

**THE CORPORATION OF THE TOWNSHIP OF ESSA
COMMITTEE OF THE WHOLE MEETING
WEDNESDAY, JUNE 7, 2023
6:00 p.m.**

AGENDA

Members of the public wishing to attend can do so by attending in person to the Council Chambers located in the Administration Centre at 5786 County Road 21, Utopia.

1. OPENING OF MEETING BY THE MAYOR

The Township of Essa acknowledges that we are situated on the traditional land of the Anishinaabeg, Huron-Wendat and the Tiononati people. We are dedicated to honouring Indigenous history and culture and committed to moving forward in the spirit of reconciliation and respect with all First Nation, Métis and Inuit people.

2. DISCLOSURE OF PECUNIARY INTEREST

3. DELEGATIONS / PRESENTATIONS / PUBLIC MEETINGS

STAFF REPORTS

4. PLANNING AND DEVELOPMENT

- p. 1 a. **Staff Report PD014-23 submitted by the Manager of Planning, re: 5983 County Road 10 – Site Plan Control Agreement FS Partners/Growmark Inc.**

Recommendation: *BE IT RESOLVED THAT Staff Report PD014-23 be received for information purposes.*

- p. 5 b. **Staff Report PD015-23 submitted by the Manager of Planning, re: Official Plan Review Status.**

Recommendation: *BE IT RESOLVED THAT Staff Report PD015-23 be received; and THAT Council direct Staff to revisit the Official Plan (OP) Review in Q4-2023 due to ongoing Provincial legislative changes which are expected to take effect in Fall 2023, and to request a revised workplan and estimated fees from the Consultant at that time.*

- p. 15 c. **Staff Report PD016-23 submitted by the Policy Planner, re: 56 River Drive – Public Meeting – Zoning By-law Amendment (Z9-22).**

Recommendation: *BE IT RESOLVED THAT Staff Report PD016-23 be received; and THAT Council approve an amendment to the Township's Zoning By-law 2003-50, for lands legally known as Plan 1333 Lot 22, municipally known as 56 River Drive from the Residential, Low Density, Detached (R1) Zone to Residential, High Density, Apartments (R5) Zone.*

- p. 25 d. **Staff Report PD017-23 submitted by the Policy Planner, re: 125 Sydenham Street – Zoning By-law Amendment (Z3-22).**

Recommendation: *BE IT RESOLVED THAT Staff Report PD017-23 be received; and THAT Council approve an amendment to the Township's Zoning By-law 2003-50, for lands legally known as PLAN 160A LOT 232, municipally known as 125 Sydenham Street from the Residential, Low Density, Detached R1 Zone to Residential, Low Density, Semi-Detached (R2-site specific) Zone.*

- p. 31 e. **Staff Report PD018-23 submitted by the Planning Technician, re: 96 King Street – Zoning By-law Amendment (Z3-23).**

Recommendation: *BE IT RESOLVED THAT Staff Report PD018-23 be received; and THAT Council approve an amendment to the Township's Zoning By-law 2003-50, for lands legally known as PT LT 30 CON 3 ESSA AS IN RO394415, municipally known as 96 King Street from the "Residential, High Density, Apartments (R5) Zone" to "Residential, Low Density, Semi-Detached (R2) Zone" with R2 site-specific provisions.*

- p. 37 f. **Staff Report PD019-23 submitted by MHBC Planning, Township Planning Consultant, re: Brookfield Subdivision (Part of Lot 16, Con., 4) E-T-0602 – Subdivision Agreement and WWTP Servicing Agreement.**

Recommendation: *BE IT RESOLVED THAT Staff Report PD019-23 be received; and THAT Council adopt a by-law to authorize the Mayor and Clerk to enter into a Subdivision Agreement and Wastewater Treatment Plant (WWTP) Servicing Agreement to govern the development of the 253 lot residential plan of subdivision (Brookfield - Heartland Subdivision) and the associated external servicing requirements; and*

THAT Council endorse the conveyance of lands external to the Brookfield draft plan of subdivision to the Municipality for the purposes of the wastewater treatment plant, the north/south paved maintenance driveway and the outfall to the Nottawasaga River; and

THAT Council endorse the granting of an easement over lands associated with the wastewater treatment plant in favour of the Municipality for the east/west gravel maintenance access road; and

THAT Legal Counsel for the Township be directed to accept signed Transfers/Authorization and Directions for these lands based upon the draft reference plan (R-Plan) pursuant to the Subdivision Agreement to be held In Trust by Township Legal Counsel pending execution of the Subdivision Agreement by the Township.

5. PARKS AND RECREATION / COMMUNITY SERVICES

- p. 62 a. **Staff Report PR012-23 submitted by the Manager of Parks and Recreation, re: Trails Connecting Communities Program 2023 Installation of Pavilion/Gazebo at Bob Geddes Park, Angus.**

Recommendation: *BE IT RESOLVED THAT Staff Report PR012-23 be received; and THAT Council authorize the Manager of Parks and Recreation to proceed with an application for the 2023 Trails Connecting Communities Program for the manufacturing and installation of a Pavilion/Gazebo at a cost of approximately \$70,000 at Bob Geddes Park; and That Council approve the additional funds required to offset this grant program to come from Parks Reserves.*

- p. 65 b. **Staff Report PR013-23 submitted by the Manager of Parks and Recreation, re: Award of RFP – Vending Machines RFP-PR-23-04.**

Recommendation: *BE IT RESOLVED THAT Staff Report PR013-23 be received; and THAT the proposal received from **Naccarato Enterprises Ltd.** be accepted for supply, installation, stocking, and maintenance of vending machines at the Angus Recreation Centre and Thornton Community Centre, contingent upon WSIB Clearance Certificate and a copy of Insurance being provided to the Municipality.*

- p. 67 c. **Staff Report PR014-23 submitted by the Manager of Parks and Recreation, re: Hydro One Account – Peacekeepers Park.**

Recommendation: *BE IT RESOLVED THAT Staff Report PR014-23 be received; and THAT Council direct Staff to proceed with creating and opening a Hydro One account and Meter for the Peacekeepers Park for the Peacekeepers Association Project to be considered successful and operate.*

- p. 69 d. **Staff Report PR015-23 submitted by the Manager of Parks and Recreation, re: Concession Stands Operator RFP-PR-23-03.**

Recommendation: *BE IT RESOLVED THAT Staff Report PR015-23 be received; and THAT Council direct Staff to issue another RFP for the Concession Stands for Angus Recreation Centre and Thornton Community Centre, with the possibility of separate contracts to be entered into; and THAT local vendors be personally invited to submit proposals.*

6. FIRE AND EMERGENCY SERVICES

7. PUBLIC WORKS

- p. 71 a. **Staff Report PW009-23 submitted by the Manager of Public Works, re: Timetable for Automated Speed Enforcement Implementation.**

Recommendation: BE IT RESOLVED THAT Staff Report PW009-23 be received; and THAT Council authorize Staff to continue to phase-in Community Safety Zones throughout the municipality, based on criteria developed and accepted by the Manager of Public Works, in order to ensure that Automated Speed Enforcement is prioritized in locations requiring it the most, where vulnerable road users are at risk; and, THAT mobile Automated Speed Enforcement be implemented throughout 20 locations for the one-year pilot project as the initial rollout of the program operating at key times of the day, and that additional Automated Speed Enforcement locations may be added; and, THAT signs be installed at all access points to the Township to advise motorists that Automated Speed Enforcement is in effect in our municipality, once the required MTO agreement is executed.

- p. 76 b. **Staff Report PW010-23 submitted by the Manager of Public Works, re: Suggested amendments to By-law No.2000-15 - Being a By-law to designate parts of highways as "Community Safety Zones".**

Recommendation: BE IT RESOLVED THAT Staff Report PW010-23 be received; and That Council approve the proposed amendments to By-law 2000-15, that being a By-law to designate Community Safety Zones in the Township of Essa.

- p. 85 c. **Staff Report PW011-23 submitted by the Manager of Public Works, Re: Off Road Vehicle (ATV/ORV) Access on Municipal Roads.**

Recommendation: BE IT RESOLVED THAT Staff Report PW011-23 be received; and THAT Council support the decision by Staff to approve the allowance of ATVs / ORVs on the paved or unpaved municipal road network during the designated season of April 1st to November 1st each calendar year, on a permanent basis as per C010-23 (attached).

- p. 104 d. **Staff Report PW012-23 submitted by the Manager of Public Works, re: Angus Class EA Addendum – Water Supply & Storage Expansion.**

*Recommendation: BE IT RESOLVED THAT Staff Report PW010-23 be received; and THAT the RFQ as received from **Greenland International Consulting Ltd.** be accepted in the amount of **\$278,416.00 (excluding applicable tax)** to implement and finalize the Angus Class EA Addendum for Water Supply and Storage Expansion.*

8. FINANCE

9. CLERKS / BY-LAW ENFORCEMENT / IT

- p. 109 a. **Staff Report C011-23 submitted by the Deputy Clerk, re: Council Invited Events.**

Recommendation: *BE IT RESOLVED THAT Staff Report C011-23 be received.*

10. CHIEF ADMINISTRATIVE OFFICER (C.A.O.)

11. OTHER BUSINESS

12. ADJOURNMENT

Recommendation: *BE IT RESOLVED THAT this meeting of Committee of the Whole of the Township of Essa adjourn at _____ p.m., to meet again on the 21st day of June, 2023 at 6:00 p.m.*



TOWNSHIP OF ESSA STAFF REPORT

STAFF REPORT NO.: PD014-23

DATE: June 7th, 2023

TO: Committee of the Whole

FROM: Samuel Haniff
Manager of Planning

SUBJECT: 5983 County Road 10 – Site Plan Control Agreement
FS Partners/Growmark Inc.

RECOMMENDATION

That Staff Report PD014-23 be received for information purposes.

BACKGROUND

In May 2020, FS Partners/Growmark submitted an application to the Township for Site Plan Control in support of the development of a 3400sq.m. fertilizer development facility at 5983 County Road 10. The proposed facility would consist of a storage building complete with a blender tower/shipping area and a small office located on the north end of the site. The size of the proposed development area is 1.25ha.

COMMENTS AND CONSIDERATIONS

The Site Plan Control Application (SPCA) for commercial agricultural expansion at 5983 County Road 10 was managed by MHBC on behalf of the Township Planning Department.

All relevant agencies and departments were satisfied with the submission or provided no comment/no objection.

The SPCA was signed by the Mayor and Clerk at the Township Council Meeting of May 17th, 2023. Signed copies were subsequently submitted to the Township Solicitor for registration on title on May 24, 2023.

FINANCIAL IMPACT

Based on internal correspondences with the Finance Department, the following have been confirmed:

4a

- The property is currently assessed as follows:
 - Commercial Full (CTN): \$588,600
 - Industrial Full (ITN): \$35,800
 - Residential – English Public (RTEP): \$34,600
 - Total Assessment: \$659,000
 - Annual Taxes for 2023: \$10,246.72
- All necessary insurance documents have been submitted to the Township;
- \$188,472.61 in cash securities are with the Finance Department;
- All accounts are in good standing; and
- All tax payments have been paid to-date.



Manager of Finance Approval

SUMMARY/OPTIONS

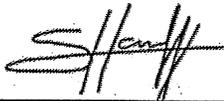
Council may also consider:

1. Take no further action.
2. Receive this report for information purposes.
3. Direct staff in another manner Council deems appropriate.

CONCLUSION

Option #2 is recommended.

Prepared and Submitted by:



Samuel Haniff, BURPI., MCIP, RPP
Manager of Planning

Reviewed by:

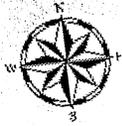
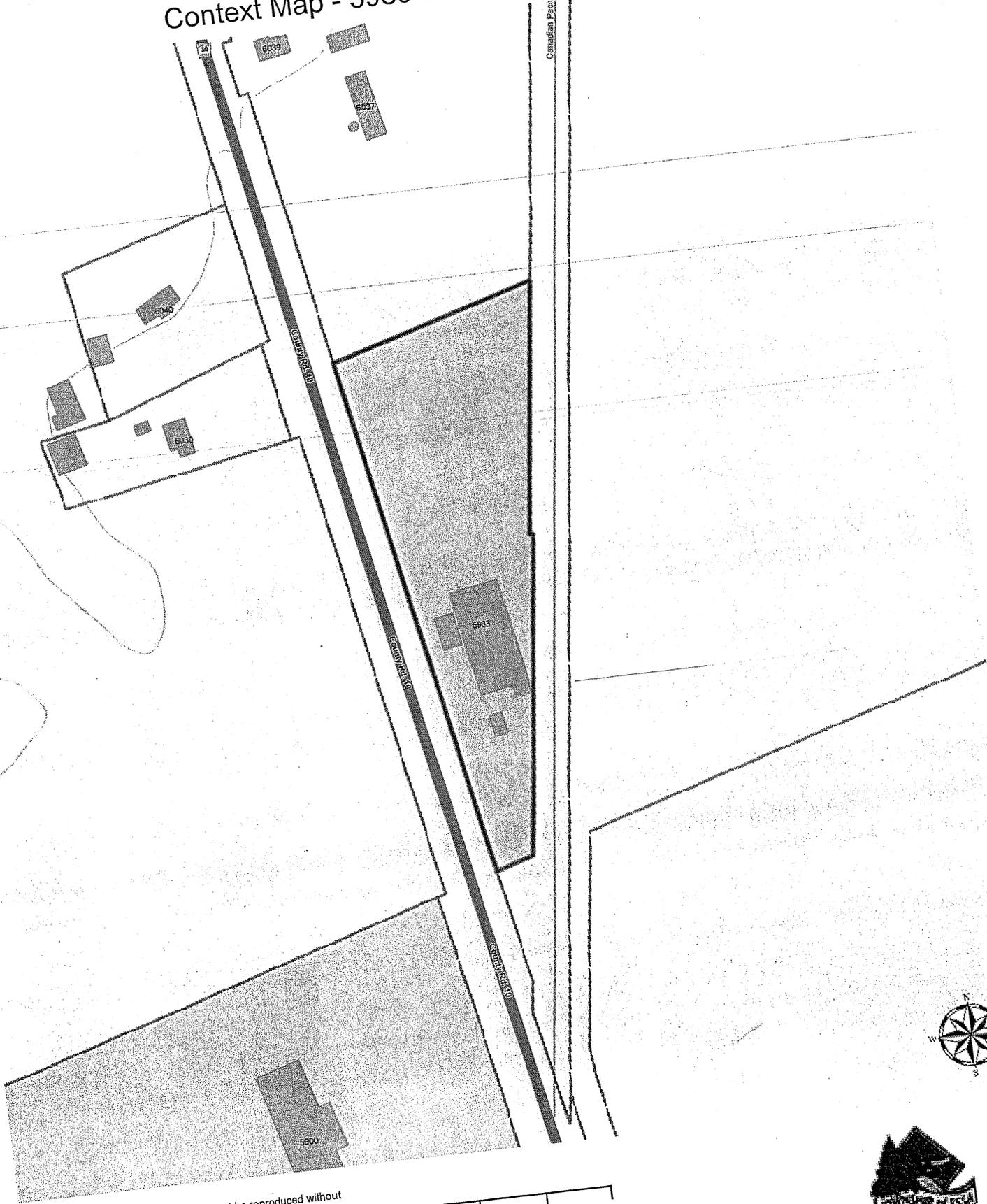


Colleen Healey-Dowdall, RPP
Chief Administrative Officer

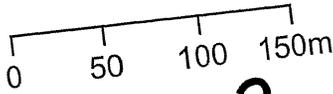
Attachments:

- Attachment 1: Context Map – 5983 County Road 10
- Attachment 2: Site Plan – 5983 County Road 10

