accordingly, the draft plan of subdivision conforms to the policies of the Niagara Region Official Plan.

### ***Town of Pelham Official Plan, 2014***

The lands are designated Urban Living Area/Built Boundary in the Town's Official Plan. The permitted uses in this designation are a full range of residential uses including single detached, semi-detached and townhouse dwellings.

Policy B1.1.3 requires the Town to accommodate at least 15% of projected housing growth within the existing built boundaries of Fonthill and Fenwick (note: this is now superseded by the approved intensification target in the Region of Niagara Official Plan of 25%).

Further, Policy B1.1.3 (a) permits and encourages intensification on sites abutting arterial and collector roads or located on a local road on a site that is no further than 100 metres from an intersection with an arterial or collector road; Quaker Road is identified as a Collector Road on Schedule C to the Town of Pelham Official Plan. The applications will result in intensification and redevelopment within the Built Boundary and on a Collector Road.

Policy B1.1.3 (b) states that residential intensification and redevelopment proposals are encouraged to achieve a unit density and housing type in keeping with the character of the density of the neighbourhood where it is proposed; Policy B1.1.3(f) encourages affordable housing in intensification areas.

The applications propose a mix of residential uses including single detached, semi-detached, and townhouse dwellings which is typical of the surrounding neighbourhood. The subject property is not located in an identified intensification area. While the policy base in the Official Plan encourages affordable housing, there is no specific policy that requires housing be affordable. The applications will facilitate housing types at varying price points and second dwelling units are also permitted to provide for an additional rental housing option.

Official Plan Policy D5.3 requires that prior to the consideration of an application for Plan of Subdivision, Council shall be satisfied that:

- a) The approval of the development is not premature and is in the public interest;
  - ✓ The development is not premature and is in the public interest. The policies contained in the Provincial Policy Statement, Growth Plan for the Greater Golden Horseshoe, Niagara Region Official Plan and Town Official Plan are meant to further the public interest. As noted in the analysis, the applications meet the policies contained in these documents.
- b) The lands will be appropriately serviced with infrastructure, schools, parkland and open space, community facilities and other amenities, as required;
  - ✓ Adequate services are existing or planned to service the development. The development will be served by existing schools, parkland and community facilities.
- c) The density of the development is appropriate for the neighbourhood as articulated in the policies of these Plan that relate to density and intensification;
  - ✓ The density of the development is compatible with surrounding developments and is similar to that of the existing neighbourhood.
- d) The subdivision, when developed, will be easily integrated/connected with other development in the area through the use of roadways, natural corridor linkages and trails to accommodate active transportation;
  - ✓ The draft plan of subdivision will be easily integrated with the surrounding area in terms of road network and pedestrian linkages.
- e) The subdivision conforms with the environmental protection and management policies of this Plan; and,

- ✓ The lands do not contain identified environmental features and no uses are proposed that would be cause for environmental concern
- f) The proposal conforms to Section 51 (24) of the *Planning Act*, as amended.
  - ✓ The proposal confirms to Section 51(24) of the *Planning Act*.

Based on this analysis, Policy D5.3 is satisfied. As a result, the applications conform to the policies of the Town of Pelham Official Plan.

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

The lands are currently zoned Residential Development (RD) according to Schedule 'C' of Zoning By-law 4481. The intent of the Residential Development zone is to restrict development to existing uses until approval of a Zoning By-law Amendment that allows specific development. The RD zone permits existing single detached dwellings and existing uses at the date of passing of the Zoning By-law.

The applicant is requesting to rezone the lands from the existing Residential Development (RD) zone to site-specific R2 (Residential Two), and RM1 (Residential Multiple 1) zones. The zoning change would permit the uses proposed by the draft plan of subdivision (single detached dwellings, semi-detached dwellings, street townhouse dwellings, and accessory uses subject to special regulations). Several site-specific provisions are requested including reduced lot frontages and lot areas. Staff note the site specific OS zone is no longer requested due to replacement of the pedestrian walkway with the future condominium roadway block.

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

*Table 1. Requested Site Specific R2 Zone*

<b>R2 Requirements</b>	<b>Standard R2 Requirement</b>	<b>Requested R2 Requirement</b>
Minimum Front Yard	12.0 metres	11.4 metres
Minimum Lot Area	360 square metres	350 square metres

*Table 2. Requested Site Specific RM1 Zone*

<b>RM1 Requirements</b>	<b>Standard RM1 Requirement</b>	<b>Requested RM1 Requirement</b>
Minimum Lot Frontage	6.0 m per dwelling unit, except in the case of an interior lot containing a dwelling attached on one side only, the minimum lot frontage required shall be 8.0 m	7.3 metres in the case of an interior lot containing a dwelling attached on one side only.
Minimum Lot Area	230 m <sup>2</sup> per unit	200 m <sup>2</sup> per unit

Landscape Strip	A landscape strip of 1.5m minimum in width shall be provided where the boundary of a RM1 Zone abuts an R1, R2 or R3 Zone	1.2 metres
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Staff nor Council raised any concerns with the requested zoning regulations. In the opinion of staff, the requested provisions are appropriate for the development of the lands and will continue to facilitate functional residential lots.

Based on this analysis, the requested zoning regulations can be supported.

**Submitted Reports:**

The applicant provided digital copies of the following reports in support of the application:

- *Planning Justification Report prepared by Upper Canada Consultants, dated May 2024*
  - The report concludes that in the author’s opinion, the proposed development is consistent with the Provincial Policy Statement, conforms with the Growth Plan, Niagara Region Official Plan and the Town of Pelham Official Plan, represents good planning and should be supported.
  
- *Functional Servicing Report and Stormwater Management Plan prepared by Upper Canada Consultants, dated March 2024*
  - *Addresses the servicing needs and requirements as part of Draft Plan of Subdivision submission for the proposed development and outlines the servicing strategy. The report concludes there exists adequate municipal servicing for this development, from a water, sanitary, and stormwater perspective.*
  
- *Archaeological Assessment prepared by Detritus Consulting, dated May 21, 2024*
  - The report details the archaeological assessment undertaken on the subject property and indicates that it is the professional opinion of the archaeologist that the Study Area has been sufficiently assessed and is free of further archaeological concern.

Copies of the reports are available through the following link: <https://engagingpelham.ca/729-735-743-quaker-road-maplewood-estates>



## Agency Comments:

The applications were circulated to commenting agencies and Town Departments. At the time of writing, the following comments have been received:

### *Town Community Planning and Development*

- Provide a revised draft plan to reflect a temporary turnaround/cul-de-sac on Blocks 18 and 19. The temporary turn around access will be in place until such time as the permanent connection to the lands to the south are developed.
- Staff recognize that the Quaker Road reconstruction project is currently under way. Please refer to Public Works comments.

### *Public Works*

- Town staff will require a comprehensive lot grading and drainage plan demonstrating that storm water runoff will not negatively impact nor rely upon neighboring properties, to the satisfaction of the Director of Public Works or his designate.
- Servicing plan required with plan and profile.
- *Per to Planning Justification Report, The site requires a temporary turn around access over Blocks 18 and 19 as the lands to the south where Street 'A' is to extend, have yet to be developed. **The temporary turn around access will be in place until such time as the permanent connection to the lands to the south is developed.***
- All proposed lots to be individually serviced with its own sanitary and water connections. This work is to be done by the owner, at the owner's expense, and will require a Temporary Works Permit. Associated Costs to be borne by the developer for the future construction of water, sanitary and storm infrastructure on 'Street A'. Please be advised, new lots shall be serviced with a 125mm sanitary and storm laterals and 25mm water lateral in accordance with Town of Pelham Engineering Standards.
- Conditional Draft Plan of Subdivision approval is required to the satisfaction of the Director of Public Works or his designate in order to include the proposed services as part of the Quaker Road Reconstruction Project. The Developer will be responsible for any cost associated to the works.

### *Fire and By-law Services*

- None to date.

### *Enbridge Gas Inc.*

- No objection.

### *Niagara Region Growth Strategy & Economic Development*

- The proposal is generally consistent with the Provincial Policy Statement and conforms to Provincial and Regional policies relating to development within the Urban Area. As such, Regional Growth Strategy and Economic Development staff do not object to the applications, in principle, provided the proposed

servicing can be coordinated with the current reconstruction works on Quaker Road.

- Included conditions of draft plan approval

*Niagara Peninsula Conservation Authority*

- No NPCA interests in applications.

*Bell Canada*

- No objection. Included standard conditions of approval.

**Public Comments:**

On June 24, 2024, a public meeting notice was circulated to all property owners within 120 metres of the property's boundaries. In addition, a public notice sign was posted facing Quaker Road. A public meeting was held on July 17, 2024. Approximately 5 members of the public attended the meeting virtually and in person. One (1) written comment was received which is summarized below:

*Lucchetta Homes*

- *Neighbouring property owner to the south expressed concern with the subdivision showing a future connection to their lands in advance of concepts being developed for the secondary plan area; Expressed the proposed Street A should be shown as a cul-de-sac or bulb; Object to the proposal until such time as issues related to future access are addressed.*

Verbal submissions were received and are summarized as follows:

*Danny Kasunic*

- *Expressed concerns with respect to increased traffic volumes and issues of safety along Quaker Road; Concern with new intersection and possibility for conflict with dwellings on north side of Quaker; Concern with new driveway entrances onto Quaker and proximity of entrance to adjacent development.*

*Kyle Sager*

- *Mirrored concerns of those above.*

**Staff Comments:**

Council raised several concerns, which are summarized below.

Council expressed concern with the number of new driveways and access points on Quaker Road and the potential for traffic conflicts. Council encouraged coordination with the landowner to the south to achieve connectivity to the lands that were recently brought into the settlement area through the Region's 2022 Official Plan. Council expressed concern with safety/traffic impacts along Quaker, recognizing the impact of the recent settlement area expansion in the City of Welland. Council expressed concern with the prematurity of the plan moving ahead before a

secondary plan to the south is completed. Council expressed concern with snow maintenance. Expressed concern a temporary turnaround could become permanent. Council expressed support for the variation in unit types.

As noted earlier in this Report, the lands to the south have recently been brought into the urban area through the Niagara Region's 2022 Official Plan. The lands have yet to come into the settlement area in the Town's Official Plan as a future secondary plan will be required to bring the lands into the settlement area and ultimately lay the framework for how the lands are envisioned to develop. During the public meeting, Council expressed concern with the subject lands being developed in advance of the future secondary plan being in place. The neighbouring property owner to the south also expressed objection to the originally submitted application as it showed a 20-metre road connecting to the south. It is the neighbouring property owner's opinion that a plan showing access to the lands to the south is premature in advance of consultation between the two parties. In written comments, the neighbouring property owner expressed they are unwilling to commit to a street on the lands to the south until such time as a concept plan for the area as a whole is developed.

Staff acknowledge the concerns of the neighbouring property owner and Council and provide the following comments. The lands subject to the applications are located within the settlement area and outside of the future Secondary Plan Area. They do not rely on lands to the south and are able to be developed independently. The draft plan of subdivision has been revised to include both a cul-de-sac/turnaround bulb with potential for future access to the lands to the south through a 0.3 metre reserve block and connectivity to the adjacent lands to the east (Bauer Landing). The design as currently proposed will allow for the lands to develop independent from the lands to the south, while still maintaining potential for a future access and connectivity with those lands should it be necessary and/or desirable in the future.

