



The Corporation of the Town of Pelham

By-law No. 32-2026

Being a By-law to Authorize the Mayor and Clerk to enter into an Amended Agreement with Sterling Realty (Niagara) Inc. for the Refund of Development Charges and Subdivision Agreement Relating to the Construction of Station Street from Port Robinson Road to Walker Road.

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 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 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 on or about September 25, 2024, the Town and the Developer entered into an agreement for the Developer, in the course of developing certain lands in the Town of Pelham, to complete an extension of Station Street from Port Robinson Road to Walker Road ("the Station Street Extension") and for the Town to reimburse the Developer in part for the cost of this construction ("the Agreement");

AND WHEREAS the Agreement required the Developer to construct the Station Street Extension in accordance with a subdivision agreement between the Town and the Developer for the development of the said lands ("the Subdivision Agreement"), which contemplated two (2) construction phases for the subdivision and the Station Street Extension;

AND WHEREAS the Town and the Developer have agreed to amend the Subdivision Agreement to permit further phasing for construction of the subdivision, which necessitates corresponding changes to the Agreement to construct the Station Street Extension;

AND WHEREAS to revise the subdivision's phasing, the Town must approve amendments to the subdivision agreement and the development charges refund agreement;

AND WHEREAS the Council of the Corporation of the Town of Pelham deems it necessary and desirable to enter into the Agreement;


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


1. **THAT** the Development Charges Refund Agreement Amendment (The Amending Agreement) attached hereto and made part of this by-law between the Corporation of the Town of Pelham and Sterling Realty (Niagara) Inc. be and is hereby approved; and
2. **THAT** the Mayor and Clerk be and are hereby authorized and directed to execute the agreement annexed hereto as Schedule "A" to the by-law and to affix the corporate seal thereto.

3. Effective Date

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

Read, enacted, signed and sealed this 10th day of June, 2026.



Marvin Junkin, Mayor

Holly Willford, Town Clerk