Context Map - 5983 County Road 10

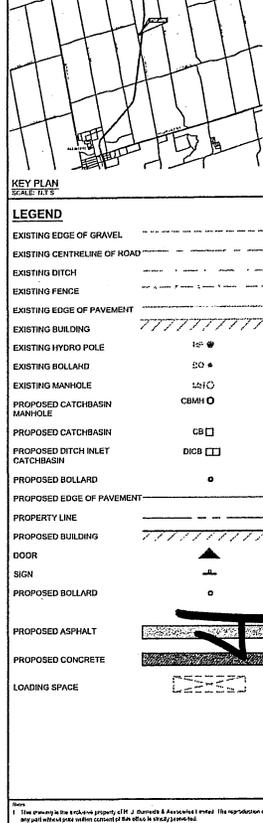
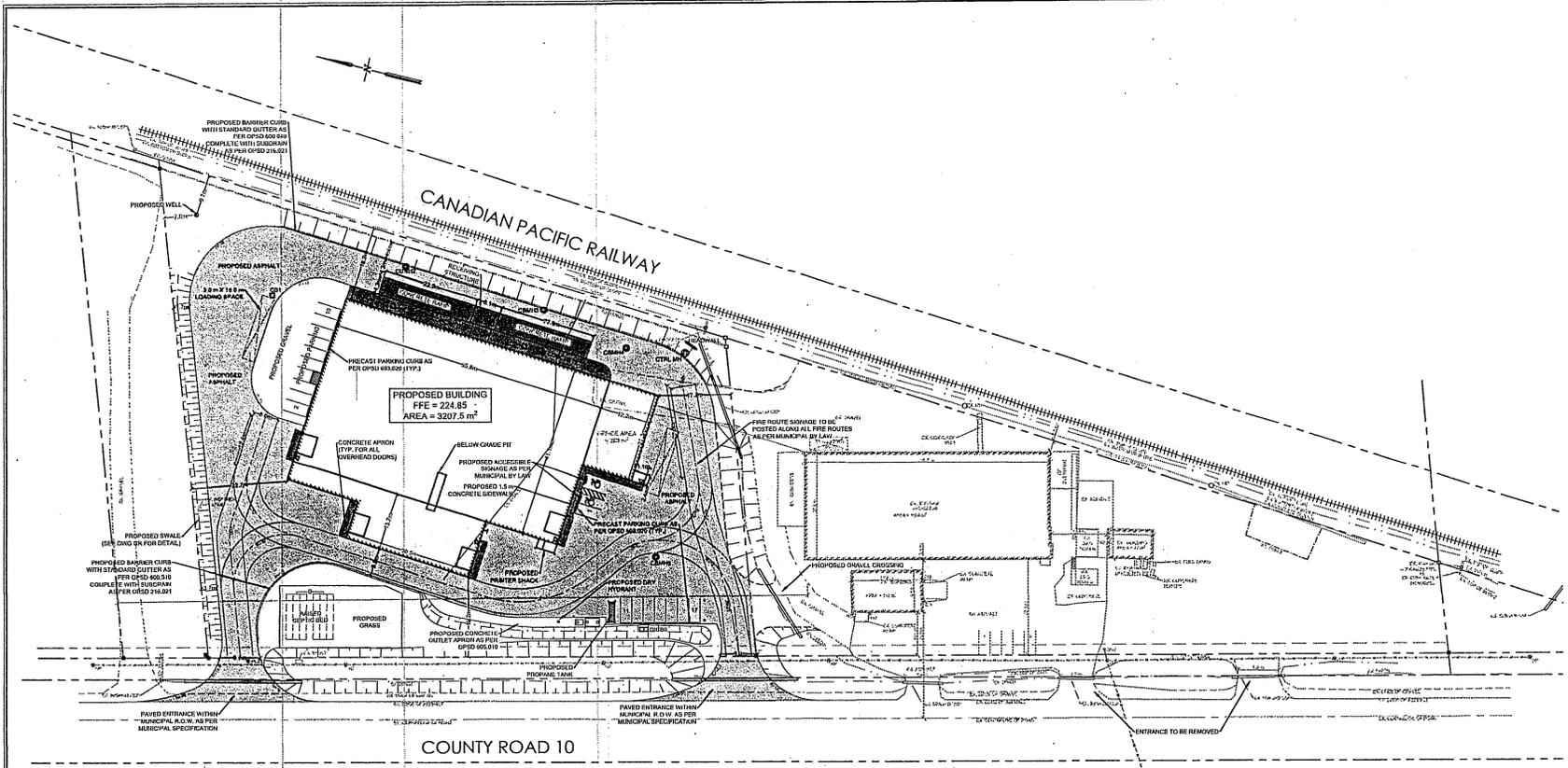


May 29, 2023



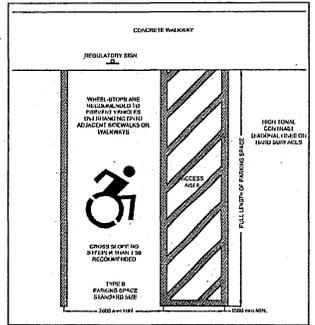
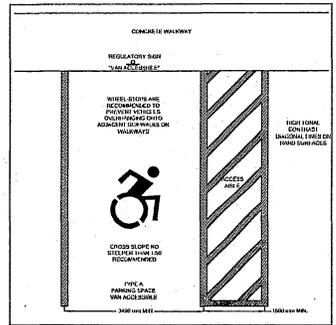
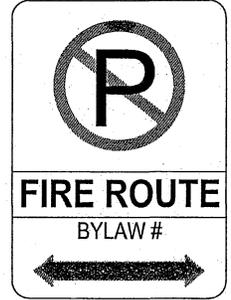
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NOT FOR CONSTRUCTION

Detail	Proposed	Existing	Total	Req'd By ZBL
C5-2 Commercial Agricultural				
Lot Area	20511 m²	20511 m²	20511 m²	2.0 ha
Lot Frontage	294.7 m	294.7 m	294.7 m	294 m min.
Front yard from centreline of Road	25.8 m	25.8 m	25.8 m	25.8 m
Lot Depth	74.6 m²	74.6 m²	74.6 m²	m²
Interior Side Yard Width	22.7 m	163.9 m	22.7 m	3.0 m
Rear Yard Depth	2.7 m	2.7 m	2.7 m	Nil
Lot Coverage	16.90%	8.50%	25.40%	35%
Proposed Building Area (Ground Floor Area)	3468 m² (includes 280 m² office)	1750 m²	5218 m²	na
Gross Floor Area (Total All Floors)	3468 m²	1750 m²	5218 m²	na
No. of Parking Spaces Provided (office)	17	5	22	1 space for every 28 m² of office floor space (280/28 = 9.2 spaces)
No. of Accessible Spaces	2	0	2	1 Type A + 1 Type B
No. of Loading Spaces	1	1	2	2 - 16 m x 3 m
Building Height	Approx. 12.5 m	Approx. 7.6 m		20.0 m
Building Height (Loading Towers)	Approx. 33.5 m	Approx. 33.5 m		43.0 m
Driveway Width at Property Line (max)	9.7 m	9.6 m	9.7 m	



Professional Engineer: R.J. Burnside & Associates Limited, License No. 10022418, dated May 27, 2008. Province of Ontario.

Professional Engineer: R.J. Burnside & Associates Limited, License No. 10022418, dated May 27, 2008. Province of Ontario.

Client: VAN PELT CONSTRUCTION INC., 141 HURON ROAD, ALLISTON, ON N0K 1M0, (519) 836-1200.

Project: ALLISTON FERTILIZER STORAGE FACILITY

Site Plan

Sheet: AP	Checked: AP	Designed: AP	Checked: AP	Scale: 2024/2518	Drawn by: SP
Project: 300551181-000	Client: Van Pelt	Location: Alliston	Scale: 1:500	Scale: 1:500	Scale: 1:500

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TOWNSHIP OF ESSA STAFF REPORT

STAFF REPORT NO.: PD015-23

DATE: June 7th, 2023

TO: Committee of the Whole

FROM: Samuel Haniff
Manager of Planning

RELATED APPLICATION: PD001-23

SUBJECT: Official Plan Review Status

RECOMMENDATION

Staff Report PD015-23 be received; and

That Council direct Staff to revisit the Official Plan (OP) Review in Q4-2023 due to ongoing Provincial legislative changes which are expected to take effect in Fall 2023, and to request a revised workplan and estimated fees from the Consultant at that time.

BACKGROUND

As per the Government of Ontario's "Citizen's Guide to Land Use Planning":

"It is expected that council will regularly update the official plan to ensure that the plan implements any changes to the PPS or provincial plans. The official plan update is also an opportunity to ensure the official plan continues to address local priorities and changing community needs. This update should be completed ten years after a municipality prepares a new comprehensive official plan or every five years after an update done through an amendment to the plan.

When updating an official plan, council must hold a special public meeting to discuss the changes or amendments that may be needed."

The Official Plan of the Township of Essa was adopted by Council on April 19, 2000, under By-law No. 2000-29, approved by the County of Simcoe on November 28, 2000, and put into effect by the Ontario Municipal Board on July 6, 2001.

As such, the Township of Essa is at least 17 years overdue for an Official Plan review.

COMMENTS AND CONSIDERATIONS

Reference is made to Staff Report PD001-23 (Attachment 1) from MHBC Planning Consultants in which the recommendation was made to Council to “pause” the Official Plan Review Project due to uncertainty surrounding the Planning system for the County of Simcoe.

On March 23, 2023, Staff met with MHBC again to discuss current legislative changes proposed by the Province along with the potential for “restarting” the OP review process. Bill 109 (More Homes for Everyone Act, 2022), Bill 23 (More Homes Built Faster Act, 2022) and Bill 97 (Helping Homebuyers, Protecting Tenants Act, 2023) are changing the functional landscape of both upper and lower tier municipalities.

MHBC has recommended that the OP review remain on “pause” at least until Fall 2023, when changes from Bill 97 (affecting statutory deadlines for decisions on Planning applications, the definition of “area of employment”, among other things) are expected to come into effect. Additionally, the reduced role of the County of Simcoe (proposed in Bill 23) and may also become clearer at that time.

It is the intention of Planning Staff to meet with the Consultant for the Official Plan Review again in Fall 2023. Depending on the progress of legislative changes at that time, Staff would ask the Consultant to prepare a revised workplan and fee estimates.

FINANCIAL IMPACT

Currently, \$50,000 is allocated under Contract Services in the Planning Budget for 2023 and this includes the Official Plan Review. It should be noted that funding for the Official Plan is no longer available through Development Charges.

In Fall 2023, the Official Plan Review Consultant may revise their workplan and fee estimates for the 2024 Budget.



Manager of Finance Approval

SUMMARY/OPTIONS

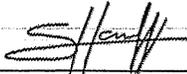
Council may:

1. Take no further action.
2. Direct Staff to revisit the Official Plan Review in Q4-2023 due to ongoing Provincial legislative changes which are expected to take effect in Fall 2023, and to request a revised workplan and estimated fees from the Consultant at that time.
3. Direct Staff in another manner Council deems appropriate.

CONCLUSION

Option #2 is recommended, as the Township is in need of an Official Plan (OP) review but must wait to accommodate relevant changes due to proposed Provincial legislation expected to take effect in Fall 2023. Additionally, the OP Consultant may need to revisit the OP review based on Provincial changes, which could affect the workplan and fees accordingly.

Prepared and Submitted by:



Samuel Haniff, BURPL., MCIP, RPP
Manager of Planning

Reviewed by:



Colleen Healey-Dowdall, RPP
Chief Administrative Officer

Attachment 1 – Staff Report PD001-23

4b



TOWNSHIP OF ESSA STAFF REPORT

STAFF REPORT NO.: PD001-23

DATE: January 18, 2023

TO: Committee of the Whole

FROM: Jamie Robinson, MCIP, RPP – MHBC
Lee Bull, MCIP, RPP - MHBC
Wes Crown, MCIP, RPP - MHBC

SUBJECT: Official Plan Review – Work Plan

RECOMMENDATION

That Staff Report PD001-23 be received for information; and

That the Official Plan Review Project be “paused” for the reasons as set out in this report; and

That MHBC and staff are instructed to report to Council when certainty is returned to the planning system for Simcoe County together with a revised Work Plan, estimate and schedule for the completion of the New Official Plan.

BACKGROUND

Work completed to date in respect of the Official Plan Review includes the following:

- Section 26 Public Meeting to commence the OP Review
- Official Plan Vision Sessions
- Discussion Paper #1
- Discussion Paper #2
- Settlement Area Boundary Expansions TECHNICAL MEMO

Through 2022, MHBC worked with the Township Staff to prepare the draft Official Plan in tandem with the County MCR process and the adoption of County OPA #7 – Growth Management. The purpose of this report is to seek Council direction on the next steps in the Official Plan Review Project.

PROPOSED WORK PLAN AND SCHEDULE

Provided as Attachment 1 is a proposed Work Plan and Schedule for the new Official Plan. The Work Plan sets out 21 Tasks that would extend through 2023 that would lead the Township through the public release of the draft Official Plan, Public Open House, Public Meeting, and adoption of the new Official Plan. At each stage of the process a report would be presented to Council regarding the input received and the recommended changes to the Plan required in response to the comments and suggestions received. The proposed schedule would not, however, provide significant time to respond to the further changes to the planning system in Ontario and the release of a new PPS/Growth Plan by the Province.

As Council will be aware, recent legislative changes have occurred, including Bill 23, that will lead to significant changes to the planning approvals process in Simcoe County and to the policy-led planning system in Ontario. A review of the recent Provincial initiatives that will impact the Official Plan Review is provided below.

More Homes Built Faster Act- Impact on The New Official Plan

The More Homes Built Faster Act, 2022 (Bill 23) was passed and received Royal Assent on November 28, 2022. Much of the Act is now in effect, with more coming into effect on dates yet to be determined. As Council will be aware, in addition to changes to the Act regarding but not limited to Community Benefit Charges, Site Plan Control, Parkland dedication and cash-in-lieu, elimination of the 2 year restrictions on OPA and ZBA applications, elimination of 3rd party appeals for Variances and Consents, additional residential units, and subdivision approvals, the changes to the Planning Act will remove planning responsibility from the County of Simcoe. This is a major and fundamental shift to the roles and functions of the County, the Province and the Township. These changes, while now enshrined in the Planning Act, will not come into force until on or after the date the amendment or regulation identifying the County as an “upper-tier municipality without planning responsibilities” comes into force. Recent correspondence from the Province indicated that the implementation date is unknown but more details are to come.

The following is a summary of changes to the planning system with the County defined as an upper-tier municipality without planning responsibilities as a result of Bill 23 (subject to certain transition rules):

- Simcoe County will no longer have appeal rights regarding OP’s , OPA’s, alteration of a settlement area boundary in a local OP – unless it is the applicant.
- Simcoe County will no longer have appeal rights regarding ZB’s, ZBA’s - unless it is the applicant.
- Simcoe County will no longer have appeal rights regarding variances, plans of subdivision and consent applications – unless it is the applicant.

- Simcoe County will no longer be a party to an appeal regarding an OP or OPA, ZB or ZBA, or draft plan of subdivision.
- Simcoe County will no longer be mandated to have an Official Plan and is not authorized to adopt an Official Plan.
- Simcoe County will no longer be the approval authority for local Official Plans and Official Plan Amendments, and draft plan of subdivision (where not already delegated to the local municipality).
- The Simcoe County Official Plan, in effect before the effective date, will be deemed to be an Official Plan for the Township of Essa until it is revoked or amended by Essa.
- Amendments to the County Official Plan adopted by not yet approved by the Province, such as OPA7 – Growth Management, will be deemed to have been adopted by the Township. This would include the population growth allocation of to the Township to 2051,
- In the event of conflicts between the County OP and the Township's Official Plan, the policies of the adopted and approved County OP would take precedence.
- The Minister will be the approval authority for Essa's new Official Plan.
- Minister may make regulations providing for transition relating to when matters were commenced before the effective date of the Act.

The uncertainty with respect to who the eventual approval authority for the new Essa Official Plan will be could impact Council's determination regarding the Work Plan and Schedule. The County has indicated that it will continue in its full and current roles under the Planning Act as Essa's approval authority until such time as that role is revised in accordance with the amended Planning Act. The Ministry has provided no advice or guidance on how municipalities can best manage the changing approvals process and approval authority. Council could direct staff to 'pause' the new Official Plan project until the transition to the Province as approval authority is complete.

Proposed Changes to the Provincial Policy Statement & Growth Plan

Concurrently with the release of Bill 23, the Province announced a Review of both the Growth Plan and the Provincial Policy Statement. Notice of the review was posted on the Environmental Registry of Ontario (ERO) for a comment period of 66 days to December 30, 2022. The Province is proposing to integrate the PPS with the Growth Plan into a new province-wide planning policy that will, as noted in the ERO notice:

- Leverage the housing-supportive policies of both policy documents;

- Removes or streamlines policies that result in duplication, delays or burden in the development of housing;
- Ensures key growth management and planning tools are available where needed across the province to increase housing supply and support a range and mix of housing options;
- Continues to protect the environment, cultural heritage and public health and safety; and
- Ensures that growth is supported with the appropriate amount and type of community infrastructure.

The ERO notice describes the proposed core elements of the new policy document addressing but not limited to the following:

1. Residential Land Supply - including streamlined and simplified policies regarding Settlement Area Boundary expansions, increased flexibility to enable more residential development in rural areas including rural settlement, streamlined and simplified employment conversion policies.
2. Attainable Housing Supply and Mix – greater certainty for a range and mix of housing options to meet market-based demand, meeting affordable housing needs, housing to meet demographic and employment-related needs, policies to enable municipalities to identify centres for urban growth.
3. Growth Management – policy that will allow municipalities to use the most current and reliable growth data to determine the amount and type of need housing, intensification policies, policies that will apply to fast growth municipalities in the GTA.
4. Environment and Natural Resources – continued protecting of the Agricultural System while permitting flexibility to enable more residential development in rural areas, streamlined policy direct that applies across the province empowering local decision making and providing options to reduce development impacts, streamlined and clarified policy for development in hazard lands, and streamlined and simplified policy that ensures access to aggregate resources, policy that balances protecting cultural heritage resources and increasing housing supply.
5. Community Infrastructure – increased flexibility for servicing new development and support long-range integrated infrastructure planning, and ensuring public funded school facilities.
6. Streamlined Planning Framework – streamlined and less prescriptive policies requiring fewer studies including a new approach to assessing land needs, directions that reduce the complexity and increases the flexibility of comprehensive review to allow a faster and easier implementation of provincial policy.

ERO Postings must now include an "Analysis of Regulatory Impact". The Analysis for the proposed changes to the PPS and Growth Plan states as follows (emphasis added):

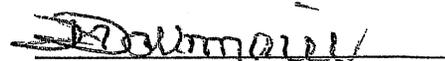
"The anticipated regulatory impacts of the proposal may vary in the short-term, depending on the status of a municipality's work to update their official plan. Over time, it is anticipated that the impacts would be positive as the proposed changes are intended to create a streamlined province-wide land use planning policy framework that provides greater flexibility for municipalities to approve housing faster and increase housing supply. While there are no new administrative costs associated with this proposal, depending upon when new policy is brought into effect, some municipalities in the process of updating official plans may experience additional administrative costs if they are required to revise their work."

As noted in the ERO Analysis, depending on when the updated PPS and Growth Plan document is revised and approved, it would have an impact on the cost and timing of the updated Official Plan. Council has the option of "pausing" the Official Plan Review until such time as the updated PPS/Growth Plan is approved and the draft Official Plan can then be assessed for the need for changes and refinements to the Plan to reflect the updated Provincial Policies. Once and when the new PPS/Growth Plan is approved and released, the new Official Plan can be reviewed and revised as necessary to ensure conformity the Provincial policies and before the public release of the Plan and further public consultation and engagement.