Further, staff note the lands to the south have since been listed for sale at the time of writing this report. Concept plans included with the listing show an access to the Maplewood Estates development.

With respect to safety concerns on Quaker Road, the subject lands currently contain four driveway entrances. The originally submitted draft plan proposed 6 driveways and a new road connection (Street A) to Quaker Road. The draft plan has been revised to reorient the units to front on the proposed future road in an effort to reduce the number of accesses/driveway conflicts on Quaker Road. In total this represents a reduction of 3 accesses to Quaker Road. In addition, Planning staff have recommended a condition of approval requiring a lot priority plan for corner lot fencing details and enhanced urban design for the sides of the units along Quaker Road to minimize impacts on the streetscape due to reorientation of the lots.

The proposed subdivision is not anticipated to result in adverse traffic impacts within the surrounding area. Based on traffic studies, and the existing road capacity

following the Quaker Road reconstruction. The projected increase in vehicle trips is expected to be minimal and can be accommodated by the existing transportation network. Town Public Works staff have reviewed the application and not expressed concern with the capacity of the road. The developer revised the draft plan to include a new private road connection to the adjacent Bauer Landing development which will ensure connected development, redistribute traffic and reduce the potential for congestion and other conflicts. The proposed future road (Street A) will be constructed to municipal standards including sidewalks which will contribute to pedestrian safety.

All requested conditions from commenting agencies and utilities have been included in Appendix B.

In light of the above analysis, it is Planning staff's opinion that the proposed draft plan of subdivision and zoning by-law amendment are consistent with Provincial policy and plans, conform to the Regional and Town Official Plans and represent good planning and therefore, should be approved subject to the recommended conditions of draft plan approval contained in Appendix B.

**Alternatives:**

Council could choose not to approve the applications for draft plan of subdivision and amendment to the Zoning By-law.

Council could choose to approve the applications as submitted originally.

Council could choose to approve the applications subject to modifications.

**Attachments:**

Appendix A            Revised Draft Plan of Subdivision

Appendix B            Recommended Conditions of Draft Plan Approval

**Prepared and Recommended by:**

Andrew Edwards, BES, MCIP, RPP  
Planner

Shannon Larocque, MCIP, RPP  
Manager of Planning

Dr. Pamela Duesling, MCIP, RPP, EcD, CMM3  
Director of Community Planning and Development

**Prepared and Submitted by:**

David Cribbs, BA, MA, JD, MPA

Chief Administrative Officer



## APPENDIX B

### Conditions of Draft Plan Approval

#### Maplewood Estates Plan of Subdivision (File No. 26T19-02-2024)

The headings inserted in these draft plan conditions are inserted for convenience only and shall not be used as a means of interpreting these draft plan conditions. The conditions of final approval and registration of the Maplewood Estates Plan of Subdivision by Upper Canada Consultants Engineers/Planners (file no. 26T19-02-2024) Town of Pelham are as follows:

#### DRAFT PLAN

1. This approval applies to the Maplewood Estates Draft Plan of Subdivision, Part of Lot 237, Former Township of Thorold, in the Town of Pelham, Regional Municipality of Niagara prepared by Upper Canada Consultants dated September 4, 2024 showing:
  - 10 single detached dwelling lots;
  - Blocks 11, 12, and 13 for 6 semi-detached dwelling lots;
  - Blocks 14, 15, and 16 for 12 street townhouse dwelling lots;
  - Block 17 for condominium roadway access;
  - Block 18 for a 0.3 metre reserve;
  - 0.309 hectares for Public Streets;
2. This approval is for a period of three (3) years. Approval may be extended pursuant to Section 51 (33) of the *Planning Act R.S.O. 1990, c. P.13* but no extension can be granted once the approval has lapsed. If the Developer wishes to request an extension to the approval, a written explanation on why the extension is required, together with the resolution from the Region must be submitted for Town Council's consideration, prior to the lapsing date.
3. If final approval is not given to this draft plan within three (3) years of the approval date, and no extensions have been granted, approval will lapse under Section 51 (32) of the *Planning Act R.S.O. 1990, c. P.13*.
4. It is the Developer's responsibility to fulfill the conditions of draft plan approval and to ensure that the required clearance letters are forwarded by the appropriate agencies to the Town, quoting file number **26T19-02-2024** and referencing the conditions that are cleared.

#### AGREEMENTS AND FINANCIAL REQUIREMENTS

5. The Developer shall provide an electronic copy of the pre-registration plan, prepared by an Ontario Land Surveyor, and a letter to the Department of Community Planning and Development stating how all the conditions imposed have been or are to be fulfilled.

## **APPENDIX B**

6. The Developer shall agree to pay to the Town of Pelham all required processing and administration fees.
7. The Developer shall submit a Solicitor's Certificate of Ownership for the Plan of Subdivision of land to the Department of Community Planning and Development prior to the preparation of the Subdivision Agreement.
8. The Developer shall provide an electronic copy of the lot priority plan showing location of corner lot fencing and enhanced corner side building elevations for Lots 1 and 8 to the satisfaction of the Director of Community Planning and Development.
9. The Developer shall install privacy fencing where abutting existing residential uses.
10. That the Subdivision Agreement between the Developer and the Town of Pelham be registered by the Municipality against the lands to which it applies in accordance with the *Planning Act R.S.O. 1990, c. P.13*.
11. That the Developer shall pay the applicable Town of Pelham, Niagara Region, and Niagara District Catholic School Board development charges in place at the time of the Building Permit issuance.
12. That the Developer agrees in writing to satisfy all of the requirements, financial and otherwise, of the Town of Pelham concerning the provision of roads, daylight triangles, lot reserves, road widenings, sidewalks, fire hydrants, streetlighting, the extension and installation of services, stormwater management and drainage including the upgrading of services and the restoration of existing roads damaged during the development of the Plan of Subdivision.

### **LAND TRANSFERS AND EASEMENTS**

13. That the Developer agrees to deed any and all easements that may be required for access utility and drainage purposes be granted to the appropriate authorities and utilities.
14. The Developer agrees to transfer Block 17 to the adjacent property for future access road.
15. The Developer agrees to grant an easement in favour of the Town across Block 17 for access in perpetuity.

### **ZONING**

16. That prior to final approval, the zoning by-law amendment application (File No. AM-04-2024), has come into effect in accordance with the provisions of Section 34 of the *Planning Act R.S.O. 1990, c. P.13*.



## **APPENDIX B**

17. The Developer shall submit to the Department of Community Planning and Development an electronic copy of the proposed draft plan and a letter prepared by an Ontario Land Surveyor to confirm zoning compliance.
18. That the Director of Community Planning and Development be provided with a surveyor's certificate showing lot frontages and net lot area for the final Plan of Subdivision.
19. That the Developer obtains and finalizes demolition permits for the existing structures located on the current 729, 735, and 743 Quaker Road.

### **ROADS**

20. That the Developer provide detailed engineering design drawings for the access way required to service the subject lands to the Director of Public Works and Director of Planning and Development for review and approval.
21. The Developer shall be responsible for the construction of all services, including boulevard plantings and sodding/hydroseeding.
22. That the Developer agrees to provide a detailed streetscape plan to the satisfaction of the Director of Community Planning and Development and the Director of Public Works illustrating street trees and driveway entrances.
23. That prior to any construction taking place within the Town road allowance, the Developer shall obtain a Town of Pelham Temporary Works Permit. Applications must be made through the Department of Public Works.

### **MUNICIPAL SERVICES**

24. Prior to any site alteration, or final approval, the Developer shall submit all supporting materials and engineering design, prepared by a qualified professional, as required by the Town or any applicable authority, and shall agree to implement the recommendations of the reports, studies and plans to the satisfaction of the Director of Public Works, and any other applicable authority.
25. That a Servicing Study Report indicating that the accepting servicing infrastructure (storm sewers, sanitary sewers, and water mains) can accommodate the additional flows and adequate fire flows are provided to the development be submitted to the Town of Pelham for review and to the satisfaction of the Director of Public Works and the Fire Chief.
26. That the Developer will provide the Town of Pelham with the proposed site servicing plans for the subject property. The Director of Public Works shall approve the plans prior to final approval of the subdivision.

## **APPENDIX B**

27. That the Developer submit to the Town of Pelham for review and approval by the Director of Public Works a Geotechnical Study.
28. That the design drawings for the sanitary sewer and stormwater drainage systems to service this development be submitted to the Regional Public Works Department for review and approval. (Note: Any stormwater management facility that may be proposed for this development would require the direct approval of the Ministry of the Environment, Toronto). The Town of Pelham is responsible for the review and approval of watermains under the MOE Water License Program.
29. At the end of the project, the design engineer shall certify that all grading, storm sewers, and stormwater management controls have been constructed in general conformity to the approved drawings. Copies of the certification shall be circulated to the Town of Pelham and the Regional Municipality of Niagara.
30. That all foundation drainage be directed to a sump pump in each house discharging at grade level. Foundation drains will not be connected to the sanitary sewer system.
31. Roof water drainage from any structure or building shall be directed via downspouts discharging via splash pads (concrete or other suitable material) to grass surfaces. These splash pads shall extend a distance at least 1.2 metres away from the structure and must direct the flow away from the building, not onto walks or driveways, and not towards adjacent property. No side yard sidewalks that impede swales shall be permitted.
32. The Developer shall obtain Driveway Entrance Permits for construction of new or modification of existing driveways requires a Driveway Entrance Permit. This permit is obtained through the Public Works Department. All associated costs with this permit are the responsibility of the Developer.

### **STORMWATER MANAGEMENT, GRADING AND SEDIMENT AND EROSION CONTROL**

33. That the subdivision agreement between the Developer and the Town of Pelham contain provisions whereby the Developer agrees to implement the approved stormwater management plan.
34. That the Developer prepare a detailed subdivision grade control plan showing both existing and proposed grades and the means whereby major storm flows will be accommodated across the site to be submitted to the Town of Pelham and Regional Municipality of Niagara Development Services Division for review and approval.

## APPENDIX B

35. That prior to approval of the final plan or any on-site grading, the Developer submit to the Town of Pelham for review and approval two copies of a detailed stormwater management plan for the subdivision and the following plans designed and sealed by a suitably qualified professional engineer in accordance with the Ministry of the Environment documents entitled "Stormwater Management Planning and Design Manual (March 2003)" and "Stormwater Quality Guidelines for New Development (May 1991)", and in accordance with the Town of Pelham's Lot Grading and Drainage Policy, and the Town of Pelham's Stormwater Management Facility Standards:

- a) Detailed lot grading and drainage plans, noting both existing and proposed grades and the means whereby overland flows will be accommodated across the site; and,
- b) Detailed sediment and erosion control plans.
- c) CLI-ECA Forms.

### PUBLIC PARKLAND

36. That the Developer shall pay cash-in-lieu of the conveyance of parkland and under the provisions of Section 51.1 (3) of the *Planning Act R.S.O. 1990, c. P.13* and pursuant to the Town Parkland Dedication By-law 3621(2015).

### UTILITIES

37. No utilities shall be permitted to cross the proposed lot lines. Any required relocation shall be the Developer's responsibility.

38. The Owner acknowledges and agrees to convey any easement(s) as deemed necessary by Bell Canada to service this new development. The Owner further agrees and acknowledges to convey such easements at no cost to Bell Canada. The Owner agrees that should any conflict arise with existing Bell Canada facilities where a current and valid easement exists within the subject area, the Owner shall be responsible for the relocation of any such facilities or easements at their own cost.