FINANCIAL IMPACT

None at this time. The revised Official Plan Review Work Plan will have no impact on the project budget, but unexpended funds for the OP Review project should be carried forward to the 2023 budget.

Manager of Finance:



SUMMARY/OPTIONS

Council may:

1. Receive this Report for Information.
2. Direct Staff and the consultant to proceed with the Proposed Work Plan and Schedule for the New Official Plan as provided.
3. **Direct Staff and the consultant to "pause" the Work Plan and Schedule for the New Official Plan until the proposed changes to the PPS and Growth Plan are approved and released by the Province and certainty with respect to the approval authority is determined.**
4. Direct Staff in another manner that Council deems appropriate.

CONCLUSION

Option # 3 is recommended. Once the proposed changes to the PPS and Growth Plan are approved and released by the Province and certainty with respect to the approval authority is determined, Staff and MHBC will prepare a report to Council regarding a revised Work Plan, Estimate and Schedule for the completion of the New Official Plan

Respectfully Prepared By:

Reviewed By:

Wes Crown

Wesley Crown, BES, MCIP, RPP
Associate – MHBC Planning

Colleen Healey-Dowdall

Colleen Healey-Dowdall,
CAO

Lee Bull, BA, MCIP, RPP
Associate – MHBC Planning

Lee Bull

Jamie Robinson, BES, MCIP, RPP
Partner – MHBC Planning

Attachment 1: Draft Work Plan and Schedule

Updated Work Plan (2023)

Township of Essa - Official Plan



97

#	Task	2023												2024				
		Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May
Phase 2 - Draft Official Plan																		
9	Release of Draft Official Plan & Land Use Schedules		■															
10	Circulation to County for Review and Comments		■	■	■													
11	Open House #2			■														
12	Discussion Paper #4 - What We Heard at Open House				■	■												
13	Council Meeting						■											
14	Finalize Second Draft Official Plan							■										
17	Statutory Public Meeting							■	■									
Phase 3 - Final Official Plan																		
18	Discussion Paper #5 - What We Heard at Public Meeting								■									
19	Council Meeting									■								
20	Preparation of Final Official Plan										■							
21	Adoption of New Official Plan											■						
22	Submission to Approval Authority and Approvals												■	■	■	■	■	■

Work by Consultants and Township Meeting/Event
 Review or Approval Process

14



TOWNSHIP OF ESSA STAFF REPORT

STAFF REPORT NO.: PD016-23

DATE: June 7th, 2023

TO: Committee of the Whole

FROM: Oliver Ward
Policy Planner

SUBJECT: 56 River Drive – Public Meeting
Zoning By-law Amendment (Z9-22)

RECOMMENDATION

That Staff Report PD016-23 be received; and

That Council approve an amendment to the Township's Zoning By-law 2003-50, for lands legally known as Plan 1333 Lot 22, municipally known as 56 River Drive from the *Residential, Low Density, Detached (R1) Zone* to *Residential, High Density, Apartments (R5) Zone*.

BACKGROUND

On behalf of Sunnidale Custom Homes Inc., Esher Planning Inc. has applied for a Zoning By-law Amendment on the subject property legally described as Plan 1333 Lot 22, municipally known as 56 River Drive (see **Attachment 1** to this report for the Context Map) in order to change the zoning of the subject property from the "Residential, Low Density, Detached (R1) Zone" in Zoning By-law 2003-50, to "Residential, High Density, Apartments (R5) Zone (R5-site specific)". The application was received by Staff in September 2022. The rezoning will allow for the existing vacant medical centre to be converted to a 2-unit apartment, and the upper floor of the garage addition to be converted into a separate 2-unit apartment, while the site-specific regulation will allow for a reduced exterior side yard from 7.5m to 6.1m.

Application Z9-22 was deemed complete by Staff and circulated to Departments and Agencies for comments in October 2022.

On December 21, 2022, a Public Meeting was held at the Essa Township Administration Centre to discuss the application for Zoning By-law Amendment (Z9-22) for the subject property. The Applicant applied for the ZBA in order to change the zoning from

Residential, Low Density, Detached (R1) Zone to Residential, High Density, Apartments (R5-site specific) Zone to allow for the use of the two adjacent buildings to be used as two and four apartment units. Melanie Horton of Esher Planning Inc. represented the application at the Public Meeting.

CONSIDERATIONS

The subject lands are in the ‘Settlement Area’ of Angus in both the Township of Essa’s and the County of Simcoe’s Official Plans (OP). Land Use Schedule “B” in the Township of Essa’s Official Plan designates the subject lands as “Residential”.

Schedule “B” of the Township of Essa’s Zoning By-law, 2003-50, identifies the subject lands as “Residential, Low Density, Detached (R1) Zone”. The Applicant will have to satisfy all requirements of the required planning approvals.

Through ongoing discussions with the Nottawasaga Valley Conservation Authority (NVCA), the proposed Zoning By-law Amendment (ZBA) has been amended to allow for the existing structure to accommodate a total of 4 apartment units (down from 6 units) (see **Attachment 2** for the Site Plan). The proposal may require further site-specific provisions related to development standards (e.g., parking requirements) and will be subject to the provisions of the Ontario Building Code at the Building Permit stage of the approval process.

As per Section 4.28.4 of Zoning By-law 2003-50, R5 Zones require 1.35 spaces for each dwelling unit. At 4 units, the proposed development requires 6 parking spaces. The applicant has proposed 6 external parking spaces and 4 internal parking spaces.

The subject land is located on the south-east side of the intersection of River Drive and Roth Street. It is surrounded by other residential lots. The addition was constructed in 2016, but prior to this the original building had been previously used as a medical centre.

The current zoning of *Residential, Low Density, Detached (R1)* is not appropriate for using the existing structures as separate units. No Official Plan designation change is required.

A Pre-Consultation application was submitted in March 2022. The following supporting documents and studies were received by the Township through two submissions in September 2022 and October 2022 for Zoning By-law Amendment. The application was deemed complete and circulated to staff and agencies through a formal first submission on October 21, 2022.

1. Site Plan Application
2. Site Plan
3. Site Plan Brief
4. Application for Zoning By-law Amendment
5. Draft Zoning By-law Amendment (Text and Schedule)

H0

6. Planning Justification Report
7. Civil Drawings
8. Functional Servicing Report
9. Stormwater Management Report

The application will enable the Applicant to amend the Zoning By-law to create the following new site-specific regulations:

- An exterior side yard of 6.1m.

COMMENTS

On November 21, 2022, all comments received from Township Departments and external stakeholders were compiled and submitted to the applicant. The Agencies and their corresponding and subsequent comments are summarized below:

- | | |
|---|--|
| County of Simcoe | - It will be the responsibility of the owner/operator of the multi-residential buildings to arrange and pay for private waste collection services. |
| Simcoe County District School Board | - Pupils residing in this development may not be accommodated in local schools due to accommodation limitations. Additionally, staff request that walkways and sidewalks be included throughout the proposed development to facilitate heavy foot traffic areas and promote active transportation. |
| Simcoe Muskoka Catholic District School Board | - No comments were received. |
| Public Works | - No initial comments were received. |
| Neighbour (unnamed) | - The change in land use is too drastic for the neighbourhood. |
| NVCA | - A series of comments have been released by the NVCA as the application has progressed (see Attachment 3). The final comments submitted on May 11 th , 2023, stated that the application has been amended to allow for 4 above-grade units rather than the original 6 units, and that the NVCA has no further concerns. Please see attached for reference. |

A Notice of Public Meeting for Z9-22 was mailed to relevant Agencies and neighbours, posted on the Township website, and physically posted on the subject site. At the Public Meeting of December 21, 2022, for Application Z9-22, the following comments were received:

- Russ Earl of 42 Ross Street stated that (1) the garage is attached but the notice said it is detached, (2) the proposed 6 units are too many for the neighbourhood, and (3) that accommodating 8 parking spaces is impractical.
 - o The applicant responded by stating the following: (1) garbage will be arranged to be picked up privately, (2) the garage would have 2 1-bedroom units, and the main building will have 2 2-bedroom and 2 1-bedroom units, and (3) there will be no entrance made on Ross Street. She also stated that there was already traffic going in and out of the neighbourhood while the building was being used as a medical centre. The proposal has since changed to 4 units.
- Brendan Flin of 33 Treetop Street commented that he had no concern on the number of units but was concerned about the need for more parking.
 - o The applicant responded by stating that the lot is large and there is space to accommodate the minimum parking of 1.2 spaces per unit. It should be noted that the R5 Zone requires 1.35 external spaces per unit, meaning the development must have no less than 6 external spaces.
- Councillor Kiezebrink asked if the required spots will utilize the inside of the garage.
 - o The applicant confirmed that the garage would accommodate 4 parking spaces.
- Councillor Sander stated that he will be looking for minimum of 2 external parking spaces per unit in the application.

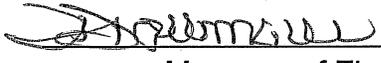
No follow-up comments have been received.

In January 2023, the Applicant was sent a letter regarding limited water and sewer capacity and was informed that all applications were put on hold until further review by Staff. In March 2023, the Public Works Department was able to determine that 56 River Drive was within the Township's water/sewer capacity. The Applicant was informed of this on March 24, 2023, via email.

After considering the comments submitted by departments, agencies, and neighbours and stakeholders, this application can be said to have addressed all concerns presented. The nature of this application is to utilize a currently uninhabited property at a higher density than previously permitted. The higher density does not seem unfitting to the neighbourhood and is suitable for the existing property. It is for these reasons that I, the Planner, believe the application to amend the Township of Essa Zoning By-law (2003-50) to be good planning, and I recommend the approval of Z9-22 – 56 River Drive.

FINANCIAL IMPACT

On September 30, 2022, Staff collected \$2,000 for a Minor ZBA application fee (PZONM). On October 18, 2022, Staff collected an additional \$2,000 Legal Engineering Deposit (PSPAD) to be used for lot-grading matters.



Manager of Finance

SUMMARY/OPTIONS

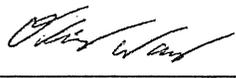
Council may:

1. Deny the application with reason.
2. That Council approve an amendment to the Township's Zoning By-law 2003-50, for lands legally known as Plan 1333 Lot 22, municipally known as 56 River Drive from Residential, Low Density, Detached R1 to Residential, High Density, Apartments R5-site specific.
3. Direct Staff in another manner Council deems appropriate, such as approve the ZBA but with a different zoning or site-specific provisions.

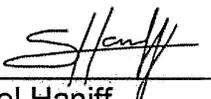
CONCLUSION

Option #2 is recommended since all requirements outlined by Staff have been met and no specific concerns have been raised throughout the public circulation of the application. The Public has been consulted appropriately and after careful consideration, the application makes for good planning.

Prepared by: Respectfully submitted by: Reviewed by:



Oliver Ward,
Policy Planner



Samuel Haniff,
BURPI, MCIP, RPP
Manager of Planning



Colleen Healey-Dowdall, RPP
Chief Administrative Officer

- Attachment 1: Context Map – 56 River Drive
- Attachment 2: Site Plan
- Attachment 3: NVCA Correspondence

4c

Attachment 1 - Context Map 56 River Drive



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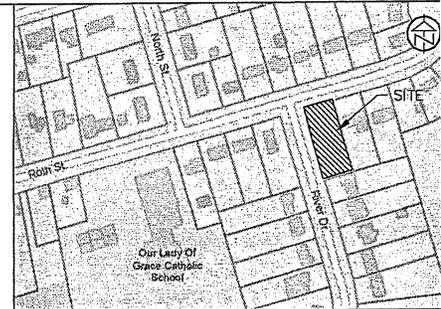
1 : 1,128



May 30, 2023

Attachment 2 - Site Plan

40



KEY PLAN

DESCRIPTION OF LAND:
ALL OF LOT 22, PLAN S0888-0063 (LT)
REGISTERED PLAN 1333, TOWNSHIP OF ESSA, COUNTY OF SIMCOE

REGISTERED EASEMENTS AND/OR RIGHT OF WAYS:
NONE

BOUNDARY FEATURES:
POSITION OF FENCES AS SHOWN ON SITE PLAN

ZONING INFORMATION:
ZONING BY LAW 2003-00
ZONE: R1 - LOW DENSITY, DETACHED

SITE STATISTICS:

	PROVIDED	CURRENT ZONE(R1)	PROPOSED ZONE(R1)
MIN. LOT AREA	1485 sqm	990 sqm	1193 sqm
MIN. LOT FRONTAGE	80.9 m	22.0 m	27.0 m
MIN. FRONT YARD DEPTH	23.0 m	9.0 m	9.0 m
MIN. EXTERIOR YARD DEPTH	6.1 m	6.0 m	6.0 m
MIN. INTERIOR YARD DEPTH	1.5 m	1.5 m	1.5 m
MIN. REAR YARD DEPTH	10.2 m	6.0 m	6.0 m
LANDSCAPED AREA	783 sqm	-	-
PAVED AREA	376 sqm	-	-
MAX. LOT COVERAGE	22%	33%	40%

BUILDING DATA:

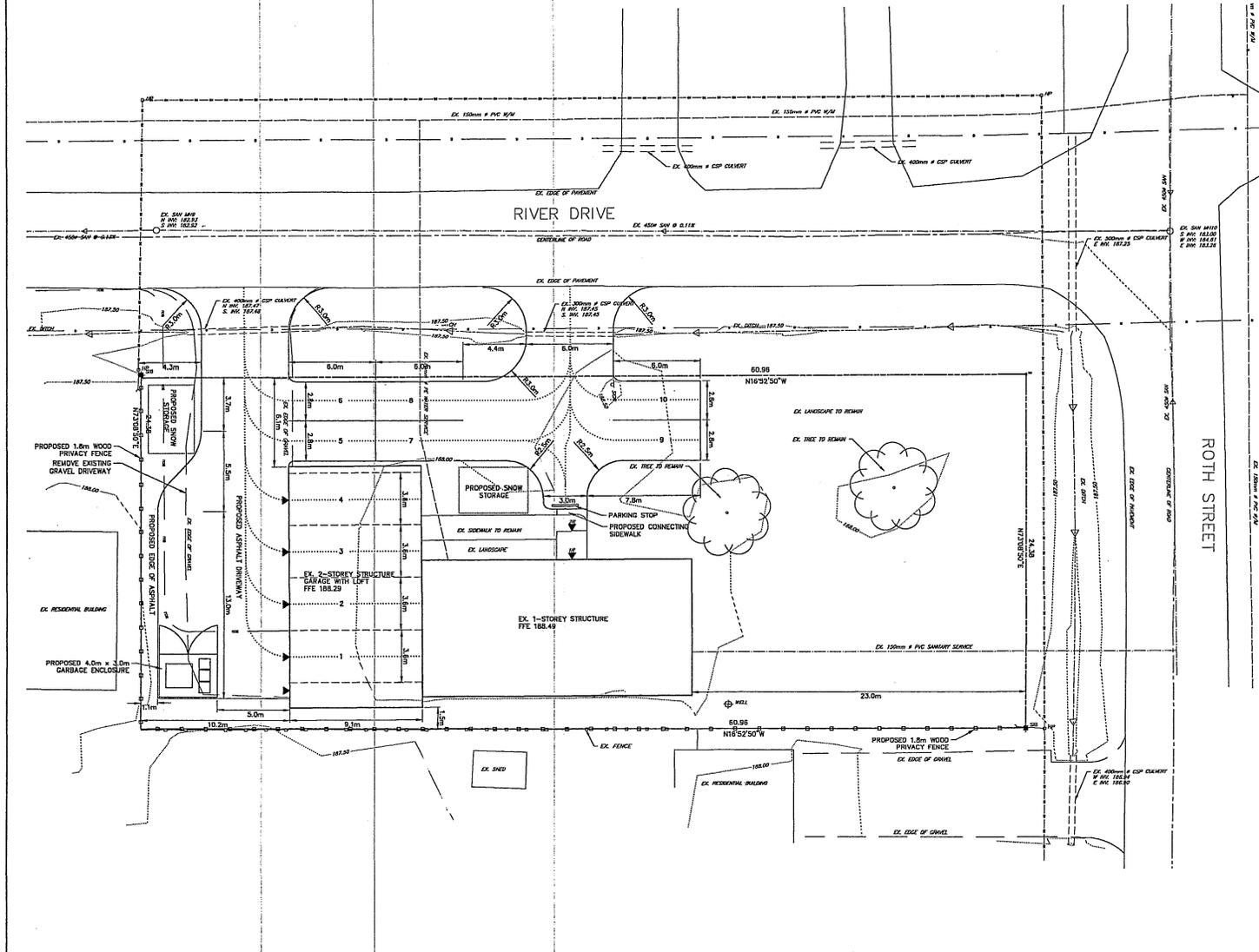
CONVERTED TWO-STORY RESIDENTIAL BUILDING - 4 UNITS + GARAGE		
	SFA	OCCUPANCY
NORTH BUILDING - GROUND FLOOR	175 sqm	RESIDENTIAL
SOUTH BUILDING - GROUND FLOOR	153 sqm	GARAGE
SOUTH BUILDING - SECOND FLOOR	153 sqm	RESIDENTIAL
TOTAL RESIDENTIAL + GARAGE	481 sqm	

PARKING REQUIREMENTS:

	PROVIDED	REQUIRED
RESIDENTIAL PARKING STALLS (1.35 PER UNIT)	10.0	6.0

LEGEND

- PROPERTY LINE
- EXISTING EDGE OF ASPHALT
- PROPOSED EDGE OF ASPHALT
- EXISTING SANITARY SEWER/SIZE/DIRECTION OF FLOW
- EXISTING SANITARY SERVICE
- EXISTING WATERMAIN/SIZE
- EXISTING CULVERT
- EXISTING GAS MAIN
- EXISTING CONTOUR
- EXISTING TEMPORARY BENCHMARK
- EXISTING STANDARD IRON BAR
- EXISTING HYDRANT POLE
- EXISTING HYDRANT GUY WIRE
- EXISTING SANITARY MAINTENANCE HOLE/NUMBER
- EXISTING HYDRANT AND VALVE
- EXISTING WATER VALVE
- EXISTING FENCE
- PROPOSED FENCE



DISCLAIMER AND COPYRIGHT	BENCHMARKS	NOTES	No.	REVISION DESCRIPTION	DATE	ENGINEER STAMP
CONTRACTOR MUST VERIFY ALL DIMENSIONS AND BE RESPONSIBLE FOR SAME. ANY DISCREPANCIES MUST BE REPORTED TO THE ENGINEER BEFORE COMMENCING WORK. DRAWINGS ARE NOT TO BE SCALED.	ELEVATION ARE GEODETIC IN ORIGIN AND WERE DERIVED FROM OBSERVED REFERENCE POINTS (ORP) USING THE PRECISE POINT POSITIONING (PPP) SERVICE (2022 EPOCH) AND ARE REFERRED TO THE CGVD-11026-1978 DATUM.	LEGAL SURVEY INFORMATION AND LOT DIMENSIONS SHOWN ON THIS PLAN ARE TAKEN FROM A SURVEY PLAN PREPARED BY RUDY MAK SURVEYING LTD. DATED APRIL 28, 2013 WHICH MAY NOT BE FINAL AND ARE NOT GUARANTEED. THE FINAL REGISTERED PLAN OF SUBDIVISION SHALL BE REFERRED TO FOR CONFIRMATION OF THE DATA.	1.	1ST SUBMISSION	2022-06-20	
TATHAM ENGINEERING LIMITED CLAIMS COPYRIGHT TO THIS DRAWING WHICH MAY NOT BE USED FOR ANY PURPOSE OTHER THAN THAT PROVIDED IN THE CONTRACT BETWEEN THE OWNER/CLIENT AND THE ENGINEER WITHOUT THE EXPRESS CONSENT OF TATHAM ENGINEERING LIMITED.	SITE BENCHMARK IS THE TOP OF THE SB AT THE SOUTH SIDE OF ROTH STREET HAVING AN ELEVATION OF 187.76.	ORIGINAL TOPOGRAPHIC INFORMATION FOR SURVEY PREPARED BY RUDY MAK SURVEYING LTD. DATED APRIL 28, 2013.	2.	REVISED ZONING	2022-10-17	
			3.	REVISED PER TOWN COMMENTS	2022-12-13	
			4.	REVISED PARKING	2023-01-10	
			5.	REVISED UNIT COUNT	2023-05-12	

56 RIVER DRIVE
ALL OF LOT 22, P.I.N. 58988-0063 (LT)
TOWNSHIP OF ESSA

SITE PLAN

TATHAM ENGINEERING

DESIGN: KG	FILE: 122177	DWG:
DRAWN: KG	DATE: SEPT 2022	SP01
CHECK: DC	SCALE: 1:150	

21

Drawing Name: 122177-SP01.dwg, Plot Date: May 16, 2023

4c

Attachment 3 - NVCA Correspondence



Nottawasaga Valley
Conservation Authority

May 11, 2023

SENT BY EMAIL

Township of Essa
5786 Simcoe County Road 21
Utopia, Ontario
L0M 1T0

Attn: Oliver Ward
Junior Planner
oward@essatownship.on.ca

RE: NVCA Comments for a Zoning By-law Amendment
56 River Drive
Township of Essa
Township File No. Z9-22
NVCA ID #28140

Nottawasaga Valley Conservation Authority [NVCA] staff is in receipt of a zoning by-law amendment. The applicant is proposing occupation of two (2) currently vacant buildings which are connected by one (1) adjoining wall. Originally, the zoning by-law amendment would permit the use of the existing structures as a four-unit apartment and a two-unit apartment. The plans have now been revised to propose four residential units above ground (a two-unit apartment with no habitable space below ground as well as a two-unit apartment where the existing garage with loft space is located).

In preparing these comments the following documents were received and reviewed:

- 56 River Drive Residential Development. Stormwater Management Report. September 9, 2022. Tatham Engineering. Signed and Sealed September 9, 2022.
- Civil Drawing Set: 56 River Drive. September 9, 2022. Tatham Engineering. Signed and Sealed September 9, 2022. Including: Drawing SP01, Site Plan; ESC01, Erosion and Sediment Control; Drawing SS01, Site Servicing and Grading Plan.

NVCA staff have reviewed this submission as per our delegated responsibility from the Province to represent provincial interests regarding natural hazards identified in Section 3.1 of the Provincial Policy Statement (PPS, 2020) and as a regulatory authority under Ontario Regulation 172/06. The submission has also been reviewed through our role as a public body under the *Planning Act* as per our CA Board approved policies and per our Municipal Partnership and Service Agreement with the Township.

Ontario Regulation 172/06

1. This property falls within an area affected by Ontario Regulation 172/06 (the Authority's Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation) for floodplain and meander erosion hazards associated with the Pine River. A permit will be required for any development or site alteration under the *Conservation Authorities Act*.

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Natural Hazard - Regulatory Comments

- 2. Policies contained within the PPS restrict development to areas outside of hazardous lands adjacent to shorelines and large inland lakes as well as river, stream and small inland lake systems which are impacted by flooding hazards and/or erosion hazards.
- 3. Notwithstanding, Section 3.1.6 of the PPS states that where the two-zone concept for flood plains is applied, development and site alteration may be permitted in the flood fringe, subject to appropriate floodproofing to the flooding hazard elevation or another flooding hazard standard approved by the Minister of Natural Resources and Forestry.
- 4. Further to policy 3.1.6, and except as prohibited in policies 3.1.2 and 3.1.5, development and site alteration may be permitted in those portions of hazardous lands and hazardous sites where the effects and risk to public safety are minor, could be mitigated in accordance with provincial standards, and where all of the following are demonstrated and achieved:
 - a. development and site alteration is carried out in accordance with floodproofing standards, protection works standards, and access standards;
 - b. vehicles and people have a way of safely entering and exiting the area during times of flooding, erosion and other emergencies;
 - c. new hazards are not created and existing hazards are not aggravated; and
 - d. no adverse environmental impacts will result.
- 5. The subject property is entirely constrained by the flood fringe of the two-zone regulatory floodplain limit associated with the Pine River as designated under Section 27.3 of the Official Plan for the Township of Essa. The 100-year flood elevation is 187.25m and the Regional flood elevation is 188.07m based on the Angus Flood Remediation Study prepared by Greenland.
 - a. It has been confirmed that the Finished Floor Elevation is at an elevation of 188.49m.
 - b. Furthermore, it has been noted that there will be no additional buildings constructed. There is an existing garage which has a finished floor elevation of 188.29m, which was constructed to be dry flood proofed as it is based on an elevation correction that was reviewed previously by NVCA staff. It was determined that the LiDAR elevations were slightly higher than topographic elevations obtained by an OLS.
 - c. It has also been noted through correspondence with the applicant/owner that the two proposed residential units within the basement of the existing building are no longer proposed, and instead four residential units above ground are proposed within the existing buildings, which meets the policies as outlined in Essa’s Official Plan and the PPS.
 - d. Safe access and egress is available.

Additional Advisory Comments

Stormwater Management

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NVCA Comments for a Zoning By-law Amendment
56 River Drive
Township of Essa
Township File No.Z9-22
NVCA ID #28140

May 11, 2023

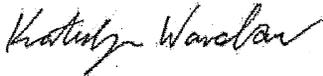
6. NVCA staff had previously requested that stormwater controls be implemented into the development, however it has been determined that no new structures will be constructed and therefore there will be no impact to stormwater form and function. Engineering staff have no further concerns.

Conclusion

In closing, the NVCA has no further concerns with the proposed development as presented, subject to obtaining a permit from NVCA.

Thank you for circulating this application to the NVCA for comment. Please feel free to contact the undersigned at ext. 222 or kwardlaw@nvca.on.ca should you require any further information or clarification with regards to any matters contained herein.

Sincerely,



Katelyn Wardlaw, Planner I

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TOWNSHIP OF ESSA STAFF REPORT

STAFF REPORT NO.: PD017-23

DATE: June 7th, 2023

TO: Committee of the Whole

FROM: Oliver Ward
Policy Planner

SUBJECT: 125 Sydenham Street
Zoning By-law Amendment (Z3-22)

RECOMMENDATION

That Staff Report PD017-23 be received; and

That Council approve an amendment to the Township's Zoning By-law 2003-50, for lands legally known as PLAN 160A LOT 232, municipally known as 125 Sydenham Street from the *Residential, Low Density, Detached R1 Zone* to *Residential, Low Density, Semi-Detached (R2-site specific) Zone*.

BACKGROUND

On behalf of Lorenzo Agostino (Bella Joya Family Trust), Innovative Planning Solutions c/o Tyler Kawall has applied for a Zoning By-law Amendment on the subject property legally described as PLAN 160A LOT 232, municipally known as 125 Sydenham Street (see **Attachment 1** to this report for the Context Map) in order to change the zoning of the subject property from the "Residential, Low Density, Detached (R1) Zone" in Zoning By-law 2003-50, to "Residential, Low Density, Semi-Detached (R2) Zone" with site-specific provisions (R2-site specific). The application was received by Staff in July 2022. The Zoning By-law Amendment application was submitted individually, though the Applicant has acknowledged their intent to submit an application for a Consent to Sever to allow for the creation of one (1) new lot dependent on the approval of this application.

Application Z3-22 was deemed complete by Staff and circulated to Departments and Agencies for comments between August and September 2022. The applicant was informed that any Additional Residential Units (ARUs) would require larger sideyard setbacks than proposed. Subsequently, the applicant informed the Township that the Client was reconsidering his submission to include ARUs.

On January 18, 2023, the applicant informed the Township that owners would not include ARUs and were ready to proceed with the application as originally submitted.

On January 24, 2023 the applicant was informed about servicing constraints in Angus and that all projects were put on hold until capacity could be allocated. On March 24, 2023, a follow-up correspondence was sent to the applicant to inform him that the proposed development at 125 Sydenham would be included in the current Township capacity and that the project could move forward.

On May 17th, 2022, a Public Meeting was held at the Essa Township Administration Centre to discuss the application for Zoning By-law Amendment (Z3-22) for the subject property. The Applicant applied for the ZBA in order to change the zoning from *Residential, Low Density, Detached (R1) Zone* to *Residential, Low Density, Semi-Detached (R2-site specific) Zone* to allow for the development of two new semi-detached dwelling units on the existing lot, subject to the new site-specific regulations. Tyler Kawall of Innovative Planning Solutions represented the application at the Public Meeting.

CONSIDERATIONS

The subject lands are in the 'Settlement Area' of Angus in both the Township of Essa's and the County of Simcoe's Official Plans (OP). Land Use Schedule "B" in the Township of Essa's Official Plan designates the subject lands as "Residential".

Schedule "B" of the Township of Essa's Zoning By-law, 2003-50, identifies the subject lands "Residential, Low Density (R1)". The Applicant will have to satisfy all requirements of the required planning approvals.

The proposed Zoning By-law Amendment (ZBA) is to allow for the construction of two proposed semi-detached dwellings on two adjacent lots under site-specific regulations. The subject land currently exists as a single lot, but the applicant will be applying for a severance under the condition of the passing of this By-law.

The subject parcel is located on the north side of Sydenham Street. It is surrounded by residential lots on the north, south (across Sydenham Street), east and west and has been historically vacant. The current zoning of *Residential, Low Density, Detached (R1)* is not appropriate for the proposed semi-detached structures proposed by the applicant, deeming a Zoning By-law Amendment necessary. No Official Plan designation change is required.

The severance will result in the creation of two (2) lots of equal size, each with approximately 10 metres of frontage. A proposed semi-detached dwelling is proposed to be constructed on each of the two lots (See **Attachment 2**), connected to each other on the centreline of the proposed severance. Each of these lots will also have 2 external parking spots (side-by-side).

The application will enable the Applicant to amend the Zoning By-law to create the following new site-specific regulations:

- a lot frontage of 10.0m;

COMMENTS

On May 17, 2023, all comments received from Township Departments and external stakeholders were compiled and submitted to the applicant. The Agencies and their corresponding comments are summarized below:

- | | |
|---|------------------------------|
| County of Simcoe | - No comments were received. |
| Simcoe County District School Board | - No comments were received. |
| Simcoe Muskoka Catholic District School Board | - No comments were received. |
| NVCA | - No objection. |
| Neighbour(s) | - No comments were received. |

A Notice of Public Meeting for Z3-22 was mailed to relevant Agencies and neighbours, posted on the Township website, and physically posted on the subject site. At the Public Meeting of May 17, 2023 for Application Z3-22, no comments were received.

After considering the comments submitted by departments, agencies, and neighbours and stakeholders, this application can be said to have addressed all concerns presented. The nature of this application is to utilize a currently vacant property at a higher density than previously permitted. The higher density does not seem unfitting to the neighbourhood and is suitable for the existing property, and the proposed zoning seems appropriate so long as a consent to sever is obtained before development begins. It is for these reasons that I, the Planner, believe the application to amend the Township of Essa Zoning By-law (2003-50) to be good planning, and I recommend the approval of Z3-22 – 125 Sydenham Street.

FINANCIAL IMPACT

Staff collected \$5,000 for a (PZONA) application fee in addition to \$2,000 for an Engineering Deposit (PSPAD) (to address a lot grading review).


Manager of Finance

4d

SUMMARY/OPTIONS

Council may:

1. ~~Take no further action (deny the application with reason).~~
2. That Council approve an amendment to the Township's Zoning By-law 2003-50, for lands legally known as PLAN 160A LOT 232, municipally known as 125 Sydenham Street from Residential, Low Density, Detached R1 to Residential, Low Density, Semi-Detached R2-site specific.
3. Direct Staff in another manner Council deems appropriate, such as approve the ZBA but with a different zoning or site-specific provisions.

CONCLUSION

Option #2 is recommended. Based on all comments and considerations, Staff believes that the proposed Zoning By-law Amendment makes for good planning and recommends the approval of Z3-22.

Prepared by:

Respectfully submitted by:

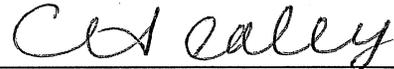
Reviewed by:



Oliver Ward
Policy Planner



Samuel Haniff,
BURPI, MCIP, RPP
Manager of Planning

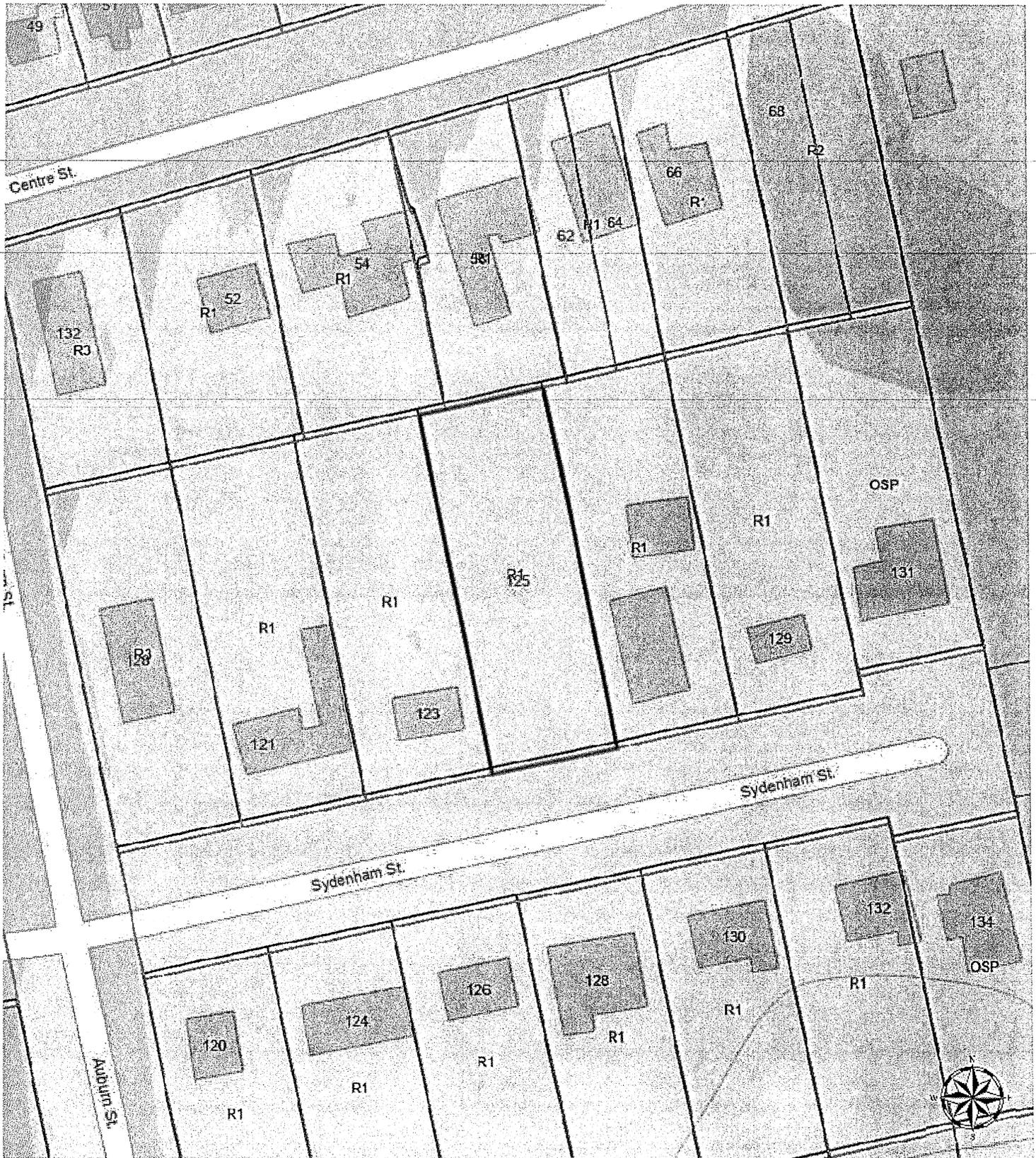


Colleen Healey-Dowdall, RPP
Chief Administrative Officer

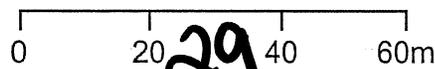
Attachment 1: Context Map – 125 Sydenham Street

Attachment 2: Site Plan – 125 Sydenham Street

Attachment 1 - Context Map 125 Sydenham Street



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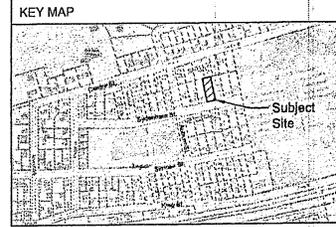


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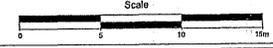
May 30, 2023

Attachment 2 - Site Plan



SEVERANCE SKETCH

Plan of Survey of Lot 232 North Side of Sydenham St.
Registered Plan 160A,
Township of Essa,
County of Simcoe



LEGEND

- Subject Site
 - Area: 1,163.6m²
- Lot 1 - Land to be Severed
 - Area: 586.8m²
 - Frontage: 10.0m
- Lot 2 - Lands to be Retained
 - Area: 576.7m²
 - Frontage: 10.0m
- Semi-Detached Dwelling

33

Residential, Low Density, Semi-Detached (R2) ZONE

Provisions	Required	Provided
Min. Lot Area	390.0m ² (interior unit)	>390.0m ²
Min. Lot Frontage	11.0m (interior unit)	10.0m
Min. Front Yard Setback	7.5m	>7.5m
Min. Interior Side Yard Setback	1.5m	1.5m
Min. Rear Yard Setback	9.0m	>9.0m
Min. GFA / unit	84.0m ²	>84.0m ²
Max. Building Height	10.5m	<10.5m
Max. Lot Coverage	95% (interior unit)	<95%
Required Parking - Residential	2 exterior spaces / unit	2 exterior spaces

Source: Township of Essa Zoning By-Law No. 2003-50
C.A. MacDonald, O.L.S., Jan. 28, 2022
Note: Information shown is approximate and subject to change.