39. In the event that easement(s) are required by Enbridge Gas Inc. to service this development, and any future adjacent developments, the applicant will provide the easement(s) to Enbridge Gas Inc. at no cost.

40. The Developer agrees that should any conflict arise with existing NPEI facilities or easements within the subject area, the Owner shall be responsible for the relocation of any such facilities or easements at their own cost.

41. That the Developer shall co-ordinate the preparation of an overall utility distribution plan to the satisfaction of all affected authorities.

42. That the Developer shall enter into any agreement as required by utility companies for installation of services, including street lighting, all in

## APPENDIX B

accordance with the standards of the Town of Pelham. All utilities servicing the subdivision shall be underground. Upon installation and acceptance by the Town, streetlights and streetlight electrical supply system will be added to the Town's inventory.

### NIAGARA REGION PLANNING AND DEVELOPMENT SERVICES DEPARTMENT

43. That the applicant/owner receive acceptance from the Ministry of Citizenship and Multiculturalism (MCM) for the *Stage 1-2 Archaeological Assessment* prepared by Detritus Consulting Ltd. (dated May 21, 2024). If the Ministry requires further archaeological work to be completed prior to acknowledging this report, these report(s) must also be submitted to and acknowledged by the Ministry, to the satisfaction of Niagara Region, prior to clearance of this condition. No demolition, grading or other soil disturbances shall take place on the subject property prior to the issuance of a letter from MCM through Niagara Region, confirming that all archaeological resource concerns have met licensing and resource conservation requirements.
44. That the subdivision agreement includes the following clause: "*If deeply buried or previously undiscovered archaeological remains/resources are found during development activities on the subject lands, all activities must stop immediately. If the discovery is human remains, contact the police and coroner to secure the site. If the discovery is not human remains, the area must be secured to prevent site disturbance. The project proponent must then follow the steps outlined in the Niagara Region Archaeological Management Plan: Appendix C (PDS 7-2024 Appendix 1 AMP report (niagararegion.ca)).*"
45. That prior to final approval for registration of this plan of subdivision, the owner shall submit the design drawings [with calculations] for the sanitary system required to service the proposed development to confirm the capacity in the Regional system prior to the Municipality signing off on the CLI ECA forms.
46. That the owner provides a written acknowledgement to Niagara Region stating that draft approval of this subdivision does not include a commitment of servicing allocation by Niagara Region, as servicing allocation will not be assigned until the plan is registered and that any pre-servicing will be at the sole risk and responsibility of the owner.
47. That the owner provides a written undertaking to Niagara stating that all Offers and Agreements of Purchase and Sale or Lease, which may be negotiated prior to registration of this subdivision shall contain a clause indicating that servicing allocation for the subdivision will not be assigned until the plan is registered, and a similar clause be inserted in the subdivision agreement between the owner and the Town of Pelham.

## **APPENDIX B**

48. In order to accommodate Regional waste collection services, the applicant is required to submit engineering plans for review and approval.
49. That the owner ensure that all streets and development blocks can provide access in accordance with the Regional Municipality of Niagara Corporate Policy for Waste Collection, and by-laws relating to the curbside collection of waste.
50. That the owner/developer shall comply with Niagara Region's Corporate Policy for Waste Collection and complete the Application for Commencement of Collection and required Indemnity Agreement. If the Indemnity Agreement has not been entered into at the time clearance of conditions is requested, a similar clause shall be included in the Subdivision Agreement.
51. That the owner/developer shall provide a revised draft plan to reflect a proposed temporary turnaround/cul-de-sac with a minimum curb radius of 12.8 metres or a temporary through-passage in the case of phased development.
52. That the owner submits Regional waste collection truck turning templates for review and approval confirming the development is able to accommodate Regional waste collection services.

### **Clearance of Conditions**

#### **FINAL APPROVAL**

53. Subject to the conditions set forth herein, this Draft Plan is approved under Section 51 (31) of the *Planning Act R.S.O. 1990, c. P.13*. Final approval shall be granted by the Town.

#### **CLEARANCE OF CONDITIONS**

Prior to granting final plan approval, the Department of Community Planning and Development requires written notice from applicable Town Departments and the following agencies indicating that their respective conditions have been cleared:

Town Department of Community Planning and Development for Conditions 2-19 (Inclusive), 18, 19, 29 and 36

Town Department of Public Works for Conditions 20-32 (Inclusive), 33-35, and 37, 41-42 (inclusive)

Bell Canada for Condition 39

Enbridge for Condition 40

NPEI for Condition 37

## **APPENDIX B**

Niagara Region Planning and Development Services Department for Conditions 43-52 (Inclusive)

**Subject:** Wellspring Niagara – Lease and Municipal Capital Facility Agreement to Provide Property Tax Exemption

**Recommendation:**

**BE IT RESOLVED THAT Council receive Report #2024-0232 Wellspring Niagara – Lease and Municipal Capital Facility Agreement to Provide property Tax Exemption, for information;**

**AND THAT Council approve the proposed Lease and Municipal Capital Facility Agreement between the Town of Pelham and Wellspring Niagara Cancer Support Foundation;**

**AND THAT if Wellspring Niagara Cancer Support Foundation requests revisions to the proposed agreement, Council authorize and direct staff to make such revisions provided that they are satisfactory to the Town Solicitor and that the Lease and Municipal Capital Facility Agreement remains substantially the same as the draft agreement attached hereto;**

**AND THAT the final Lease and Municipal Capital Facility Agreement and by-law exempting the lands municipally known as 50 Wellspring Way from taxation for municipal and school purposes be presented to Council for approval at the next regular meeting.**

**Background:**

On June 19, 2024, Council passed a by-law authorizing the Town to enter into a municipal capital facility agreement with Wellspring Niagara Cancer Support Foundation to exempt Wellspring from municipal property taxes payable in relation to 50 Wellspring Way.

The proposed Lease and Municipal Capital Facility Agreement is appended to this report. It was provided to Wellspring on October 3, 2024. As of the time of writing, Wellspring has not requested any revisions to the proposed agreement.

**Analysis:**

Section 110 of the *Municipal Act, 2001* authorizes the Town to exempt lands from taxes levied for municipal and school purposes where they are occupied and used for a service that may be provided by the Town. Health and social services, such as the non-medical support services provided by Wellspring, are eligible. However, lands exempted from taxes on this basis must be the subject of a municipal capital facility agreement.

There is currently a lease in place for the lands at 50 Wellspring Way that is set to expire in December 2037. The proposed Lease and Municipal Capital Facility Agreement will replace the lease. It includes the necessary provisions for the tax exemption, updates the agreement to reflect that Wellspring's construction on the property is complete, and sets out a clear process for resolution of any disputes that may arise. The remaining content of the proposed agreement is largely the same as the existing lease.

**Financial Considerations:**

The financial considerations associated with the property tax exemption are addressed in Report #2024-0125 – Wellspring Niagara Request for Property Tax Reduction, which was received by Council on June 19, 2024.

**Alternatives Reviewed:**

None.

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

Supporting Wellspring through a property tax exemption will facilitate the delivery of cancer support services to the community.

**Consultation:**

The Senior Leadership Team was consulted in the preparation of the proposed Lease and Municipal Capital Facility Agreement and this report. Wellspring Niagara Cancer Support Centre has been provided with the proposed agreement.

**Other Pertinent Reports/Attachments:**

Proposed Lease and Municipal Capital Facility Agreement.

**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



**THIS LEASE AND MUNICIPAL CAPITAL FACILITY AGREEMENT** dated this \_\_\_\_ day of \_\_\_\_\_, 2024 and made in pursuance of the *Short Forms of Leases Act*, R.S.O. 1990, c. S.11

**B E T W E E N:**

THE CORPORATION OF THE TOWN OF PELHAM

("the Town")

- and -

WELLSPRING NIAGARA CANCER SUPPORT FOUNDATION

("the Foundation")

**WHEREAS** the Town is the registered owner of certain lands in the Town of Pelham municipally known as 50 Wellspring Way and as illustrated in Schedule "A" ("the Lands"); and

**WHEREAS** the Foundation is a not-for-profit charitable organization that provides social and health services in the form of non-medical support for cancer patients and their families; and

**WHEREAS** on May 15, 2017, the Town and the Foundation entered into a lease agreement for the Lands pursuant to which the Foundation covenanted to pay all taxes levied for municipal and school purposes on or in relation to the Lands; and

**WHEREAS** the Foundation has requested that it be exempted from the foregoing covenant; and

**WHEREAS** the Lands are entirely occupied and used for a service or function that may be provided by the Town, namely, the provision of social and health services, and may therefore be the subject of a municipal capital facility agreement under the *Municipal Act, 2001*, S.O. 2001, c. 25; and

**WHEREAS** on June 19, 2024, By-law No. 43-2024 was passed by Council of the Town, authorizing the Town to enter into a municipal capital facility agreement to exempt the Lands from all taxes levied for municipal and school purposes on or in relation to the Lands and thereby exempt the Foundation from its covenant to pay all such taxes; and

**WHEREAS** the Town and the Foundation have agreed to terminate the prior lease agreement and replace it with this Lease and Municipal Capital Facility Agreement ("Agreement");

**WHEREAS** the Foundation is a not-for-profit corporation duly incorporated pursuant to the laws of Ontario and has properly authorized the entering into of this Agreement;

**NOW THEREFORE, IN CONSIDERATION** of the covenants and agreements contained herein, the Town demises and leases unto the Foundation, and the Foundation leases from the Town, the Lands on the following terms:

## **1. TERM**

- 1.1. The Town demises and leases the Lands to the Foundation for a term of twelve (12) years commencing on the first (1<sup>st</sup>) day of January 2025 and ending on the thirty-first (31<sup>st</sup>) day of December 2037 (“the Initial Term”), unless terminated earlier pursuant to the provisions of this Agreement.
- 1.2. At the end of the Initial Term, this Agreement shall automatically renew for an additional term of twenty (20) years, on the same terms and conditions as contained herein, and shall thereafter automatically renew for subsequent terms of twenty (20) years (each a “Renewal Term”), provided that at the time of each renewal, the Lands continue to be used as the Wellspring Niagara Cancer Support Centre in the Town of Pelham.
- 1.3. If the Foundation does not wish to renew this Agreement at the end of the Initial Term or any Renewal Term, it shall provide the Town with not less than twelve (12) months’ written notice of its intention not to renew the Agreement. Upon expiration of the term in which such notice is given, the provisions of section 2 shall apply.
- 1.4. If the Foundation continues to occupy the Lands after the expiration of this Agreement or after an earlier termination as provided for herein, there shall be no tacit renewal of this Agreement notwithstanding any statutory provision to the contrary.
- 1.5. If the Town consented in writing to the overholding as described in subsection 1.4, then the Foundation shall be deemed to be occupying the Lands as a monthly tenant and such tenancy may be terminated by either of the Town or the Foundation on thirty (30) days’ notice and otherwise on the same terms as contained herein. Any acceptance by the Town of the annual lease fee or other consideration shall not imply consent to any overholding by the Foundation.
- 1.6. Nothing herein shall limit the liability of the Foundation in damages or otherwise for any overholding and the Foundation shall indemnify and hold harmless the Town from and against any and all claims incurred by the Town as a result of such overholding.