SEVERANCE SKETCH 125 SYDENHAM STREET, ANGUS

SCHEDULE OF REVISIONS			
No.	Date	Description	By
1	Sept. 27, 2021	Update Severance Sketch for R2 Zoning	J.V.
2	Feb. 3, 2022	Underlay survey; Update matrix;	A.S.

IPS INNOVATIVE PLANNING SOLUTIONS
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447 WILLOW ROAD, ORTICA, MISSISSAUGA, ON L4V 1R7
Tel: 705-812-1291 Fax: 705-812-3238 info@innovativeips.com www.innovativeips.com

Date: April 29, 2021 Drawn By: A.S.
File: 21-1063 Checked: T.K.



TOWNSHIP OF ESSA STAFF REPORT

STAFF REPORT NO.: PD018-23

DATE: June 7th, 2023

TO: Committee of the Whole

FROM: Owen Curnew
Planning Technician

SUBJECT: 96 King Street - Zoning By-law Amendment (Z3-23)

RECOMMENDATION

That Staff Report PD018-23 be received; and

That Council approve an amendment to the Township's Zoning By-law 2003-50, for lands legally known as PT LT 30 CON 3 ESSA AS IN RO394415; ESSA, municipally known as 96 King Street from the "Residential, High Density, Apartments (R5) Zone" to "Residential, Low Density, Semi-Detached (R2) Zone" with site-specific provisions (R2-site specific).

BACKGROUND

On behalf of Michael Allen & Anca Dobrinescu., Marco Paganelli of Independent Municipal Planners has applied for a Zoning By-law Amendment on the subject property legally described as PT LT 30 CON 3 ESSA AS IN RO394415; ESSA, municipally known as 96 King Street (see **Attachment 1** for the Context Map) in order to change the zoning of the subject property from the "Residential, High Density, Apartments (R5) Zone" in Zoning By-law 2003-50, to "Residential, Low Density, Semi-Detached (R2) Zone" with site-specific provisions (R2-site specific).

The Zoning By-law Amendment application has been submitted subsequently after the approval of a Consent Application to allow for the creation of one (1) new lot in addition to the retained existing lot. A proposed single-detached dwelling is proposed to be constructed on the severed lot (See **Attachment 2**), and the application would enable the Applicant to amend the Zoning By-law to create the following new site-specific regulations for the proposed severed and retained lots (see table 1).

Table 1

	Requirement for R2	Proposed for Parcel 1 (Retained Lot)
Minimum Front Yard Setback	7.5 m	0 m (existing legal non-complying)
Minimum Rear Yard Setback	9 m	0.5 m (existing legal non-complying)
	Requirement for R2	Proposed for Parcel 2 (Severed lot)
Minimum Gross Floor Area	84 m ²	75 m ²
Minimum Rear Yard Setback	9 m	7 m

COMMENTS AND CONSIDERATIONS

The subject lands are in the ‘Settlement Area’ of Angus in both the Township of Essa’s and the County of Simcoe’s Official Plans (OP). Land Use Schedule “B” in the Township of Essa’s Official Plan designates the subject lands as “Residential”.

Schedule “B” of the Township of Essa’s Zoning By-law, 2003-50, identifies the subject lands “Residential, High Density, Apartments (R5)”. The Applicant will have to satisfy all requirements of the required planning approvals.

The proposed Zoning By-law Amendment (ZBA) is to allow for the construction of a proposed single-detached dwelling on the proposed severed lot under site-specific regulations and to bring the existing legal non-complying building on the retained lot into compliance with Zoning By-law 2003-50. The proposal may require further site-specific provisions related to development standards (e.g., parking requirements).

The following supporting documents and studies were received by the Township in March of 2023 in support of the Zoning By-law Amendment. The application deemed complete and circulated to staff and agencies through a formal first submission:

1. Planning Justification Report
2. Application for Zoning By-law Amendment

The Township was in receipt of the following comments:

Agency, Department, Stakeholder	Comments
Deputy Fire Chief	The applicant is required to provide the necessary smoke/CO/strobe alarms throughout and provide proper access to the main entrance of the dwelling.

No other comments were received.

On April 14th, 2023 all comments received by Township Departments and external stakeholders were compiled and submitted to the applicant. On April 26th, 2023, a Notice of Public Meeting was submitted to the public and stakeholders.

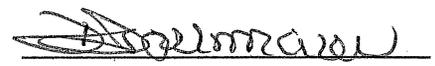
On February 27th, 2023, the Committee of Adjustment granted a Consent to sever 456 square metres off a 1082 square metre parcel of land purpose of creating a new lot, lots (B1-23).

Based on all comments and considerations, Staff believes that the proposed Zoning By-law Amendment makes for good planning and recommends the approval of Z3-23 – 96 King Street.

FINANCIAL IMPACT

Staff collected \$2,000 for a (PZONM) application fee in addition to \$2,000 for an Engineering Deposit (PSPAD) on March 13, 2023 to address a lot grading review.

Staff also collected \$2,500 for a Consent (PSEV) application fee on January 30th, 2023.


Manager of Finance

SUMMARY/OPTIONS

Council may:

1. Take no further action (deny the application with reason).
2. That Council approve an amendment to the Township's Zoning By-law 2003-50, for lands legally known as PT LT 30 CON 3 ESSA AS IN RO394415; ESSA, municipally known as 96 King Street from the "Residential, High Density, Apartments (R5) Zone" to "Residential, Low Density, Semi-Detached (R2) Zone" with site-specific provisions (R2-site specific).
3. Direct Staff in another manner Council deems appropriate, such as to approve the ZBA but with different Zoning standards than suggested.

CONCLUSION

Based on all comments and considerations, Staff believes that the proposed Zoning By-law Amendment makes for good planning and recommends the approval of Z3-23 – 96 King Street.

Option #2 is recommended.

4e

Prepared by:

Respectfully submitted by:

Reviewed by:



Owen Curnew
Planning Technician



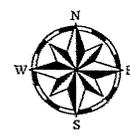
Samuel Haniff
BURPI, MCIP, RPP
Manager of Planner



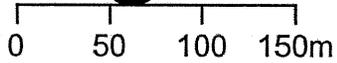
Colleen Healey-Dowdall, RPP
Chief Administrative Officer

Attachment 1: Context Map – 96 King Street
Attachment 2: Concept Plan – 96 King Street

96 King Street



35

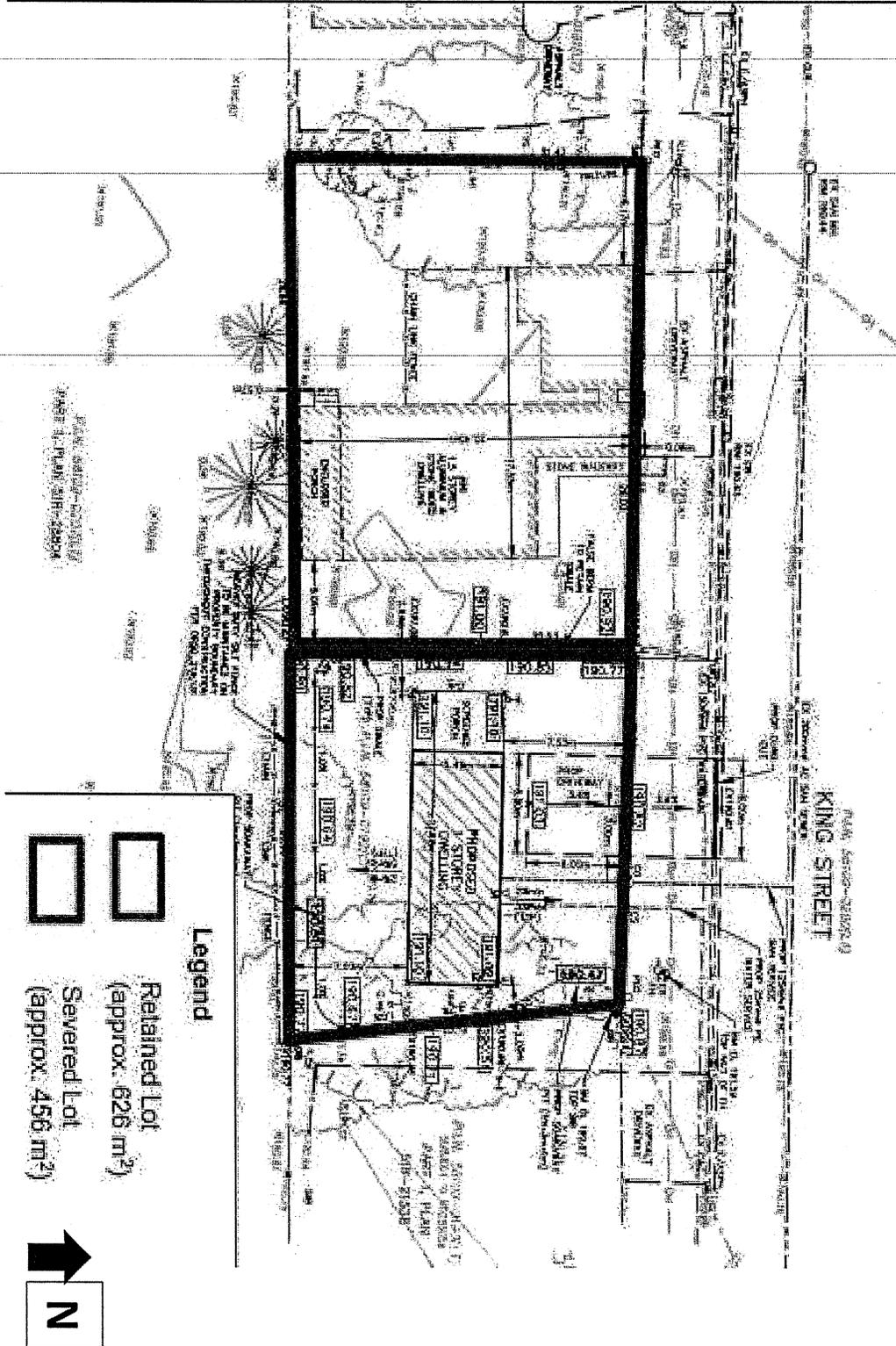


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4e

Site Plan - 96 King Street





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TOWNSHIP OF ESSA STAFF REPORT

STAFF REPORT NO.: PD019-23

DATE: June 7, 2023

TO: Committee of the Whole

FROM: Lee Bull, MCIP, RPP
Associate – MHBC Planning (Township Planning Consultant)
&
Jamie Robinson, MCIP, RPP,
Partner - MHBC Planning (Township Planning Consultant)

SUBJECT: Brookfield Subdivision (Part of Lot 16, Con. 4)
E-T-0602
Subdivision Agreement and WWTP Servicing Agreement

RECOMMENDATION

That Staff Report PD019-23 be received;

That Council adopt a by-law to authorize the Mayor and Clerk to enter into a Subdivision Agreement and Wastewater Treatment Plant (WWTP) Servicing Agreement to govern the development of the 253 lot residential plan of subdivision (Brookfield - Heartland Subdivision) and the associated external servicing requirements;

That Council endorse the conveyance of lands external to the Brookfield draft plan of subdivision to the Municipality for the purposes of the waste water treatment plant, the north/south paved maintenance driveway and the outfall to the Nottawasaga River;

That Council endorse the granting of an easement over lands associated with the waste water treatment plant in favour of the Municipality for the east/west gravel maintenance access road;

That Legal Counsel for the Township be directed to accept signed Transfers/Authorization and Directions for these lands based upon the draft reference plan (R-Plan) pursuant to the Subdivision Agreement to be held In Trust by Township Legal Counsel pending execution of the Subdivision Agreement by the Township.

PURPOSE

It is the purpose of this report to:

1. Provide an overview of the lands external to the Brookfield draft plan of subdivision which are required to accommodate the waste water treatment plant and associated infrastructure, a portion of which will be conveyed to the Township in

fee simple, and a portion of which an easement in favour of the Township will be granted.

2. Provide an overview of the Indemnification Agreement and associated Securities to be posted by Brookfield Homes related to the Indemnification Agreement.
3. Seek instruction for legal counsel for the Township to accept signed Transfers/Authorization and Directions for these lands based upon the draft reference plan accepted by Township staff and their consulting team.
4. Provide an update on the Simcoe County District School Board condition of draft plan approval.
5. Provide an overview of the Subdivision Agreement and Waste Water Treatment Plant Servicing Agreement.
6. Provide an overview of the by-law to permit the Mayor and Clerk to execute the Subdivision Agreement and Waste Water Treatment Plant Servicing Agreement.

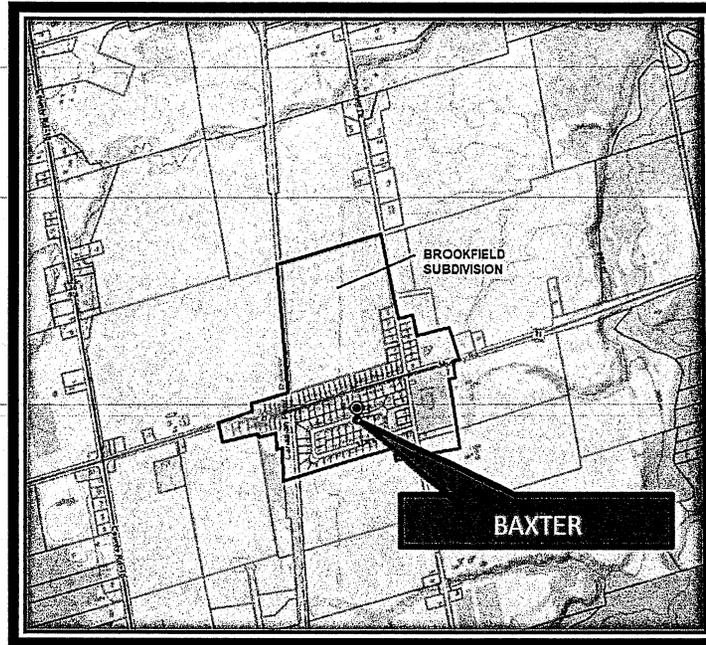
BACKGROUND

In 2010 the Township draft approved the 253 lot single detached residential subdivision submitted by Brookfield Homes (File No. E-T-0602) for the property located in Part of Lot 14, Concession 4 within the Baxter Settlement Area and shown on **Figure 1**. Council granted an extension to the Draft Plan for an additional three (3) years on February 3, 2021. The draft plan approval currently lapses on February 3, 2024.