## **2. LANDS AND IMPROVEMENTS**

- 2.1. The Lands are illustrated in Schedule “A”, which is appended hereto and forms part of this Agreement. Subject to the terms and conditions of this Agreement, the Foundation accepts the Lands in the condition existing on the first day of the Initial Term.
- 2.2. All buildings and structures located entirely within the boundaries of the Lands that were constructed by or on behalf of the Foundation (“the Improvements”) are the property of the Foundation and, upon expiration or earlier termination of this Agreement, shall be administered as follows:
  - i. The Town shall have the option to purchase the Improvements for fair market value (“FMV”), as determined by a qualified real property appraiser jointly retained by the Foundation and the Town to determine the FMV of the Improvements, the FMV of the Lands only, and the FMV of the Lands and the Improvements combined.
  - ii. If the Town elects not to purchase the Improvements, then the Lands shall be listed for sale at the FMV as determined by the appraisal of the Lands and Improvements combined.

iii. Upon completion of the sale, the Town shall receive net sale proceeds equal to the FMV of the Lands only, over the FMV of the Lands with the Improvements, and the Foundation shall receive the balance of the net sale proceeds.

2.3. The absolute right of the Town to purchase the Improvements pursuant to subsection 2.2 takes priority over any other interest in the Improvements that may now or hereafter be created by the Foundation. For greater certainty, all dealings by the Foundation that may in any way affect title to the Improvements shall be made expressly subject to this right of the Town and the Foundation shall not assign, encumber or otherwise deal with the Improvements except as permitted under this Agreement.

### **3. LEASE FEE**

3.1. The Foundation shall pay to the Town an annual lease fee in the amount of one dollar (\$1.00) plus any applicable taxes, payable in advance and in full on or before the first (1st) day of January in each year of the Initial Term and any Renewal Term(s).

### **4. MUNICIPAL CAPITAL FACILITY**

4.1. For the purposes of section 110 of the *Municipal Act, 2001*, S.O. 2001, c. 25 ("*Municipal Act, 2001*"), this Agreement is deemed to be a municipal capital facility agreement, and the Lands are deemed to be a municipal capital facility used for the provision of social and health services.

4.2. Notwithstanding any other provision of this Agreement, the Town and the Foundation acknowledge and agree that the Lands constitute a municipal capital facility as defined in the *Municipal Act, 2001*. In the event that the Town enacts a by-law exempting the Lands from taxation for municipal and school purposes in accordance with section 110 of the *Municipal Act, 2001*, and the Lands are thus exempt from taxation in accordance with the said by-law, then the Foundation shall not be liable for the payment of municipal taxes in respect of the Lands during the Initial Term and any Renewal Term(s).

### **5. USE AND OCCUPANCY OF THE LANDS AND IMPROVEMENTS**

5.1. The Foundation shall use the Lands and the Improvements to operate the Wellspring Niagara Cancer Support Centre in the Town of Pelham and for no other purpose. For greater certainty, the Foundation covenants that the sole use made of the Lands and the Improvements shall be the provision of non-medical support for cancer patients and their families.

5.2. Should the Foundation cease to operate the Wellspring Niagara Cancer Support Centre in the Town of Pelham on the Lands, the Foundation may seek the consent of the Town to assign this Agreement to another community service organization. The Town has sole discretion to grant or withhold its consent to any such request and/or to impose terms and conditions on the proposed assignment.

5.3. The Foundation further covenants that at all times the use made of the Lands and the Improvements shall comply with and conform to all requirements of the Town's zoning by-law and any other municipal, provincial and/or federal laws and regulations that may affect the Lands.

- 5.4. During the Initial Term and any Renewal Terms, the Foundation shall, at its sole cost and expense, keep in good order and condition the Lands and the Improvements, and all appurtenances and equipment thereof, both inside and outside, and shall make any and all necessary repairs, replacements, substitutions, improvements, and additions, foreseen or unforeseen, structural or otherwise, and shall ensure that all such repairs and maintenance are completed in a good and workmanlike manner.
- 5.5. The Foundation may make repairs, additions, alterations, or replacements (“Changes”) to the Improvements or any other part of the Lands provided that where such Changes materially affect the appearance or character of the exterior of the Improvements or exterior portions of the Lands, or will materially affect the structure of the Improvements, the Foundation shall first obtain the written approval of the Town, which shall not be unreasonably withheld. The Foundation shall construct Changes at its sole cost and in a good and workmanlike manner, using first-class materials.
- 5.6. In determining whether to grant approval to any Changes, the Town shall have regard to whether the Foundation has provided sufficient information to satisfy the Town that the Changes will comply with all applicable federal, provincial and municipal laws and regulations, will not weaken or compromise the structure of the Improvements, and will not materially adversely affect the FMV of the Lands and/or the Improvements.
- 5.7. Before requesting the Town’s approval of any Changes, the Foundation shall submit to the Town conceptual plans of the proposed Changes. Within thirty (30) calendar days after receiving such plans, the Town shall advise the Foundation in writing whether it approves the Changes, and if not, shall request modifications to the plans. Within thirty (30) calendar days after the Foundation receives such a request, it shall submit revised plans and other similar material for the Town’s approval. The Town and the Foundation agree to negotiate in good faith to modify the proposed Changes to secure the approval of the Town.
- 5.8. The Foundation shall not cause or permit any injury to the Lands or the Improvements and shall not use or occupy, or permit to be used or occupied, any part of the Lands or the Improvements so as to constitute a nuisance or for any illegal or unlawful purpose, nor in any manner that may contravene lawful restrictions on their use. The Foundation shall not damage or disfigure the Lands or the Improvements or any part thereof.
- 5.9. The Foundation shall, at its sole expense, keep the sidewalks, curbs and passageways adjacent to the Lands and the Improvements clean from rubbish, ice and snow at all times and shall not encumber or obstruct the same or allow the same to be encumbered or obstructed in any manner.
- 5.10. The Foundation shall construct or repair municipal and similar services with respect to the Lands and the Improvements as the Town or other relevant authority may require from time to time, and without contribution from the Town. For greater certainty, and notwithstanding any other term of this Agreement, it is understood that the Foundation shall be required to construct or repair required municipal services from the boundary line between the Lands and adjacent Town property.

- 5.11. The Foundation shall be solely responsible for and shall promptly pay to the appropriate utility suppliers all charges for water, gas, electricity, telecommunications, and all other utilities and services supplied to the Lands. In no event shall the Town be liable for, or have any obligation with respect to, any interruption or cessation of or a failure in the supply of any utilities, services or systems in, to or serving the Lands.
- 5.12. The Foundation shall not cause or permit any lien to be registered against the Lands for any work performed or claimed to have been performed on the Lands or the Improvements by or at the direction or sufferance of the Foundation. The Foundation shall have the right to contest the validity of, or the amount claimed under or in respect of, any such lien if such contesting shall involve no forfeiture, foreclosure or sale of the Lands or any part thereof and the Foundation shall not be required to cause such lien to be discharged and released until after a final determination of the contest, at which time the Foundation shall cause such lien to be discharged.
- 5.13. The Town and its employees, agents and contractors shall be entitled to enter upon the Lands and the Improvements at any time during normal business hours, on reasonable prior notice, purposes of inspecting the Lands or the Improvements. The Foundation shall not be entitled to compensation for any inconvenience, nuisance or discomfort occasioned thereby. The Town shall take reasonable precautions not to unreasonably interfere with the Foundation's operations and to minimize interference with its use and enjoyment of the Lands.
- 5.14. Upon expiration or earlier termination of this Agreement, the Foundation shall remove its furniture, chattels and other usual tenants' fixtures not forming any part of the structure of the Improvements.
- 5.15. The complete or partial destruction of or damage to the Improvements by fire or other casualty shall not terminate this Agreement or entitle the Foundation to surrender the Lands or to have or demand any abatement or reduction of any amounts payable under this Agreement.
- 5.16. The Foundation covenants and agrees that following the complete or partial destruction of or damage to any of the Improvements, it shall repair, reconstruct or replace such Improvements to the standard set out in this Agreement. The Foundation shall first use the proceeds of insurance in accordance with subsection 6.2 and, should the insurance monies be insufficient to pay the entire cost, the Foundation shall pay the deficiency.

## **6. INSURANCE AND INDEMNITY**

- 6.1. During the Initial Term and any Renewal Term(s), the Foundation shall, at its sole cost and expense, obtain and maintain in full force and effect the following insurance:
  - i. fire and extended perils coverage under a standard extended form of fire insurance policy, with standard extended coverage endorsements, with coverage to the full insurable value of the Lands and the Improvements, computed on a replacement cost basis and that names the Town as an additional insured; and
  - ii. comprehensive general liability and property damage insurance with limits of not less than five million dollars (\$5,000,000) per occurrence that names the Town as an additional insured with respect to this Agreement and contains cross-liability and severability of interest clauses and a waiver of any right of subrogation by the Foundation's insurers against the Town and its elected officials, employees and/or

agents, and that contains an undertaking by the insurer(s) to give thirty (30) days prior written notice to the Town of any material change to the coverages and/or the cancellation or expiry of the said policy or policies.

- 6.2. All proceeds of any insurance shall first be used by the Foundation for the costs of repairing, reconstruction or replacing, as the case may be, any damaged or destroyed portions of the Lands or the Improvements to the standard set out in this Agreement.
- 6.3. The Foundation shall provide the Town with proof of insurance upon request.
- 6.4. If the Foundation fails to obtain or maintain any insurance coverage required under this Agreement, the Town has the right to take out such insurance and pay the premium(s). The Foundation shall thereafter pay to the Town the premium amount(s) plus fifteen percent (15%), which shall be payable on the first day of the next month following the said payment by the Town.
- 6.5. The Foundation shall indemnify and save harmless the Town and its elected officials, employees and agents from and against all liabilities, claims, damages, interest, fines, penalties, monetary sanctions, losses, costs and expenses whatsoever arising from or in any way related to the use, occupancy or presence of the Foundation or any other person, firm, partnership or corporation at or upon the Lands or the Improvements.

## **7. ASSIGNMENT AND AMENDMENT**

- 7.1. Other than as set out in subsection 5.2, the Foundation shall not assign this Agreement, in whole or in part, and shall not sublet any portion of the Lands or the Improvements without the prior written consent of the Town. The Town has sole discretion to grant or withhold its consent to any such request and/or to impose terms and conditions on the proposed subletting of any portion of the Lands or the Improvements.
- 7.2. Neither the Foundation nor any other person, firm, partnership or corporation acting on behalf of, or claiming under, the Foundation, including any assignee, subtenant or other occupant, shall register this Agreement or any other instrument related to it against the Lands. The Foundation may register a notice or caveat of this Agreement provided that a copy of the Agreement is not attached and the Town gives prior written approval of the proposed registration. Upon expiration or earlier termination of this Agreement, the Foundation shall immediately discharge or otherwise vacate any such notice or caveat.
- 7.3. Should the Town sell, transfer or dispose its interest in the Lands or any part thereof, or assign this Agreement, in whole or in part, the Town shall cause the purchaser, transferee or assignee to directly assume the covenants and obligations of the Town under this Agreement and the Town shall thereafter be freed and relieved of all liability for such covenants and obligations under this Agreement.
- 7.4. This Agreement may be amended only by consent of the parties. All amendments shall be made in writing, signed by the parties, and appended to this Agreement.

## **8. QUIET ENJOYMENT**

- 8.1. The Foundation, upon payment of the annual lease fee and performing and observing all terms, conditions and covenants in this Agreement that are required to be performed or observed by the Foundation, shall be entitled to quiet enjoyment of the Lands during the Initial Term and any Renewal Term(s).