The subdivision will be developed in two (2) phases and provides a series of crescent local streets and two connections to Denny Drive and contains:

- Forty-seven 12 metre (40') single detached lots,
- Seventy-nine 15 metre (50') single detached lots; and,
- One hundred-twenty seven 18 metre (60') single detached residential lots

Figure 1

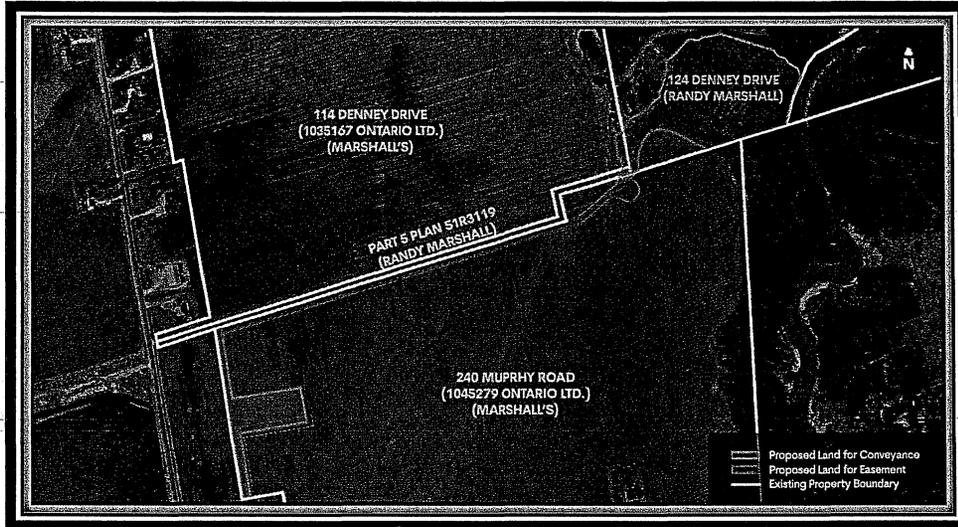


The draft plan of subdivision was approved subject to 46 conditions of draft approval and 6 notes. The two phases of the Draft Plan of Subdivision and Conditions of Draft approval are provided as **Attachments 1** and **2** to this report. The proposed development and conditions of draft approval require the development of the subdivision on the basis of full municipal services (water and sanitary sewers) requiring significant external works for the development to support and accommodate the provision of municipal water and municipal wastewater treatment.

Sewage treatment for the draft plan of subdivision is proposed through a Waste Water Treatment Plant (WWTP) located on lands external to the draft plan of subdivision on the east side of Denney Drive, east of the stormwater management facility for the development.

As part of the Subdivision Agreement between the Municipality and Brookfield, Brookfield is required to convey lands external to the draft plan of subdivision to the Municipality for the purposes of the waste water treatment plant, the north/south paved maintenance driveway and the outfall to the Nottawasaga River. In addition, an easement is to be granted in favour of the Municipality over lands external to the draft plan of subdivision for the east/west gravel maintenance access road, as illustrated on **Figure 2**.

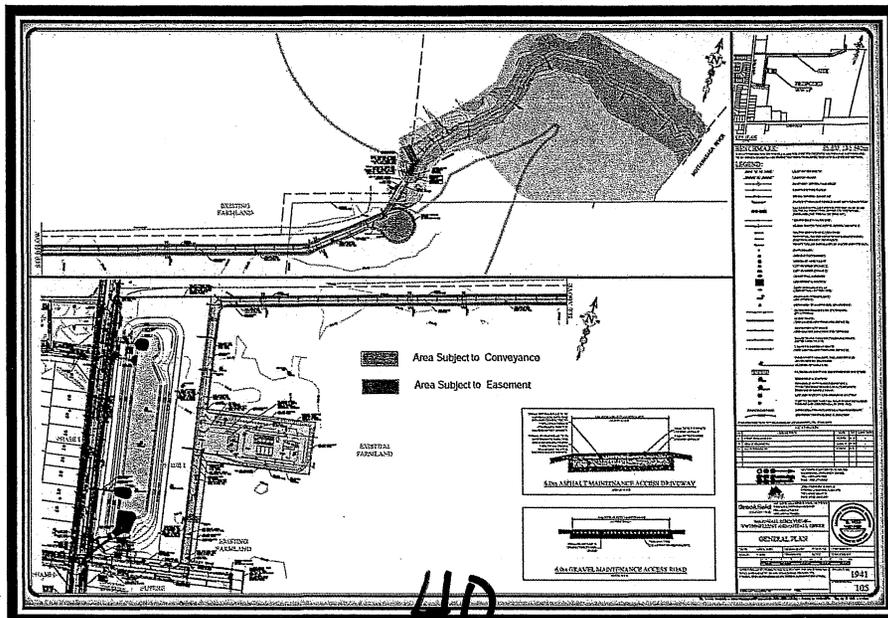
Figure 2 – Aerial Overlay – Land to be conveyed/Easement Granted



The lands to be conveyed to the Municipality total 4.4 hectares (11 acres) in area and are shown in green on **Figure 2** and **Figure 3**. The lands to be conveyed to the Municipality include the lands upon which the waste water treatment plant is located, the north/south paved maintenance access driveway and a portion of the lands surrounding the WWTP outfall to the Nottawasaga River.

The lands over which an easement will be granted in favour of the Municipality total 0.7 hectares (1.7 acres) in area and are shown in red on **Figure 2** and **Figure 3**. An easement will be granted in favour of the Municipality over the lands associated with the east/west gravel maintenance access road.

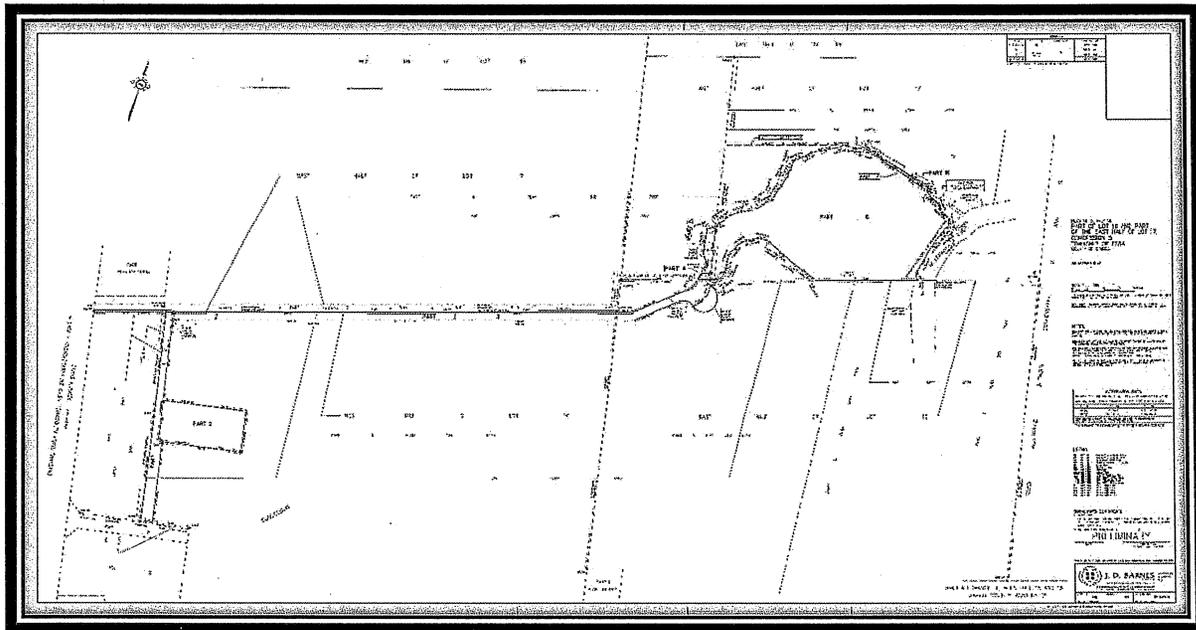
Figure 3 – Engineering Drawing - Lands to be Conveyed/Easement Granted



Full size versions of **Figure 2** and **Figure 3** are included as **Attachment 3** and **Attachment 4** to this staff report.

A draft Reference Plan (R-plan) has been prepared by an Ontario Land Surveyor (OLS) and is shown as **Figure 4**. Township staff and their consulting team have reviewed the proposed design for the waste water treatment plant against the draft R-plan and the associated Certificate of Areas provided by the OLS and are satisfied that the lands proposed to be conveyed to the Municipality and the lands over which the Municipality is to be granted an easement are sufficient to accommodate the waste water treatment plant, maintenance access driveways, associated infrastructure and the outfall to the Nottawasaga River. A full size version of **Figure 4** is included as **Attachment 5** to this staff report.

Figure 4 – Draft Reference Plan



Indemnification

Brookfield Homes will enter into an Indemnity Agreement which protects the Township against any loss or damage connected with the lands subject to the easement. In addition, Brookfield Homes is posting securities in the amount of \$250,000.00 to secure the Indemnity. The Indemnity Agreement is attached to this report as **Attachment 6**.

Nottawasaga Valley Conservation Authority

A permit for the works associated with the outfall and discharge of treated effluent to the Nottawasaga River has been issued by the Nottawasaga Valley Conservation Authority.

Simcoe County District School Board Condition of Draft Approval Update

Recently, Council was advised that the Simcoe County District School Board (SCDSB) had requested an additional condition of Draft Plan Approval to ensure that Baxter Central Public School is provided with a connection to the WWTP.

At the May 17, 2023 Council Meeting, a motion was passed to endorse the addition of the condition of draft plan approval requested by the Simcoe County District School Board to the existing list of Conditions of Draft Plan Approval for file E-T-0602 first issued March 17, 2010 for the Brookfield Homes draft plan of subdivision.

The new SCDSB condition of draft approval, added the following wording to the Subdivision Agreement and the WWTP Agreement:

“The Developer agrees to provide adequate sewage capacity and a connection from the proposed/new Baxter WWTP to the Baxter Central Public School (and all other associated works to provide for sanitary servicing for students from the new Brookfield subdivision to attend the local elementary school all as a local service in accordance with Section 59(1) and (2)(a) of the *Development Charges Act* and Section 51(25)(d) of the *Planning Act* to the satisfaction of the Simcoe County District School Board) and that their respective financial contribution for the costs associated with these works shall be identified in a subsequent agreement between the Developer and the SCDSB (the “SCDSB WWTP Infrastructure Contribution Agreement”) to be entered into prior to the commencement of construction of the WWTP.”

The above noted wording has been added to both the Subdivision Agreement and the WWTP Servicing Agreement.

Subdivision Agreement and Waste Water Treatment Plant Servicing Agreement

The Subdivision Agreement encompasses both Phase 1 and Phase 2 of Brookfield’s development. Brookfield wished to proceed this way to avoid the need to enter into another Subdivision Agreement when they are ready to proceed with Phase 2.

The current Subdivision Agreement allows the Township to require Amending Agreements to the Subdivision Agreement at any time, if any changes are required by the Township including the depositing of additional Security.

A separate report will come back to Council in the future requesting authorization to provide final approval for Phase 1 of the subdivision once all of the conditions of draft approval have been satisfied and for authorization for the Registration of the Agreements and the M-Plan for Phase 1 only.

Once Brookfield has executed the approved Subdivision Agreement and all related documents and the Township has also executed them and approved the Mylar for the M Plan for Phase 1, arrangements will be made with the Land Registry Office to register the M Plan first and then the Subdivision Agreement, followed by all other documents.

The lands comprising Phase 2 will be subject to a Restriction registered on title under Section 118 of the Land Titles Act which is a “No Dealings Restriction” meaning that no part of the lands in Phase 2 can be sold, mortgaged, or built upon until Council signs and registers a Consent to allow any dealings with Phase 2. In this way Phase 2 cannot be developed in any way until the Township is ready for it to occur.

Once Brookfield is ready to proceed to develop Phase 2 and all requirements set out in the Subdivision Agreement which are pre-requisites to the development of Phase 2 have been met to the satisfaction of Council, the “No Dealings Restriction” can be lifted by Council. Once the Consent to allow the development of Phase 2 is signed by Council and registered on title, the M Plan for Phase 2 can be registered.

Final Subdivision Agreement

The Township team (CAO, Manager of Public Works, Consulting Engineers and Planner) led by the Township Solicitor have been working for many months preparing the Subdivision Agreement. The agreement, based on the Township template and tailored to the Brookfield subdivision and its unique requirements, was provided to Brookfield for review and comment and changes were incorporated, where appropriate.

Appropriate wording has been incorporated into the Agreement related to the conveyance of lands or the granting of an easement over lands associated with the WWTP and associated infrastructure.

Wording as been incorporated into the Subdivision Agreement addressing the additional condition of draft approval requested by the Simcoe County District School Board.

The Subdivision Agreement is complete and attached to this report as **Attachment 7**.

Final Wastewater Treatment Plant Servicing Agreement

The Township team (CAO, Manager of Public Works, Township Solicitor, Consulting Engineers and Planner) led by the Township’s Consulting Engineer have prepared the WWTP Servicing Agreement and have ensured that it is consistent with the Subdivision Agreement. The draft WWTP Servicing Agreement was provided to Brookfield for review and comment and changes were incorporated, where appropriate.

The WWTP Servicing Agreement addresses the full range of issues associated the Township requirements for the provision of full municipal wastewater treatment services for the subdivision. This includes and the agreement addresses the full EA process (completed), design, construction, maintenance, operation, financial obligations including security for construction and operation, and the eventual assumption and acceptance of the works by the Township.

Wording as been incorporated into the WWTP Agreement addressing the additional condition of draft approval requested by the Simcoe County District School Board.

The WWTP Servicing Agreement is complete and attached to this report as **Attachment 8**.

COMMENTS AND CONSIDERATIONS

Considerable progress and work has been completed by Township and Brookfield to date including the detailed design and construction of the external water works and supply, external stormwater management works, road and pedestrian improvements, above and underground works within Phase 1 of the subdivision, preliminary earthworks for Phase 2, EA for wastewater treatment, and the design for the WWTP. The Township has existing agreements and holds financial securities (letters of credit) with respect to the works.

Staff are recommending that Council pass a by-law to authorize the execution of the Subdivision Agreement and WWTP Servicing Agreement by the Mayor and Clerk.

As Council will note, the by-law states that the agreements may only be presented to the Mayor and Clerk for execution subject to advice from Township staff that all normal and required undertakings have been agreed to by Brookfield Residential (Ontario) Limited including the provision of the required fees, deposits, securities, insurance and other matters as set out in the Agreements.

The draft By-law is provided as **Attachment 9**.

As part of the Subdivision Agreement between the Municipality and Brookfield, Brookfield is required to convey lands external to the draft plan of subdivision for the purposes of the waste water treatment plant, the north/south paved maintenance driveway and the outfall to the Nottawasaga River. In addition an easement is to be granted over lands external to the draft plan of subdivision for the east/west gravel maintenance access road.

Township staff and their consulting team have reviewed the proposed design for the waste water treatment plant against the draft R-plan and the associated Certificate of Areas provided by the OLS and are satisfied that the lands proposed to be conveyed to the Municipality and the lands over which the Municipality is to be granted an easement are sufficient to accommodate the waste water treatment plant maintenance access driveways, associated infrastructure and the outfall to the Nottawasaga River.

Brookfield Homes will enter into an Indemnity Agreement with the Township which protects the Township against any loss or damage connected with the east/west gravel maintenance access road lands which are subject to an easement. In addition, Brookfield Homes is posting securities in the amount of \$250,000.00 to secure the Indemnity Agreement.

The Nottawasaga Valley Conservation Authority (NVCA) has issued a permit for the works associated with the WWTP outfall to the Nottawasaga River.

At the direction of Council, Legal Counsel for the Township will accept signed Transfers/Authorization and Directions for the conveyance of lands and/or easements over lands external to the subdivision pursuant to the Subdivision Agreement to be held In Trust by Township Legal Counsel pending execution of the Subdivision Agreement by the Township.

FINANCIAL IMPACT

The full cost of registering the transfers and the easements for the lands associated with the WWTP and associated infrastructure will be borne by Brookfield Homes.

The full cost of the preparation of the Subdivision and WWTP Servicing Agreements will be borne by Brookfield Homes.

SUMMARY/OPTIONS



Council may consider:

- 1. Receive the report as submitted and pass the authorizing by-law as recommended.
- 2. Direct Staff in another manner.

CONCLUSION

Option #1 is recommended. The Agreements have been negotiated to the satisfaction of Township of Essa staff and their consulting team.