## **9. DEFAULT AND TERMINATION**

- 9.1. Any of the following constitutes an event of default under this Agreement:
- i. the Foundation fails to pay the annual lease fee or any other amount payable under this Agreement on the appointed payment date(s) and fails to pay the said amount, with interest, within fifteen (15) calendar days of written notice to the Foundation;
  - ii. the Foundation fails to observe or perform any of other term, condition or covenant of this Agreement required to be observed or performed by the Foundation and fails to rectify the breach of, or non-compliance with, this Agreement, within thirty (30) calendar days of written notice to the Foundation of the matter complained of;
  - iii. the Foundation becomes bankrupt or insolvent or takes the benefit of any statute for bankrupt or insolvent debtors or makes a proposal, assignment or arrangement with its creditors, or any steps are taken by any person for the dissolution, winding-up or other termination of the Foundation's existence or the liquidation of its assets;
  - iv. a trustee, receiver, receiver/manager or other person acting in a similar capacity is appointed with respect to the assets of the Foundation;
  - v. the Foundation makes any assignment, transfer or sublet other than in compliance with this Agreement; or
  - vi. the Foundation abandons the Lands and/or the Improvements.
- 9.2. If an event of default described in subsection 9.1 occurs, then, without prejudice to any other rights arising under this Agreement, by statute or at common law, the Town shall have the following rights and remedies, which are cumulative and not alternative:
- i. to terminate this Agreement by notice to the Foundation;
  - ii. to enter and repossess the Lands and/or the Improvements;
  - iii. to remove all persons and property from the Lands and the Improvements and to store such property at the risk and expense of the Foundation or to sell or dispose of such property as the Town sees fit and without notice to the Foundation;
  - iv. to relet the Lands and/or the Improvements on terms determined by the Town;
  - v. to make alterations to the Lands and/or the Improvements to facilitate reletting;
  - vi. to apply the proceeds of any sale of property or reletting, first, to the payment of expenses incurred by the Town with respect to such sale or reletting, second, to payment of any indebtedness of the Foundation to the Town other than the annual lease fee, and third, to the payment of any annual lease fee in arrears;
  - vii. to remedy or attempt to remedy any default of the Foundation and to enter on the Lands and/or the Improvements for this purpose;
  - viii. to remedy or attempt to remedy any default of the Foundation without notice to the Foundation of its intention to do so;

- ix. to recover from the Foundation all expenses incurred by the Town to remedy or attempt to remedy any default of the Foundation; and
  - x. to recover from the Foundation all damages, costs and expenses incurred by the Town as a result of any default by the Foundation.
- 9.3. The Town and the Foundation may terminate this Agreement at any time upon mutual agreement made in writing. In addition, the Town and the Foundation shall each have the option to terminate this Agreement by giving twenty-four (24) months' written notice to the other party.
- 9.4. Upon termination of this Agreement pursuant to subsection 9.1 or 9.2, the Foundation shall promptly remove all furniture, chattels and other usual tenants' fixtures not forming any part of the structure of the Improvements and shall repair any damage to the Lands or the Improvements resulting from such removal. The parties shall thereafter proceed as set out in section 2 of this Agreement.
- 9.5. The termination of this Agreement by expiration or otherwise shall not affect the liability of either of the Town or the Foundation to the other with respect to any obligation under this Agreement which has accrued up to the date of such termination but has not been properly satisfied or discharged.

## 10. DISPUTE RESOLUTION

- 10.1. In case of any dispute between the parties during the Initial Term or any Renewal Term as to any matter arising under this Agreement, the party that disputes the other party's position or conduct shall immediately provide written notice to the other party.
- 10.2. Where a notice of dispute is received in accordance with section 10.1, the Town and the Foundation shall attempt to resolve the dispute through direct negotiation between the parties. If a dispute cannot be resolved through negotiation within ninety (90) days after the notice of dispute is delivered, it shall be arbitrated in accordance with this Agreement and the *Arbitration Act, 1991*, S.O. 1991, c. 17.
- 10.3. The Town and the Foundation shall jointly select an arbitrator who:
- i. holds a valid Chartered Arbitrator (C. Arb.) designation;
  - ii. is a member in good standing of the ADR Institute of Ontario; and
  - iii. has identified "Real Estate and Property" as an Area of Expertise in the Ontario Dispute Resolution Professionals Directory maintained by the ADR Institute of Ontario (<https://adr-ontario.ca/public-member-directory/#/cid/1468/id/201>).
- 10.4. In the event that the Town and the Foundation are unable to agree on an arbitrator who meets the requirements of subsection 10.3, the arbitrator with the earliest availability shall be selected.
- 10.5. The arbitrator's decision shall be final and binding on the parties.
- 10.6. The Town and the Foundation shall each bear their own costs associated with the determination of disputes arising under this Agreement, including but not limited to legal costs and arbitration costs.



## 11. GENERAL

- 11.1. Notwithstanding any other provision of this Agreement, in the event that either the Town or the Foundation should be delayed, hindered or prevented from the performance of its obligations under this Agreement by reason of an event beyond the reasonable control of the parties, including but not limited to strikes, inclement weather, or acts of God, but not including insolvency or lack of funds, then the performance of such obligation shall be postponed for a period of time equivalent to the time lost by reason of such delay.
- 11.2. Waiver by a party of any provision of this Agreement shall not constitute a waiver in any other instance and any such waiver must be made in writing. Moreover, any delay or failure on the part of either party to exercise or enforce any right, power or remedy conferred by this Agreement shall not constitute a waiver of same and shall not operate as a bar to that party exercising or enforcing such right, power or remedy at any subsequent time.
- 11.3. This Agreement constitutes the entire agreement between the Town and the Foundation in relation to the matters set out herein. There are no other representations, warranties, covenants, agreements or terms relating to the subject matter of this Agreement. This Agreement supersedes any prior discussions, understandings or agreements between the Foundation and the Town in relation to its subject matter.
- 11.4. The invalidity or unenforceability of any particular term of this Agreement shall not limit the validity or enforceability of the remaining terms of this Agreement, each of which is distinct and severable from all other terms of this Agreement.
- 11.5. This Agreement shall be binding upon and enure to the benefit of the Town and the Foundation and to their respective successors and permitted assigns.
- 11.6. This Agreement shall be governed by and construed in accordance with the laws of the Province of Ontario and the laws of Canada applicable therein.
- 11.7. All communications or notices required under or contemplated by this Lease shall be considered to have been sufficiently given if delivered by hand, sent by registered mail or sent by email to the party to which such notice is directed as set forth below:

If to the Foundation:

Wellspring Niagara Cancer Support Foundation  
50 Wellspring Way  
Fonthill ON L0S 1E6

Attention: Ann Mantini-Celima, Executive Director  
[ann@wellspringniagara.ca](mailto:ann@wellspringniagara.ca)

If to the Town:

The Corporation of the Town of Pelham  
P.O. Box 400  
20 Pelham Town Square  
Fonthill ON L0S 1E0

Attention: Town Clerk  
[clerks@pelham.ca](mailto:clerks@pelham.ca)

or such other address of which either party has notified the other, in writing, and any such notice mailed or delivered shall be deemed good and sufficient notice under the terms of the Agreement.

- 11.8. Notices delivered or sent by prepaid registered mail are deemed to be effective on the date of receipt. Notices sent by email are deemed to be effective on the day the email is sent or, if sent after 4:00 p.m., on the following day.
- 11.9. This Agreement may be signed in counterpart, each of which is an original, and all of which taken together constitute one single document. Counterparts may be executed on different dates and in original or electronic form and may be exchanged by way of mail or PDF file delivered by email.

**[signature page follows]**

DRAFT

**IN WITNESS WHEREOF** the parties have executed this Agreement by their authorized representatives and agree to be bound thereby.

**WELLSPRING NIAGARA CANCER SUPPORT FOUNDATION**

By: \_\_\_\_\_

Name:

Title:

By: \_\_\_\_\_

Name:

Title:

I/We have authority to bind the Corporation.

Date: \_\_\_\_\_

**THE CORPORATION OF THE TOWN OF PELHAM**

By: \_\_\_\_\_

Name:

Title:

By: \_\_\_\_\_

Name:

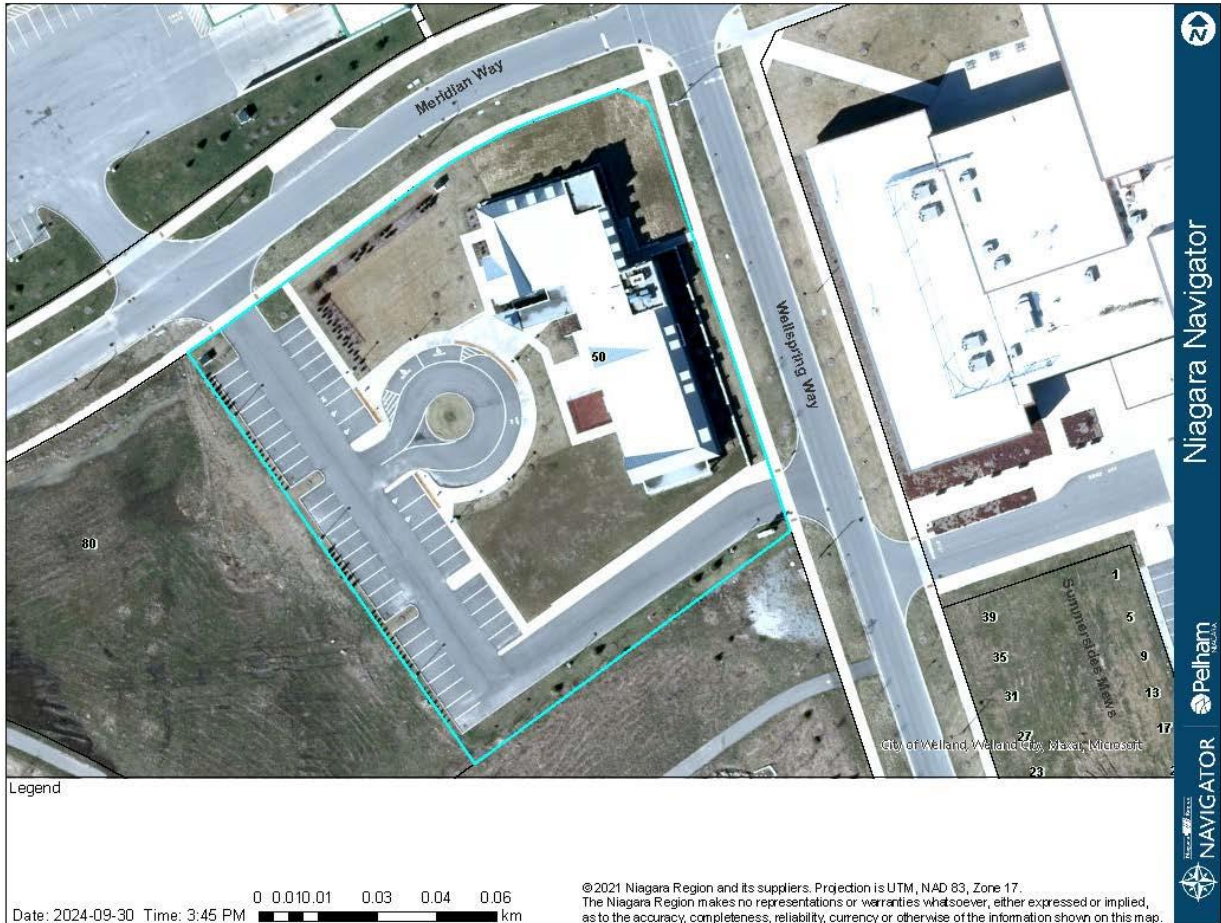
Title:

I/We have authority to bind the Corporation.

Date: \_\_\_\_\_

DRAFT

**SCHEDULE "A"**





## The Corporation of the Town of Pelham

By-law No. 69-2024

**Being a By-law to regulate animal care and control in the Town of Pelham and repeal By-law Nos. 462(1978), 1450(1992), 97-2010, 2174(2000), 2254(2001) and 3448(2013).**

**WHEREAS** section 8 of the *Municipal Act, 2001*, S.O. 2001, c. 25 (“*Municipal Act, 2001*” or “the statute”) provides that the powers of a municipality under the statute or any other Act shall be interpreted broadly so as to confer broad authority on the municipality to enable the municipality to govern its affairs as it considers appropriate and to enhance the municipality’s ability to respond to municipal issues;

**AND WHEREAS** section 8 of the *Municipal Act, 2001* further provides that a by-law under section 11 of the statute may provide for a system of licences;

**AND WHEREAS** section 9 of the *Municipal Act, 2001* provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under the statute or any other Act;

**AND WHEREAS** section 11 of the *Municipal Act, 2001* provides that a lower-tier municipality has the authority to pass by-laws respecting the economic, social and environmental well-being of the municipality, the health, safety and well-being of persons and property, and by-laws respecting animals;

**AND WHEREAS** section 103 of the *Municipal Act, 2001* provides that a municipality may pass by-laws providing for the seizure, impoundment and sale of animals found trespassing or at large;

**AND WHEREAS** section 105 of the *Municipal Act, 2001* provides that where a municipality requires the muzzling of a dog, it shall hold a hearing in relation to the muzzle requirement at the request of the dog owner;

**AND WHEREAS** section 128 of the *Municipal Act, 2001* provides that a lower-tier municipality may prohibit and regulate with respect to public nuisances;

**AND WHEREAS** section 391 of the *Municipal Act, 2001* authorizes a municipality to impose fees and charges on persons for services or activities provided or done by or on behalf of the municipality;

**AND WHEREAS** sections 425 and 429 of the *Municipal Act, 2001* authorize a municipality to create offences for the contravention of its by-laws and to establish a system of fines for offences under its by-laws;

**AND WHEREAS** section 434.1 of the *Municipal Act, 2001* authorizes a municipality to establish a system of administrative monetary penalties to assist the municipality in promoting compliance with its by-laws;

**AND WHEREAS** section 436 of the *Municipal Act, 2001* provides that a municipality may pass by-laws providing that the municipality may enter on land at any reasonable time for the purpose of carrying out an inspection to determine compliance with a by-law, direction or order of the municipality;

**AND WHEREAS** section 444 of the *Municipal Act, 2001* provides that where a municipality is satisfied that a by-law contravention has occurred, it may make an order requiring the person who caused or permitted the by-law contravention or the owner or occupier of the land on which the contravention occurred to discontinue the contravening activity;

**AND WHEREAS** the Council of the Corporation of the Town of Pelham deems it necessary and desirable to regulate the care and control of animals in the Town of Pelham and to enact this By-law for that purpose;

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

## **1. Purpose**

- 1.1. The purpose of this By-law is to regulate the care and control of animals in the Town of Pelham to protect and promote the health, safety and well-being of the municipality and its residents.

## **2. Definitions**

- 2.1. In this By-law:

**“Administrative Penalty”** means an Administrative Penalty issued pursuant to Town of Pelham Administrative Penalty Process By-law for Non-Parking By-laws No. 68-2023, as amended from time to time.

**“Agricultural Operation”** means an agricultural operation as defined in the *Farming and Food Production Protection Act, 1998*, S.O. 1998, c. C.1.

**“Animal”** means any member of the animal kingdom other than a human and includes Cats, Dogs and Livestock as defined in this By-law.

**“Animal Owner”** means the Person that owns an Animal.

**“Applicable Law”** means all applicable by-laws of the Town and Niagara Region and all applicable provincial and federal statutes and regulations.

**“At Large”** means an Animal being at any place other than Property of which the Animal Owner or other Person that is Keeping the Animal is an Owner or Occupant and not under Control by the Animal Owner or other Person that is Keeping the Animal.

**“Attack”** means physical contact, other than accidental contact, by a Dog that results in physical injury or death to a Person or Domesticated Animal or damage to clothing worn by a Person and **“Attacks”** and **“Attacked”** have corresponding meanings.

**“Bite”** means a wound to the skin of a Person or Domesticated Animal that is caused by the teeth of a Dog and that results in a puncture or skin breakage and **“Bites”** and **“Bitten”** have corresponding meanings.

**“By-law Enforcement Officer”** means a by-law enforcement officer of the Town and includes the Director.

**“Cat”** means a Domesticated Animal in the Felidae (feline) family.

**“Clerk”** means the Clerk of the Town or designate.

**“Control”** means the physical restraint or confinement of an Animal by a Person by way of a secure enclosure on Private Property, a fixed tether on Private Property between two (2) and eight (8) metres in length that confines the Animal to the Private Property, or a leash not exceeding two (2) metres in length, and does not include sound or voice commands.

**“Council”** means the Council of the Town.

**“Dangerous Dog”** means a Dog with any of the behaviours or attributes set out in subsection 9.1 of this By-law.

**“Director”** means the Director of Fire and By-law Services of the Town or designate.

**“Dog”** means a Domesticated Animal in the Canidae (canine) family.

**“Dog Licence”** means a licence issued under this By-law to the Animal Owner of a Dog.

**“Domesticated Animal”** means an Animal of a species that has been adapted over time from a wild or natural state to a tame condition such that it lives in close association with and/or to the benefit of humans.

**“Enforcement Authority”** means the Director, a By-law Enforcement Officer, and any Person appointed or otherwise delegated the authority to administer and enforce this By-law.

**“Fees and Charges By-law”** means Town of Pelham By-law No. 4411 (2022), as updated or amended from time to time.

**“Keep”** means the ownership, possession or harbouring of an Animal by any Person and **“Keeping”** and **“Kept”** have corresponding meanings.

**“Kennel”** means a Kennel as defined in the Zoning By-law.

**“Kennel Licence”** means a licence issued under this By-law to a Person that operates a Kennel.

**“Livestock”** means Livestock as defined in the Zoning By-law.

**“Muzzle”** means a humane fastening or covering device placed over the mouth of a Dog that does not interfere with the Dog’s ability to breathe, drink or see when fitted and fastened over the mouth of the Dog, and that is of sufficient strength to prevent Bites.

**“Muzzle Order”** means a Notice to Muzzle or Order to Muzzle issued to the Animal Owner of a Dangerous Dog.

**“Niagara Region”** means the Regional Municipality of Niagara.

**“Occupant”** means a Person that lawfully occupies Property and includes Owners and lessees.

**“Order”** means an Order issued to a Person under this By-law and includes a Muzzle Order.

**“Owner”** means the registered owner of Property.

**“Person”** means an individual, corporation, partnership or association.

**“Pound”** means premises that are used for the detention, maintenance or disposal of Animals that are seized pursuant to this By-law and that are operated in accordance with the *Animals for Research Act, 1990, c. A.22* and operated in accordance with its regulations.

**“Poundkeeper”** means the Person that acts as poundkeeper for the Town pursuant to the *Pounds Act, R.S.O. 1990, c. P. 17*.

**“Private Property”** means Property Owned by a Person other than the Town, Niagara Region, the Province of Ontario or Canada.

**“Prohibited Animal”** means an Animal listed in Schedule “A”, which is appended hereto and forms part of this By-law.

**“Property”** means any land or premises within the Town.

**“Provocation”** when used in reference to an Attack or Bite means any abuse, assault, tormenting, unwanted physical contact or similar conduct by the Person or Domestic Animal that sustained the Attack or Bite.

**“Public Property”** means Property under the ownership or jurisdiction of the Town, Niagara Region, the Province of Ontario or Canada.

**“Town”** means the Corporation of the Town of Pelham or the geographic area of the municipality, as the context requires.

**“Wild Animal”** means an Animal that is not a Domesticated Animal and for which the natural habitat includes the Town.

**“Zoning By-law”** means Town of Pelham Comprehensive Zoning By-law No. 4481(2022), as enacted and amended from time to time.

### **3. General Prohibition**

3.1. No Person shall Keep any Animal or cause or permit any Animal to be Kept except in accordance with this By-law and Applicable Law.

### **4. Animal Keeping Prohibitions**

4.1. No Person shall Keep a Prohibited Animal or cause or permit a Prohibited Animal to be Kept.

4.2. Notwithstanding subsection 4.1 of this By-law, any Person who, on the date this By-law comes into effect, was lawfully Keeping a Prohibited Animal, is permitted to Keep the Prohibited Animal for the remainder of the natural life of the Prohibited Animal, subject to the following conditions:

- (a) the Animal Owner registers the Prohibited Animal with the Town by submitting written confirmation of the species of the Prohibited Animal, its approximate age and anticipated lifespan, the Property where the Prohibited Animal is Kept, and contact particulars for the Animal Owner;
- (b) the Prohibited Animal is confined to the Property where it is located except for necessary veterinary visits;
- (c) the Prohibited Animal is not displayed to the public;
- (d) the Prohibited Animal is not permitted to breed or reproduce;
- (e) the Prohibited Animal is Kept in an environment appropriate for the species as determined by an Enforcement Authority;
- (f) the Prohibited Animal is Kept in an enclosure appropriate for the species;



- (g) where the Prohibited Animal is a constrictor or a venomous reptile, it is Kept in an enclosure made of wood, fiberglass, plastic or metal that is situated inside a building and in an area of the building that is locked and secure;
  - (h) where the Prohibited Animal is a venomous reptile, the Animal Owner supplies antitoxins, if any, to the nearest hospital or urgent care clinic; and
  - (i) where the Prohibited Animal is a large undomesticated cat, it is Kept in an enclosure made of heavy gauge chain link fence three (3) to four (4) metres high and a fully enclosed top, which shall be surrounded by a second chain link fence two (2) metres outside the enclosure and not less than two (2) metres high, and equipped with warning signage on the outer fence that is visible to any Person approaching the enclosure.
- 4.3. The Person seeking to rely on the exemption set out in subsection 4.2 of this By-law bears the onus of establishing the exemption to the satisfaction of the Town.
- 4.4. No Person shall Keep any Wild Animal or cause or permit a Wild Animal to be Kept on Private Property.
- 4.5. No Person shall remove any Wild Animal or cause or permit the removal of any Wild Animal from Public Property unless the said removal is authorized by the Town and conducted in a humane and appropriate manner.
- 4.6. Notwithstanding subsections 4.4 and 4.5 of this By-law, where a Person finds a Wild Animal that is ill, injured or unable to fend for itself, the Person shall notify the Town as soon as possible and may Keep the Wild Animal until such time as it is surrendered to the Town or such other agency or facility as the Town may direct.
- 4.7. No Person shall Keep any Livestock on Private Property unless the Private Property is zoned to permit the Keeping of Livestock under the Zoning By-law or is permitted under Town of Pelham Backyard Hens By-law No. 44-2023.
- 4.8. Subsections 4.1, 4.4 and 4.7 of this By-law do not apply to Animals that are Kept:
- (a) by the Town;
  - (b) at a facility registered under the *Animals for Research Act*, R.S.O. 1990, c. A.22;
  - (c) at a veterinary facility accredited under the *Veterinarians Act*, R.S.O. 1990, c. V.3;
  - (d) by a Person licensed by the Province of Ontario or Canada to Keep any Prohibited Animal or Wild Animal;
  - (e) by a not-for-profit corporation or registered organization formed for and engaged in Animal rescue operations;
  - (f) at a Pound authorized by the Town;
  - (g) as part of an exhibition or event approved by the Town; or
  - (h) as part of an Agricultural Operation.