Prepared by:

Reviewed by:



Lee Bull, MCIP, RPP,
Associate
MHBC Planning

Jamie Robinson, MCIP, RPP
Partner
MHBC Planning

Michael Mikael, P.Eng.
Director of Public Works



Colleen Healey-Dowdall
CAO

Attachments:

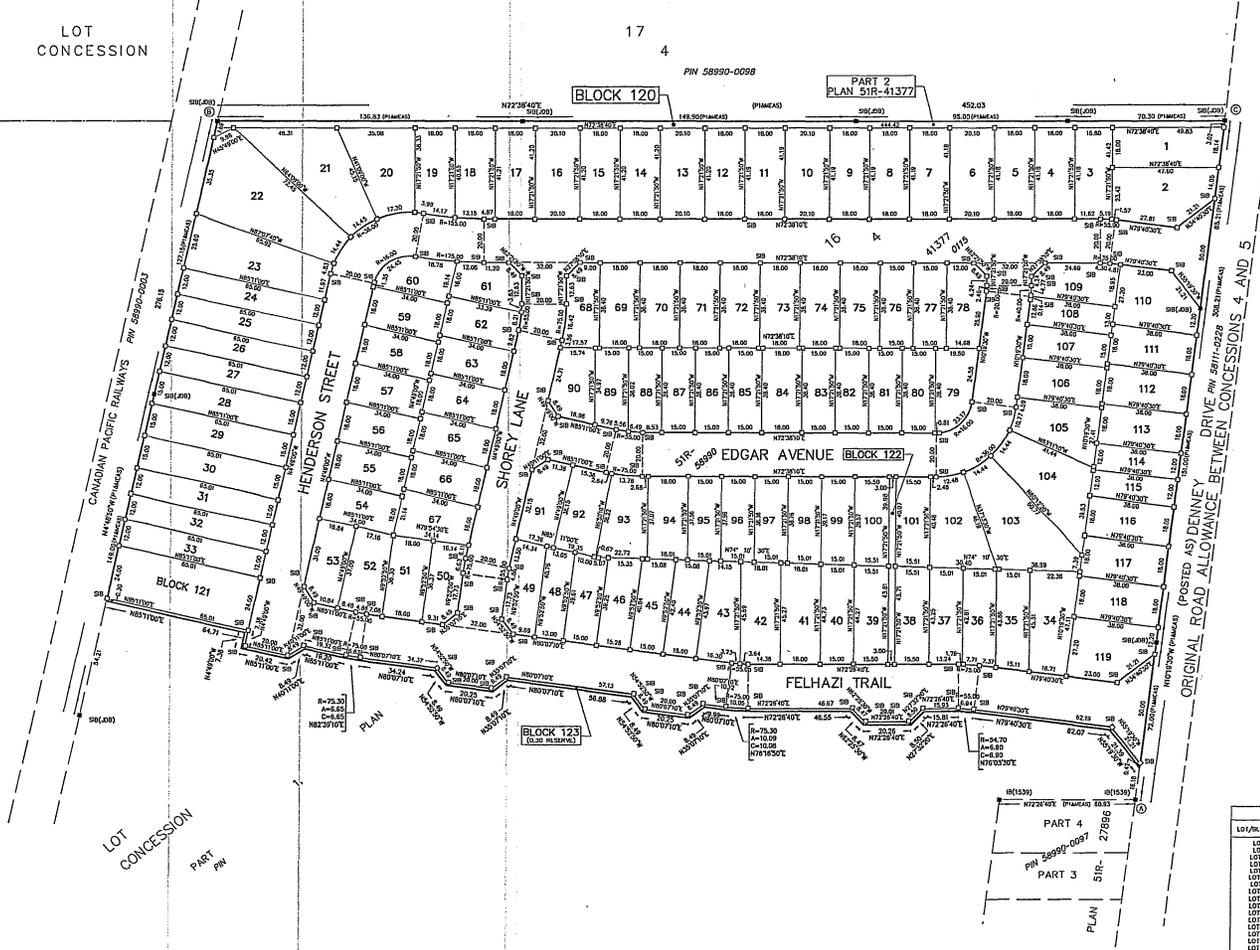
- Attachment #1 Draft Plan of Subdivision Phase 1 and Phase 2
- Attachment #2 Conditions of Draft Approval
- Attachment #3 Full size version of Figure 2 – Aerial with Transfer/Easement Overlay
- Attachment #4 Full size version of Figure 3 – Engineering Drawing with Transfer/Easement Overlay
- Attachment #5 Draft R-Plan
- Attachment #6 Indemnity Agreement
- Attachment #7 Subdivision Agreement – **Available upon request**
- Attachment #8 Waste Water Treatment Plant Servicing Agreement - **Available upon request**
- Attachment #9 Draft By-law



LOT
CONCESSION

LOT
CONCESSION
PART
PIN

47



PART 1
PLAN S1R-40863

PART 4
PLAN S1R-3167
PART 2
PLAN S1R-3119

CURVE TABLE				
LOT/BLOCK	RADIUS	ARC	CHORD	BEARING
LOT 3	85.00	1.57	1.57	N78°30'00"
LOT 2	55.00	3.19	3.19	N70°00'00"
LOT 18	155.00	13.15	13.15	N70°00'00"
LOT 19	18.00	2.89	2.89	N72°00'00"
LOT 20	38.00	17.30	17.14	N63°00'00"
LOT 21	38.00	14.43	14.35	N73°00'00"
LOT 22	36.00	14.44	14.34	N43°00'00"
LOT 23	30.00	4.83	4.83	N60°00'00"
LOT 35	75.00	7.71	7.71	N64°30'00"
LOT 37	75.00	1.78	1.78	N70°00'00"
LOT 42	55.00	3.84	3.84	N72°00'00"
LOT 43	55.00	3.73	3.73	N72°00'00"
LOT 44	55.00	4.56	4.56	N72°00'00"
LOT 50	75.00	8.83	8.83	N72°30'00"
LOT 52	55.00	4.56	4.56	N72°00'00"
LOT 60	175.00	18.78	18.77	N72°30'00"
LOT 61	18.00	24.45	23.14	N72°00'00"
LOT 81	175.00	12.06	12.06	N73°00'00"
LOT 82	50.00	5.81	5.81	N73°00'00"
LOT 88	75.00	16.42	16.39	N70°30'00"
LOT 79	75.00	2.49	2.49	N70°00'00"
LOT 78	18.00	23.17	21.20	N70°00'00"
LOT 88	55.00	6.49	6.49	N70°00'00"
LOT 89	50.00	5.98	5.95	N87°00'00"
LOT 82	75.00	2.64	2.64	N87°00'00"
LOT 93	75.00	13.78	13.78	N77°00'00"
LOT 102	38.00	12.48	12.42	N84°00'00"
LOT 104	38.00	14.44	14.34	N81°00'00"
LOT 105	38.00	12.13	12.13	N73°00'00"
LOT 108	40.00	0.14	0.14	N72°30'00"
LOT 109	45.00	4.77	4.77	N73°00'00"
LOT 109	30.00	4.30	4.30	N70°00'00"
LOT 110	75.00	8.50	8.50	N73°00'00"
BLOCK 123	54.70	6.50	6.50	N73°00'00"
BLOCK 123	54.70	6.50	6.50	N73°00'00"
BLOCK 123	75.00	10.05	10.04	N74°00'00"
BLOCK 123	75.00	6.63	6.63	N73°00'00"

PLAN 51M-
 I CERTIFY THAT THIS PLAN IS REGISTERED IN THE LAND REGISTRY OFFICE FOR THE LAND TITLES DIVISION OF SIMCOE (No. 51) AT _____ O'CLOCK ON THE _____ DAY OF _____, 2022 AND ENTERED IN THE PARCEL REGISTER FOR PROPERTY IDENTIFIER _____ AND THE REQUIRED CONSENTS ARE REGISTERED AS PLAN DOCUMENT No. _____ REPRESENTATIVE FOR THE LAND REGISTRAR FOR THE LAND TITLES DIVISION OF SIMCOE (No. 51)
 THIS PLAN COMPRISES PART OF PIN 58990-0115

PLAN OF SUBDIVISION OF
**PART OF LOT 16
 CONCESSION 4
 TOWNSHIP OF ESSA
 COUNTY OF SIMCOE**

SCALE 1 : 1000

J.D. BARNES LIMITED
 METRIC DISTANCES AND/OR COORDINATES SHOWN ON THIS PLAN ARE IN METERS AND ARE CONSIDERED TO BE BY DIVISION BY EIGHT.

OWNER'S CERTIFICATE
 THIS IS TO CERTIFY THAT:
 1. LOTS 1 TO 119 BOTH INCLUSIVE, BLOCKS 120 TO 122 BOTH INCLUSIVE, THE STREETS HENDERSON STREET, SHOREY LANE, EDGAR AVENUE AND FELHAZI TRAIL, AND THE 0.36 RESERVE, MAINLY BLOCK 123 HAVE BEEN Laid OUT IN ACCORDANCE WITH OUR INSTRUMENTS.

2. THE STREETS ARE HEREBY DEDICATED TO THE CORPORATION OF THE TOWNSHIP OF ESSA.
 DATED THIS _____ DAY OF _____, 2023

BROOKFIELD RESIDENTIAL (ONTARIO) LIMITED.

 JESSICA CALDWELL
 VICE PRESIDENT

NOTES
 BEARINGS ARE UTM GRID, DERIVED FROM OBSERVED REFERENCE POINTS A AND B. THE NETWORK (RTM) OBSERVATIONS, UTM ZONE 17, NAD83 (2011). DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE SCALE FACTOR OF 0.9998. ALL SETS AND PIV MONUMENTS WERE USED DUE TO LACK OF OVERSIGHT AND/OR PROXIMITY OF UNDERGROUND UTILITIES IN ACCORDANCE WITH SECTION 11(1) OF OREG. 502.01. SURVEY MONUMENTS PLANTED ARE IRON BARS UNLESS OTHERWISE NOTED. DISTANCES SHOWN ON CURVED LIMITS ARE ARC MEASUREMENTS.

INTEGRATION DATA

COORDINATE REFERENCE POINTS (CRP): UTM ZONE 17, NAD83 (2011).		
CRP #	EASTING	NORTHING
CRP (A)	593 630.71	4 500 217.82
CRP (B)	592 544.18	4 500 388.23
CRP (C)	592 975.48	4 500 521.04

COORDINATES CANNOT IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.

LEGEND
 ■ DENOTES SURVEY MONUMENT FOUND
 ○ DENOTES SURVEY MONUMENT SET
 SB DENOTES STANDARD IRON BAR
 SSB DENOTES SHORT STANDARD IRON BAR
 RB DENOTES RIM BAR
 PB DENOTES PLASTIC BAR
 MB DENOTES MEASURED
 ZM DENOTES Z.D. BARNES LIMITED
 PT DENOTES PLAN S1R-41377

APPROVED UNDER SECTION 51 OF THE PLANNING ACT, R.S.O. 1990, c.P.13.
 THIS _____ DAY OF _____, 2023

 SANDY MACDONALD
 MAYOR OF ESSA TOWNSHIP

SURVEYOR'S CERTIFICATE
 I CERTIFY THAT:
 1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEY ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THESE ACTS.
 2. THE SURVEY WAS COMPLETED ON JANUARY 6, 2023.

DATE _____

 UTM ZONE 17
 ONTARIO LAND SURVEYOR

THIS PLAN OF SURVEY RELATES TO A15 PLAN SUBMISSION FORM NUMBER 2202402

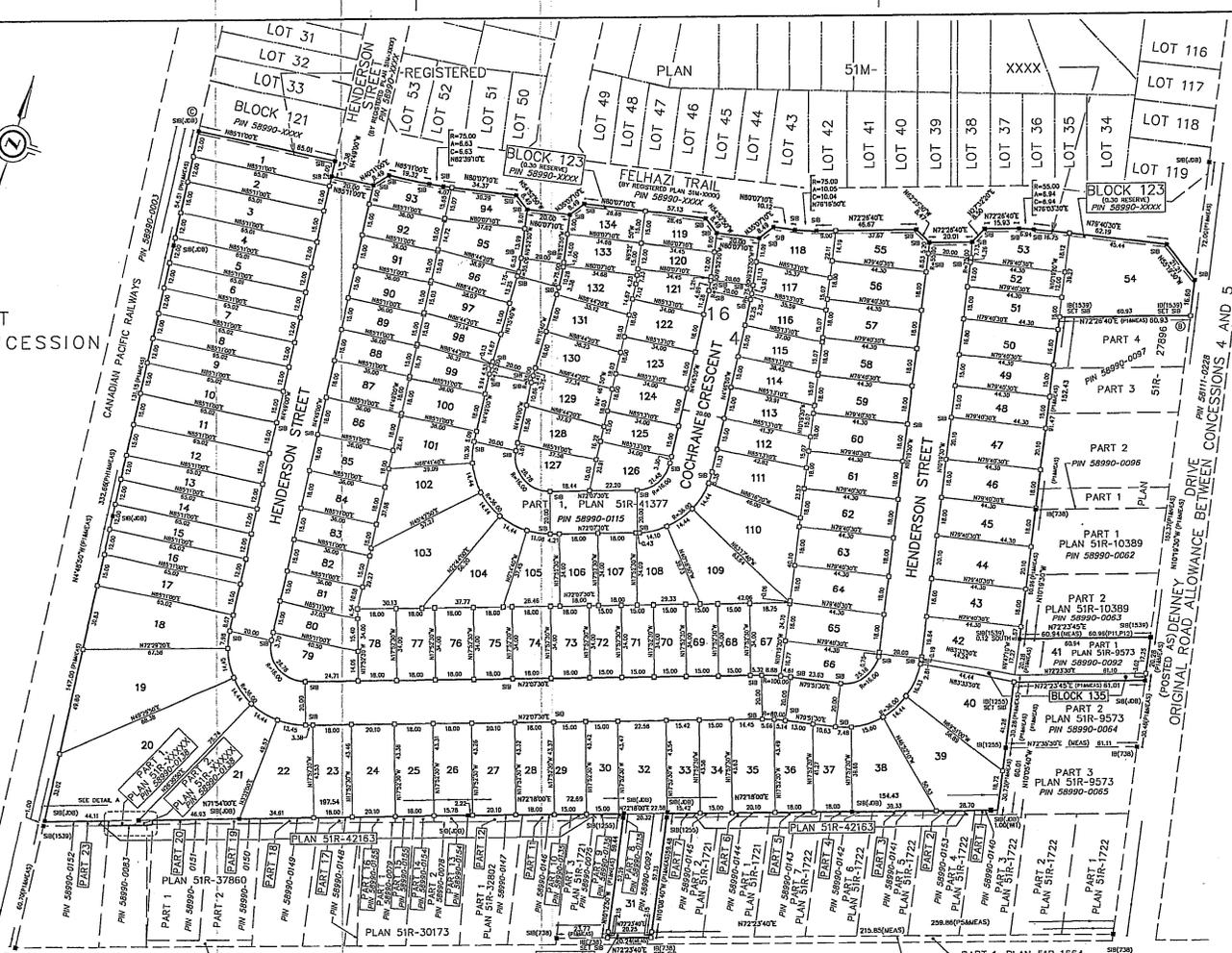
J.D. BARNES L I M I T E D
 LAND INFORMATION SPECIALISTS
 160 COMMERCIAL PARK DRIVE, UNIT V, BARRIE, ON L4R 1N5
 T: (705) 739-0778 F: (705) 739-0771 www.jdbarnes.com

BRN BY: MIKE WALDOCK CHECKED BY: PIR REFERENCE NO.: 17-11-573-00-MP-PH1
 FILE: S:\V\11-573 (Booklet)\00\PLAN\CONV-573-Ph1.dwg DATE: 01/06/2023
 PLOT NO: 2/2 (2/2)

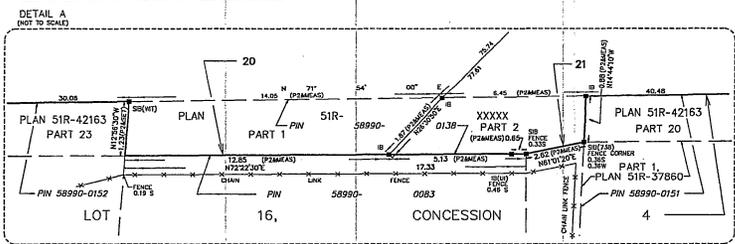
44



LOT CONCESSION



ORIGINAL ROAD ALLOWANCE BETWEEN LOTS 15 AND 16



INTEGRATION DATA

OBSERVED REFERENCE POINTS (ORP'S): UTM ZONE 12, NAD83 (CSRS) (2010), COORDINATES TO URBAN ACCURACY PER SECTION 14 (2) OF OREGON 216/10.

POINT ID	EASTING	NORTHING
ORP (1)	592 595.85	4 899 772.61
ORP (2)	593 036.71	4 900 977.82
ORP (3)	592 562.77	4 900 165.44

COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.