## **5. Animals At Large**

- 5.1. No Animal Owner or Person who Keeps an Animal shall cause or permit the Animal to be At Large.
- 5.2. Any Animal found At Large may be seized by the Poundkeeper or an Enforcement Authority and delivered to a Pound authorized by the Town.
- 5.3. The Animal Owner of an Animal seized and delivered to a Pound pursuant to subsection 5.2 of this By-law is entitled to claim the return of the Animal upon payment of the applicable fee that is established by the Poundkeeper from time to time, and any other fees that may be levied against the Animal Owner pursuant to the *Pounds Act*, R.S.O. 1990, c. P. 17 ("*Pounds Act*").
- 5.4. If the Animal Owner of an Animal seized and delivered to a Pound pursuant to subsection 5.2 of this By-law fails to claim the return of the Animal within three (3) business days, the Poundkeeper may sell the Animal in accordance with the *Pounds Act*.
- 5.5. If the Animal Owner of a Dog or Cat seized and delivered to a Pound pursuant to subsection 5.2 of this By-law fails to claim the return of the Animal within ten (10) business days, the Animal may be destroyed in accordance with the *Animals for Research Act*, R.S.O. 1990, c. A.22.

## **6. Licensing of Dogs**

- 6.1. Every Animal Owner of a Dog residing in the Town shall obtain a Dog Licence for the Dog from the Town or its licensing agent, shall maintain the Dog Licence in good standing, and shall renew the Dog Licence annually.
- 6.2. Every application for a Dog Licence or a renewal of a Dog Licence shall be accompanied by the applicable fee established by the Town or its licensing agent from time to time.
- 6.3. Upon submission of the Dog Licence application and payment of the applicable fee, the Animal Owner shall be provided with a Dog Licence tag and shall keep it securely fixed to the Dog when the Dog is on Public Property.
- 6.4. Every Dog Licence issued pursuant to this By-law shall be serially numbered and a record of issuance shall be kept by the Town or its licensing agent. This record shall include, at a minimum, the name, address and email address of the Animal Owner, the name, breed, colour and sex of the Dog, and such other information as the Town or its licensing agent determines is required.
- 6.5. No Person shall provide false information when applying for or renewing a Dog Licence.
- 6.6. Every Dog Licence is specific to the Dog for which it is issued and is not transferable to any other Animal.

## **7. Kennels**

- 7.1. No Person shall establish or operate a Kennel in the Town except as permitted under the Zoning By-law and in accordance with the requirements of this By-law and all Applicable Law.

- 7.2. Every Person who establishes or operates a Kennel in the Town shall obtain a Kennel Licence to operate from the Town or its licensing agent, shall maintain the Kennel Licence in good standing, and shall renew the Kennel Licence annually.
- 7.3. Every application for a Kennel Licence or a renewal of a Kennel Licence shall be accompanied by the applicable fee established by the Fees and Charges By-law, which shall not be refunded irrespective of the outcome of the application.
- 7.4. The application for a Kennel Licence or a renewal of a Kennel Licence shall contain the following:
  - (a) the name and contact particulars of the Kennel operator including address, telephone number and email address;
  - (b) the address of the Kennel;
  - (c) if the Kennel operator is not the Owner of the Property at which the Kennel is located:
    - i. the name and contact particulars of the registered Owner(s) the Property; and
    - ii. written approval of the Kennel Licence application by the registered Owner(s) of the Property;
  - (d) if the application is for a new Kennel, a site plan showing the location of the Kennel in relation to the boundaries of the Property at which the Kennel will be located and any other building or structure on the Property; and
  - (e) a copy of the current and valid registration of the Kennel operator with the Canadian Kennel Club Inc. or other kennel club recognized by the Town or its licensing agent;
  - (f) the maximum number of Dogs at the Kennel; and
  - (g) certification that the Kennel meets all Applicable Law and all applicable standards and requirements of the Town and of Niagara Region Public Health.
- 7.5. No Person shall provide false information when applying for or renewing a Kennel Licence.
- 7.6. Upon receipt of an application for a Kennel Licence or a renewal of a Kennel Licence, the Town or its licensing agent shall review it for completeness and may require the applicant to provide such additional information or documents as the Town or its licensing agent determines are reasonably necessary to complete the application.
- 7.7. Upon receipt of completed application, the Town or its licensing agent shall issue a Kennel Licence where satisfied that the Kennel meets the requirements of this By-law.
- 7.8. Notwithstanding subsection 7.7, the Town or its licensing agent may impose such terms and conditions on a Kennel Licence as they consider to be appropriate in the circumstances.
- 7.9. The Town or its licensing agent may refuse to issue or renew a Kennel Licence or may revoke a Kennel Licence where the Kennel fails to comply with this By-law, other Applicable Law and/or the terms and conditions of the Kennel Licence.

- 7.10. Every Licence issued pursuant to this By-law shall be serially numbered and a record of issuance shall be kept by the Town or its licensing agent. This record shall include, at a minimum, the name, address and email address of the Kennel Licence holder, the location of the Kennel, and such other information as the Town or its licensing agent determines is required.
- 7.11. Kennel Licences are specific to the Kennel and Kennel operator for which they are issued and are not transferable to any other Kennel or Kennel operator.

## **8. Animal Keeping Requirements**

- 8.1. No Person shall cause or permit any Animal to bark, howl, whine, squawk or make other like sounds in a manner that contravenes Town of Pelham Noise By-law No. 4454(2022).
- 8.2. Any Person who Keeps a Dog shall immediately remove any waste left by the Dog on Public Property or Private Property, other than Private Property of which that Person is the Owner or Occupant, and shall deposit it in an appropriate waste receptacle.
- 8.3. Subsection 8.2 of this By-law does not apply where:
- (a) the Dog is a service animal as defined in the *Provincial Animal Welfare Services Act, 2019, S.O. 2019, c. 13* and the Person who Keeps the Dog is unable to remove the waste due to a visual or physical impairment; or
  - (b) the waste is left by a police Dog while it is working.

## **9. Dangerous Dogs**

- 9.1. For the purposes of this By-law, a Dangerous Dog is a Dog that:
- (a) has a known tendency or disposition to Attack or Bite;
  - (b) is known to Attack or Bite without Provocation;
  - (c) has Attacked or Bitten a Person or Domesticated Animal without Provocation;
  - (d) approaches, follows or chases a Person or Domesticated Animal on Public Property in an aggressive or threatening manner with Provocation;
  - (e) has a known tendency or disposition to be aggressive or threatening;
  - (f) is trained as an attack or fighting Dog; and/or
  - (g) is Kept primarily for purposes of security or protection of any Person or Property.
- 9.2. Where an Enforcement Authority is satisfied that a Dog has Attacked or Bitten without Provocation, the Enforcement Authority shall issue a Muzzle Order to the Animal Owner that identifies the Dog as a Dangerous Dog and provides that:
- (a) the Dog is prohibited from being on Public Property or on Private Property of which the Animal Owner is not an Owner or Occupant unless the Dog is affixed by collar or harness to a chain or leash not more than two (2) metres in length and wears a Muzzle;

- (b) when the Dog is on Private Property of which the Animal Owner is an Owner or Occupant, the Dog shall be securely confined inside a building or within fully enclosed pen or other structure:
  - i. situated wholly on that Private Property;
  - ii. with dimensions of not less than two (2) metres by four (4) metres;
  - iii. constructed of materials and in a manner that prevents the Dangerous Dog from escaping and is capable of preventing entry by any other Person or Animal; and
  - iv. constructed of materials and in a manner that allows Persons to have lawful entry onto the Private Property without fear of Attack or Bite by the Dog;
- (c) the Animal Owner shall conspicuously display signage on Private Property of which the Animal Owner is an Owner or Occupant warning that there is a Dangerous Dog on the Property; and
- (d) the Animal Owner shall immediately notify the Poundkeeper if the Dog:
  - i. is unconfined or At Large;
  - ii. is involved in an Attack or Bite;
  - iii. has been sold or given away, in which case the Animal Owner shall provide contact information for the Person to whom the Dog was sold or given; or
  - iv. has died.

9.3. Subject to section 10 of this By-law, a Muzzle Order shall remain in effect for the remainder of the natural life of the Dangerous Dog.

## **10. Muzzle Order Hearings**

- 10.1. An Animal Owner to whom a Muzzle Order is issued may, within fourteen (14) calendar days of the date of the Muzzle Order, request a hearing in accordance with this By-law.
- 10.2. The right of an Animal Owner to request a hearing is exercised by giving written notice to the Town in the form determined by the Clerk from time to time, which shall be accompanied by payment of the applicable fee as established under the Fees and Charges By-law of the Town, being By-law No. 3728(2016), as updated or amended from time to time.
- 10.3. Upon receipt of a hearing request and the applicable fee, the Clerk shall convene a special meeting of Council as soon as practicable to conduct the hearing. All hearings shall be held in person.
- 10.4. Not less than fourteen (14) calendar days prior the hearing date, the Clerk shall provide written notice of the hearing date to the following Persons:
  - (a) the Animal Owner to whom the Muzzle Order was issued;
  - (b) the Enforcement Authority that issued the Muzzle Order;
  - (c) in the case of an Attack or Bite involving a Domesticated Animal, the Animal Owner of the Domesticated Animal;

- (d) in the case of an Attack or Bite involving a Person, that Person; and
  - (e) any other Person known to the Clerk to have an interest in the subject matter of the hearing.
- 10.5. Not less than fourteen (14) calendar days prior the hearing date, the Clerk shall provide to the Animal Owner the full investigative file of the Enforcement Authority that issued the Muzzle Order.
- 10.6. Not less than seven (7) calendar days prior to the hearing date, the Animal Owner shall file with the Clerk any documents or evidence to be relied on at the hearing, including materials from the investigative file of the Enforcement Authority, and shall notify the Clerk of any witnesses to be called by the Animal Owner.
- 10.7. Not less than seven (7) calendar days prior to the hearing date, the Enforcement Authority that issued the Muzzle Order shall file with the Clerk any documents or evidence to be relied on at the hearing and shall notify the Clerk of any witnesses to be called by the Enforcement Authority.
- 10.8. Any other Person to whom notice is given under subsection 10.4 of this By-law shall, not less than seven (7) calendar days prior to the hearing date, advise the Clerk if they wish to testify at the hearing.
- 10.9. Not less than two (2) calendar days prior to the hearing date, the Clerk shall publish the agenda for the special meeting of Council, which shall contain the Muzzle Order, the request for hearing, and all documents or evidence filed under subsections 10.6 and 10.7 of this By-law.
- 10.10. Any Person to whom notice is given under subsection 10.3 of this By-law may attend at the hearing. However, the Dog that is the subject of the Muzzle Order may not be present at the hearing.
- 10.11. Where an Animal Owner fails to request a hearing within fourteen (14) calendar days of the date of the Muzzle Order:
- (a) the right of the Animal Owner to make the request expires;
  - (b) the Animal Owner is deemed to have waived the right to request a hearing;
  - (c) the Muzzle Order is deemed to be final; and
  - (d) the Muzzle Order is not subject to review or appeal, including by any tribunal or court.
- 10.12. Where an Animal Owner fails to appear at the date and time set for the hearing or fails to remain until the end of the hearing:
- (a) the Animal Owner is deemed to have abandoned the hearing request;
  - (b) the Muzzle Order is deemed to be final; and
  - (c) the Order is not subject to review or appeal, including by any tribunal or court.
- 10.13. The Town shall conduct hearings under this By-law in accordance with the *Statutory Powers Procedure Act*, R.S.O. 1990, c. S.22.

- 10.14. The following procedure applies to all hearings held pursuant to this By-law:
1. The Mayor or designate shall call the meeting to order.
  2. The Clerk shall make introductory remarks about the subject matter of the hearing and procedure to be followed and shall request all Persons present, other than Council, to state their names and their interest in the subject matter of the hearing.
  3. The Clerk shall administer an oath or affirmation to each Person that gives evidence at the hearing, which shall be administered immediately before the Person testifies.
  4. Where the Attack or Bite involves a Domesticated Animal and the Animal Owner of the Domesticated Animal is present and has given notice to the Clerk that they wish to testify at the hearing, the Animal Owner shall be the first Person to testify.
  5. Where the Attack or Bite involves a Person and does not also involve a Domesticated Animal and the Person is present and has given notice to the Clerk that they wish to testify at the hearing, the Person shall be the first Person to testify.
  6. Where the Attack or Bite involves a Domesticated Animal and a Person that is not the Animal Owner of the Domesticated Animal and both the Animal Owner and the Person that is not the Animal Owner are present and have given notice to the Clerk that they wish to testify at the hearing, the Clerk shall determine the order in which they testify.
  7. The Animal Owner or the Person, as the case may be, may testify about the Attack or Bite and any other matter relevant to the subject matter of the hearing.
  8. The Animal Owner to whom the Muzzle Order was issued or, if applicable, their legal representative, shall then be offered the opportunity to question the Animal Owner or the Person involved in the Attack or Bite.
  9. Council shall then have the opportunity to question the Animal Owner or the Person involved in the Attack or Bite.
  10. Where a Person known to the Clerk to have an interest in the subject matter of the hearing is present and has given notice to the Clerk that they wish to testify at the hearing, the interested Person shall be the next Person to testify.
  11. The interested Person may testify about any matter relevant to the subject matter of the hearing.
  12. The Animal Owner to whom the Muzzle Order was issued or, if applicable, their legal representative, shall then be offered the opportunity to question the interested Person.
  13. Council shall then have the opportunity to question the interested Person.
  14. The next Person to testify shall be the Enforcement Authority that issued the Muzzle Order. The Enforcement Authority may testify about any relevant matter and may refer to and/or rely on any documents or other evidence filed with the Clerk.

15. The Animal Owner to whom the Muzzle Order was issued or, if applicable, their legal representative, shall then be offered the opportunity to question the Enforcement Authority.
  16. Council shall then have the opportunity to question the Enforcement Authority.
  17. The next Persons to testify shall be other witnesses called by the Enforcement Authority, if any, each of whom may testify about any relevant matter and who may be questioned by or on behalf of the Animal Owner to whom the Muzzle Order was issued and/or by Council.
  18. The next Person to testify shall be the Animal Owner to whom the Muzzle Order was issued, should they wish to do so. The Animal Owner may testify about any relevant matter and may refer to and/or rely on any documents or other evidence filed with the Clerk.
  19. Council shall have the opportunity to question the Animal Owner to whom the Muzzle Order was issued.
  20. The next Persons to testify shall be other witnesses called by the Animal Owner to whom the Muzzle Order was issued, if any, each of whom may testify about any relevant matter and who may be questioned by Council.
  21. At the conclusion of the evidence, the Enforcement Authority and the Animal Owner to whom the Muzzle Order was issued shall each have the opportunity to make a final summary to Council, should they wish to do so.
  22. Council shall then conduct open deliberations of the evidence and render a decision in accordance with subsection 10.15 of this By-law.
  23. The decision of Council will be delivered orally at the hearing and confirmed in writing by the Clerk within five (5) calendar days after the hearing date.
- 10.15. Council shall determine whether to exempt the Animal Owner to whom the Muzzle Order was issued from the requirements of the Muzzle Order, in whole or in part, and subject to such conditions, if any, that Council considers appropriate.
- 10.16. The decision of the Council is final.

## **11. Enforcement**

- 11.1. This By-law shall be administered and enforced by the Town and Enforcement Authorities.
- 11.2. An Enforcement Authority may, for the purpose of enforcing this By-law, exercise any power, authority or remedy granted to the Town pursuant to the *Municipal Act, 2001*.
- 11.3. An Enforcement Authority may, at all reasonable times, enter and inspect any Property to determine if this By-law is being complied with and may, for the purposes of such an inspection, require the production of documents and/or require information from a Person concerning a matter related to the inspection.



- 11.4. An Enforcement Authority who is satisfied that a contravention of this By-law has occurred may make an Order requiring the Person who contravened the By-law, the Person who caused or permitted the contravention and/or the Owner of the Property where the contravention occurred to discontinue the contravening activity.
- 11.5. No Person shall obstruct or hinder, or attempt to obstruct or hinder, any Enforcement Authority in the exercise of a power or the performance of a duty under this By-law.

## **12. Penalty**

- 12.1. Every Person who contravenes any provision of this By-law is guilty of an offence and upon conviction is liable to such penalties as are provided for in the *Municipal Act, 2001* and the *Provincial Offences Act*, R.S.O. 1990, c. P.33.
- 12.2. Administrative Penalty Process By-law for Non-Parking By-laws No. 68-2023 applies to each administrative penalty issued pursuant to this By-law.
- 12.3. Every Person who contravenes any provision of this By-law shall, upon issuance of a penalty notice in accordance with Administrative Penalty Process By-law for Non-Parking By-laws No. 68-2023, be liable to pay to the Town an administrative penalty in accordance with that By-law.

## **13. General**

- 13.1. The short title of this By-law is the "Animal Control By-law".
- 13.2. If any provision of this By-law is found by any court or tribunal of competent jurisdiction to be illegal or inoperative, in whole or in part, the balance of the By-law shall not be affected and shall remain in full force and effect.
- 13.3. If there is a conflict between a provision of this By-law and a provision of any other By-law of the Town, the provision that establishes the higher standard shall prevail.
- 13.4. This By-law shall be read with all changes in number or gender as are required by context.
- 13.5. Any reference to legislation in this By-law includes the legislation and any amendment, replacement, subsequent enactment or consolidation of such legislation.
- 13.6. The Town Clerk is hereby authorized to effect any minor modifications or corrections solely of an administrative, clerical, numerical, grammatical, semantical or descriptive nature or kind to this By-law as are determined to be necessary.

## **14. Repeal and Enactment**

- 14.1. By-law #462(1978), being a by-law to provide for licensing and regulating the keeping of dogs, together with all amendments thereto, is hereby repealed and replaced.
- 14.2. By-law #1450(1992), being a by-law to regulate dogs which are an annoyance or nuisance, together with all amendments thereto, is hereby repealed and replaced.

- 14.3. By-law No. 97-2010, being a by-law for the licensing and registration of dogs, for regulating the keeping of dogs and the control of vicious or dangerous dogs, together with all amendments thereto, is hereby repealed and replaced.
- 14.4. By-law No. 2174(2000), being a by-law to prohibit animals, other than dogs, being at large or trespassing, together with all amendments thereto, is hereby repealed and replaced.
- 14.5. By-law No. 3448(2013), being a by-law to regulate or prohibit the keeping and running at large of animals and known as the Exotic Pet By-law, together with all amendments thereto, is hereby repealed and replaced.

**15. Effective Date**

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

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Marvin Junkin, Mayor

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Holly Willford, Town Clerk

## **SCHEDULE "A" – PROHIBITED ANIMALS**

1. All Animals, native or non-native, the possession or sale of which is prohibited because the Animal is designated as protected or endangered pursuant to any international, federal or provincial law, regulation, rule or agreement, unless the Animal has been obtained in accordance with the applicable international, federal or provincial law and if the said Animal is not identified as a Prohibited Animal.
2. All Animals within the taxonomic classifications identified below are Prohibited Animals. Examples of Animals are provided for reference only and shall not be construed as limiting the prohibition against all Animals within that taxonomic classification.
3. All Animals in the following taxonomic classes and orders are Prohibited Animals:
  - i. Venomous Arachnida (e.g. spiders, scorpions)
  - ii. Venomous Chilopoda (e.g. centipedes)
  - iii. Crocrodilia (e.g. crocodiles, alligators, caimans, gharials)
  - iv. Pinnipedia (e.g. seals, sea lions, walrus)
  - v. Cetacea (e.g. whales, dolphins, porpoises)
  - vi. Sirena (e.g. manatee, dugong)
  - vii. Artiodactylous (even-toed) Ungulates
  - viii. Perissodactyla (odd-toed) Ungulates
  - ix. Edentates (e.g. sloths, armadillos, anteaters)
  - x. Marsupialia (e.g. kangaroos, wombats, opossums)
  - xi. Non-Human Primates
  - xii. Falconiformes (raptors)
  - xiii. Strigiformes (owls)
  - xiv. Pholidota (e.g. pangolins)
  - xv. Tubulidentata (e.g. aardvark)
4. All Animals in the following taxonomic families and groups are Prohibited Animals:
  - i. Canidae (canine) other than Dogs (e.g. wolves, coyotes, jackals, foxes)
  - ii. Felidae (feline) other than Cats (e.g. lions, tigers, cheetahs, lynx)
  - iii. Chelydridae (snapping turtles)
  - iv. Elephantidae (elephants)
  - v. Erinacidae (hedgehogs)
  - vi. Hyaenidae (hyenas)
  - vii. Mustelidae (e.g. weasels, badgers, otters) other than the domestic ferret
  - viii. Procyonidae (e.g. racoons, kinkajous, ring-tailed cats)
  - ix. Procaviidae (hyrax)
  - x. Pteropodidae (e.g. fruit bats)
  - xi. Ratites (e.g. ostrich, emu, rhea)
  - xii. Sciuridae (e.g. squirrels, chipmunks, prairie dogs)
  - xiii. Trionychidae (soft shell turtles)
  - xiv. Ursidae (bears)
  - xv. Viverridae (e.g. civets, genets)
  - xvi. All families of venomous snakes including Viperidae (vipers), Elapidae (snakes with permanently erect front fangs), Atractaspididae, and Hydrophidae (aquatic snakes)
  - xvii. All families of venomous reptiles (e.g. Gila monsters, bearded lizards)

5. All other venomous and/or poisonous Animals.
6. All non-venomous snakes that have the potential to reach a maximum length of more than three (3) metres.
7. All non-venomous lizards that have the potential to reach a maximum length of more than two (2) metres.



The Corporation of the Town of Pelham

By-law No. 70-2024

**Being a by-law to adopt, ratify and confirm the actions of the Council at its regular meeting held on the 16th day of October 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 16th day of October, 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 16th day of October, 2024.

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Marvin Junkin, Mayor

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Sarah Leach, Acting Clerk