LOT/BLOCK	RADIUS	ARC	CHORD	BEARING
LOT 18	36.00	7.98	7.98	N119°00'00"
LOT 19	36.00	14.40	14.35	N109°00'00"
LOT 20	36.00	20.76	20.65	N99°00'00"
LOT 21	36.00	27.12	26.95	N89°00'00"
LOT 22	36.00	33.48	33.27	N79°00'00"
LOT 23	36.00	39.84	39.59	N69°00'00"
LOT 24	36.00	46.20	45.87	N59°00'00"
LOT 25	36.00	52.56	52.10	N49°00'00"
LOT 26	36.00	58.92	58.31	N39°00'00"
LOT 27	36.00	65.28	64.47	N29°00'00"
LOT 28	36.00	71.64	70.57	N19°00'00"
LOT 29	36.00	78.00	77.57	N9°00'00"
LOT 30	36.00	84.36	83.50	N0°00'00"
LOT 31	36.00	90.72	89.39	N1°00'00"
LOT 32	36.00	97.08	95.24	N11°00'00"
LOT 33	36.00	103.44	101.05	N21°00'00"
LOT 34	36.00	109.80	106.82	N31°00'00"
LOT 35	36.00	116.16	112.55	N41°00'00"
LOT 36	36.00	122.52	118.24	N51°00'00"
LOT 37	36.00	128.88	123.89	N61°00'00"
LOT 38	36.00	135.24	129.50	N71°00'00"
LOT 39	36.00	141.60	135.07	N81°00'00"
LOT 40	36.00	147.96	140.60	N91°00'00"
LOT 41	36.00	154.32	146.19	N101°00'00"
LOT 42	36.00	160.68	151.84	N111°00'00"
LOT 43	36.00	167.04	157.55	N121°00'00"
LOT 44	36.00	173.40	163.32	N131°00'00"
LOT 45	36.00	179.76	169.15	N141°00'00"
LOT 46	36.00	186.12	175.04	N151°00'00"
LOT 47	36.00	192.48	180.99	N161°00'00"
LOT 48	36.00	198.84	187.00	N171°00'00"
LOT 49	36.00	205.20	193.07	N181°00'00"
LOT 50	36.00	211.56	199.20	N191°00'00"
LOT 51	36.00	217.92	205.39	N201°00'00"
LOT 52	36.00	224.28	211.64	N211°00'00"
LOT 53	36.00	230.64	217.95	N221°00'00"
LOT 54	36.00	237.00	224.32	N231°00'00"
LOT 55	36.00	243.36	230.75	N241°00'00"
LOT 56	36.00	249.72	237.24	N251°00'00"
LOT 57	36.00	256.08	243.79	N261°00'00"
LOT 58	36.00	262.44	250.40	N271°00'00"
LOT 59	36.00	268.80	257.07	N281°00'00"
LOT 60	36.00	275.16	263.80	N291°00'00"
LOT 61	36.00	281.52	270.59	N301°00'00"
LOT 62	36.00	287.88	277.44	N311°00'00"
LOT 63	36.00	294.24	284.35	N321°00'00"
LOT 64	36.00	300.60	291.32	N331°00'00"
LOT 65	36.00	306.96	298.35	N341°00'00"
LOT 66	36.00	313.32	305.44	N351°00'00"
LOT 67	36.00	319.68	312.59	N361°00'00"
LOT 68	36.00	326.04	319.80	N371°00'00"
LOT 69	36.00	332.40	327.07	N381°00'00"
LOT 70	36.00	338.76	334.40	N391°00'00"
LOT 71	36.00	345.12	341.79	N401°00'00"
LOT 72	36.00	351.48	349.24	N411°00'00"
LOT 73	36.00	357.84	356.75	N421°00'00"
LOT 74	36.00	364.20	364.32	N431°00'00"
LOT 75	36.00	370.56	371.95	N441°00'00"
LOT 76	36.00	376.92	379.64	N451°00'00"
LOT 77	36.00	383.28	387.39	N461°00'00"
LOT 78	36.00	389.64	395.20	N471°00'00"
LOT 79	36.00	396.00	403.07	N481°00'00"
LOT 80	36.00	402.36	411.00	N491°00'00"
LOT 81	36.00	408.72	419.00	N501°00'00"
LOT 82	36.00	415.08	427.06	N511°00'00"
LOT 83	36.00	421.44	435.19	N521°00'00"
LOT 84	36.00	427.80	443.38	N531°00'00"
LOT 85	36.00	434.16	451.63	N541°00'00"
LOT 86	36.00	440.52	460.04	N551°00'00"
LOT 87	36.00	446.88	468.61	N561°00'00"
LOT 88	36.00	453.24	477.34	N571°00'00"
LOT 89	36.00	459.60	486.23	N581°00'00"
LOT 90	36.00	465.96	495.28	N591°00'00"
LOT 91	36.00	472.32	504.49	N601°00'00"
LOT 92	36.00	478.68	513.86	N611°00'00"
LOT 93	36.00	485.04	523.39	N621°00'00"
LOT 94	36.00	491.40	533.08	N631°00'00"
LOT 95	36.00	497.76	542.93	N641°00'00"
LOT 96	36.00	504.12	552.94	N651°00'00"
LOT 97	36.00	510.48	563.11	N661°00'00"
LOT 98	36.00	516.84	573.44	N671°00'00"
LOT 99	36.00	523.20	583.93	N681°00'00"
LOT 100	36.00	529.56	594.58	N691°00'00"
LOT 101	36.00	535.92	605.39	N701°00'00"
LOT 102	36.00	542.28	616.36	N711°00'00"
LOT 103	36.00	548.64	627.49	N721°00'00"
LOT 104	36.00	555.00	638.78	N731°00'00"
LOT 105	36.00	561.36	650.23	N741°00'00"
LOT 106	36.00	567.72	661.84	N751°00'00"
LOT 107	36.00	574.08	673.61	N761°00'00"
LOT 108	36.00	580.44	685.54	N771°00'00"
LOT 109	36.00	586.80	697.73	N781°00'00"
LOT 110	36.00	593.16	710.18	N791°00'00"
LOT 111	36.00	599.52	722.89	N801°00'00"
LOT 112	36.00	605.88	735.86	N811°00'00"
LOT 113	36.00	612.24	749.09	N821°00'00"
LOT 114	36.00	618.60	762.58	N831°00'00"
LOT 115	36.00	624.96	776.33	N841°00'00"
LOT 116	36.00	631.32	790.34	N851°00'00"
LOT 117	36.00	637.68	804.61	N861°00'00"
LOT 118	36.00	644.04	819.24	N871°00'00"
LOT 119	36.00	650.40	834.23	N881°00'00"

PLAN 51M-

I CERTIFY THAT THIS PLAN IS REGISTERED IN THE LAND REGISTRY OFFICE FOR THE LAND TITLES DIVISION OF SIMCOE (No. 51) AT _____ O'CLOCK ON THE _____ DAY OF _____, 2019 AND ENTERED IN THE PARCEL REGISTER FOR PROPERTY IDENTIFIER _____ AND THE REQUIRED CONSENTS ARE REGISTERED AS PLAN DOCUMENT No. _____ REPRESENTATIVE FOR THE LAND REGISTRAR FOR THE LAND TITLES DIVISION OF SIMCOE (No. 51)

THIS PLAN COMPRISES PART OF PIN 58990-0115 AND ALL OF PIN 58990-0138 AND PIN 58990-0002

PLAN OF SUBDIVISION OF BLOCK 123 (0.30 RESERVE) REGISTERED PLAN 51M-XXXX

PART OF LOT 16 CONCESSION 4 TOWNSHIP OF ESSA COUNTY OF SIMCOE

J.D. BARNES LIMITED

SCALE 1 : 1000

METRIC DISTANCES AND/OR COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

OWNER'S CERTIFICATE

THIS IS TO CERTIFY THAT:

- LOTS 1 TO 134 INCLUSIVE, BLOCK 123, THE STREETS NAMED HENDERSON STREET AND COCHRANE CRESCENT, THE STREET MEASUREMENTS, BLOCK 123 HAVE BEEN Laid OUT IN ACCORDANCE WITH OUR INSTRUMENTS.
- THE STREETS ARE HEREBY DEDICATED TO THE CORPORATION OF THE TOWNSHIP OF ESSA.
- THE STREET MEASUREMENTS, BLOCK 123 IS HEREBY DEDICATED TO THE COUNTY OF SIMCOE.

DATED THIS _____ DAY OF _____, 2023

BROOKFIELD RESIDENTIAL (ONTARIO) LIMITED

VICI PRESSECA CALDWELL
VICE PRESIDENT & LAND DEVELOPMENT
I HAVE THE AUTHORITY TO SIGN THIS CERTIFICATE

NOTES

READINGS ARE UTM GRID, DERIVED FROM OBSERVED REFERENCE POINTS A AND B, USING THE NETWORK (NAD83) OBSERVATIONS, UTM ZONE 12, NAD83 (CSRS) (2010).

DISTANCES ARE GIVEN AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE CORRECTED SCALE FACTOR OF 0.999999999.

ALL SET SB AND FB MONUMENTS WERE USED DUE TO LACK OF OVERLAP AND/OR PROXIMITY OF UNDERGROUND UTILITIES IN ACCORDANCE WITH SECTION 11 (4) OF OREGON 209/10.

SURVEY MONUMENTS PLANTED ARE IRON BARS UNLESS OTHERWISE NOTED.

DISTANCES SHOWN ON CURVED LIMITS ARE ARC MEASUREMENTS.

SURVEY MONUMENTS FOUND WERE SET BY J.D. BARNES LIMITED UNLESS OTHERWISE NOTED.

LEGEND

- SB DENOTES SURVEY MONUMENT FOUND
- CB DENOTES CEMENT CONCRETE
- SB DENOTES SHORT STANDARD IRON BAR
- SB DENOTES SHORT STANDARD IRON BAR
- SB DENOTES IRON BAR
- MB DENOTES METAL BARS
- MB DENOTES MEASUREMENT
- SB DENOTES J.D. BARNES LIMITED
- SB DENOTES UNIDENTIFIED
- SB DENOTES PLAN SIR-4377
- SB DENOTES PLAN SIR-42163

APPROVED UNDER SECTION 51 OF THE PLANNING ACT, R.S.O. 1990, c.P.12, THIS _____ DAY OF _____, 2023

_____ SIMCOE TOWNSHIP
MAYOR OF ESSA TOWNSHIP

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:

- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEY ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
- THE SURVEY WAS COMPLETED ON _____

PRELIMINARY

DATE _____ FOR DE ROSA
ONTARIO LAND SURVEYOR

THIS PLAN OF SURVEY RELATES TO AOLS PLAN SUBMISSION FORM NUMBER XXXXXXX

J.D. BARNES SURVEYING
LAND INFORMATION SPECIALISTS
INCORPORATED (LIMITED LIABILITY COMPANY)
T: (905) 779-6770 F: (905) 779-6771 www.jdbarnes.com

DRAWN BY: MIKE WALDOCK/JACR DECEDED BY: FOR REFERENCE NO: H-573-00-WF-P12
FILE: C:\717-121-533\Barnes\JDB\WALDOCK\WALDOCK-WF-573-P12.dwg DATE: 02/15/2023
PLOTTER: 2/15/2023

47

Applicant: Brookfield Homes
 File No.: E-T-0602
 Municipality: Township of Essa
 Subject Lands: Part Lot 16, Concession 4

Date of First Draft Plan: March 17, 2010
 Date of Last Extension: February 3, 2021
 Date of Last Expiry: March 17, 2021
 Lapsing Date: March 15, 2024

The Township of Essa's conditions to Final Plan Approval for registration of this Plan of Subdivision are as follows:

No. Conditions

1. That this approval applies to the draft plan of subdivision/draft M-plan located in the settlement area of Baxter, prepared by JD Barnes, dated Nov 27, 2017 to show:
 - 47 - 12m single residential lots
 - 79 - 15m single residential lots
 - 127 - 18m single residential lots
 - 2 walkways (Blocks 254 and 257)
 - 1 parkette block (Block 256)
 - Streets A-E with daylighting triangles

External Components:

 - 1 external park block (not shown on either of the above but rather Pt 3 of 51R-_____)
 - 1 external stormwater management block and easement to outlet stormwater (not shown on either of the above but rather Pt 1 of 51R-_____)
 - 1 external road to park and public services (not shown on either of the above but rather Pt 2 of 51R-_____)
 - Sidewalk along the west side of Denney Dr between the north limit of the plan and Murphy Rd (not shown on either of the above), including urbanization with concrete curb and storm sewer
 - Water, sewer and sanitary servicing works and/or municipal servicing works necessary to service the plan (not shown on either of the above), including works along Murphy Rd, Denney Dr, intersection improvements and facilities within external blocks
2. That prior to final approval and registration, the appropriate zoning shall be in effect for the proposed subdivision. A zoning by-law amendment must be adopted and in effect, and shall permit 12m and 15m frontages along with other provisions that may require site specific approval. A further public meeting will be held in conjunction with the zoning by-law amendment prior to Council adoption. All provisions of the Planning Act will apply to the processing of the zoning by-law amendment.
3. That the Developer will design an (external) sewage connection to the Angus sewage treatment plant (STP) with a pumping station and forcemain to be constructed at the Developer's expense in accordance with the preferred option of an approved EA, which is acceptable to the Municipality in terms of operation, maintenance and future cost to users. Council has accepted that the development will be serviced by the Angus STP through a forcemain connecting the development to the STP on the condition that the developer will pay all capital costs, sewage system costs, and all forcemain costs including but not limited to any upgrade costs that may be required at the STP associated with the forcemain connection. An agreement shall be entered into which provides detail on payment

Applicant: Brookfield Homes
File No.: E-T-0602
Municipality: Township of Essa
Subject Lands: Part Lot 16, Concession 4

Date of First Draft Plan: March 17, 2010
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Date of Last Expiry: March 17, 2021
Lapsing Date: March 15, 2024

arrangements, direct responsibilities, front-ending, and a cost recovery payment schedule if applicable.

Note: Although the Developer is to pay for the costs of engineering and constructing the force main, pumping station, etc. from Baxter to Angus, they will also be required to pay all regular development charges including but not limited to the sewage component of development charges for their share of the costs of previously expanding the Angus Sewage Treatment plant to accommodate growth.

4. In order to provide for sufficient water pressure for domestic use and fire protection, the Developer shall agree in the Subdivision Agreement to construct a water treatment and booster facility somewhere near the intersection of Murphy Road and County Road 10 to accommodate this plan, plus to provide water for approx. 75 existing unserved (water) homes along Murphy Road and Denney Drive as identified in the Class EA document for the Baxter area. A Water Supply and Distribution Upgrades/Front-ending Agreement shall be entered into which provides detail on payment arrangements, direct responsibilities, front-ending, and a cost recovery payment schedule.
5. In order to provide for stormwater management, a stormwater management block will be dedicated to the Municipality, external to the plan, the size of which will be to the satisfaction of the NVCA and the Township of Essa. The size of this block and the related proposed easement for an outlet should be substantiated with a preliminary Stormwater Management Report. A road, to lead into the public facilities, with full access, shall be dedicated and constructed to the Township's satisfaction.
6. In order to provide for parkland, a parkland dedication block of approx. 5.7 ac will be dedicated to the Municipality, external to the plan, to the satisfaction of the Township of Essa. This parkland dedication will be provided on the east side of Denney Drive with a proper road crossing (crosswalk) made available for safe pedestrian access to the parkland. A road, to lead into the park, with parking, shall be dedicated and constructed to the Township's satisfaction, and as well, the parkland is to be graded and seeded also to the satisfaction of the Municipality. Should the Developer opt to develop the park block ahead of the development of the subdivision by means of prepayment of the parks component of the current uniform development charge, in accordance with Council Resolution CW171-2017, then prior to any work commencing, the Developer shall submit a list of proposed works to Council for approval and inclusion into a Park Development Agreement, to be approved and entered into with Council.
7. That the road allowances included within the draft plan shall be named in accordance with the Township's policy on street names (historical names on approval of the Municipality) and dedicated as public highways to the Township of Essa without monetary consideration and free and clear of all encumbrances.
8. That all streets shall be designed and constructed in accordance with the Township of Essa's Engineering Design Standard Specifications and Drawings, to full urban standard,

Applicant: Brookfield Homes
 File No.: E-T-0602
 Municipality: Township of Essa
 Subject Lands: Part Lot 16, Concession 4

Date of First Draft Plan: March 17, 2010
 Date of Last Extension: February 3, 2021
 Date of Last Expiry: March 17, 2021
 Lapsing Date: March 15, 2024

with a sidewalk along one side of the street. As well, there will be a sidewalk constructed along the west side of Denney Drive in a location to be approved by the Township at no cost to the Township, which must include a storm sewer network and urbanization catch basin/ditch inlets. The sidewalk and ~~urbanization-storm sewer network~~ will stretch between Murphy Road, where the sidewalk must be designed to "tie in" with the existing road and drainage system allowing for safe pedestrian movement and appropriate drainage, and the north limits of the plan/north limit of the settlement area. The costs of all such construction will be at the expense of the Developer. The Developer must enter into a Subdivision Agreement with the Municipality which will describe the required works, internal and external to the plan, and such agreement will require the collection of securities to guarantee all works. If any external works are to be completed prior to the execution of the Subdivision Agreement, then the appropriate legal agreement shall be entered into, prior to permission for these works being granted.

9. That any required daylighting triangles shall be shown on the final plan and shall be conveyed to the Township without monetary consideration, free and clear of all encumbrances, at the Developer's expense and to the satisfaction of the Township.
10. That the Developer shall transfer to the Corporation of the County of Simcoe (County) at no cost, a fee simple, unencumbered interest, in a road widening across the entire frontage of Lot 64 to provide a 15.25m right of way from the centerline of Murphy Road/County Road 21, and that prior to final approval, the Developer shall submit a copy of the plan which sets out the road widening, to meet with the approval of the County.
11. Furthermore, the Subdivision Agreement will stipulate that all Offers of Purchase and Sale affecting Lot 64 will include a statement advising that all above and below grade buildings and structures must adhere to the County of Simcoe Setback By-law (By-law No. 5644); and the Developer is advised that an Entrance Permit will be required to be obtained from the County to provide access to Lot 64.
12. That the Developer shall enter into a Subdivision Agreement with the Township of Essa, agreeing to satisfy all conditions, financial and otherwise, of the Township with regard to the provisions of engineering studies, road and municipal services, grading, water hydrants, landscaping, fencing and payment of development charges. And furthermore, the Subdivision Agreement shall be registered on title at the Developer's expense, and shall not be removed from title or otherwise released without the consent of the Township of Essa.
13. That the Developer shall agree in the Subdivision Agreement that such easements and land dedications as may be required for access, drainage, servicing, stormwater management, utilities and construction purposes shall be designed and granted to the appropriate agencies or authorities, free and clear of all encumbrances, to the satisfaction of the Township of Essa and all appropriate agencies or authorities. Such easements/dedications shall be dedicated to the appropriate approval authority at no cost to anyone but the Developer.

Applicant: Brookfield Homes
File No.: E-T-0602
Municipality: Township of Essa
Subject Lands: Part Lot 16, Concession 4

Date of First Draft Plan: March 17, 2010
Date of Last Extension: February 3, 2021
Date of Last Expiry: March 17, 2021
Lapsing Date: March 15, 2024

14. That the Developer shall agree in the Subdivision Agreement to a pedestrian walkway connecting Street A to Denney Drive along the south side of Lots 74 and 75, and Street B to Street E. These walkways will be 3m in width and will be lined with chainlink fencing unless otherwise discussed and approved. The mature tree(s) along the lot line of 83 Denney Dr must be considered and respected if possible. Drainage patterns must be considered as well and the Township's Engineer and Manager of Public Works must approve of all works/variations associated with a walkway at this location.
15. That the Developer shall agree in the Subdivision Agreement that they will design and construct, at their expense, highway improvements at the intersection of Murphy Road/County Road 21 and Denney Drive, to the satisfaction of the Township and County:
Namely:
 - A "pedestrian pad" to provide a safe area for pedestrians to stand while waiting to cross Murphy Road/County Road 21, at the northwest corner of the intersection; and
 - Signalization and/or works as per the recommendations of an approved Traffic Study prepared by GHD and dated 'Oct 2017' to the satisfaction of County and Township Engineering/Public Works Staff.

The improvements and/or works that are not to be considered as County-controlled or monitored, shall fall under the jurisdiction of the Subdivision Agreement entered into with Essa, in particular with respect to securities and maintenance.

16. That prior to final approval, the Developer shall enter into a legal agreement with the County whereby the Developer agrees to assume financial and other responsibility for the design and construction of the highway and intersection design improvements identified in the condition above and/or in the approved Traffic Study, to the satisfaction of the County. It is the responsibility of the Developer to prepare engineering drawings and a construction cost estimate for the required road improvements to the satisfaction of the County. The Developer is required to provide the County with a letter of credit representing 100% of the County approved construction cost estimate. The approved engineering road drawings and cost estimate will be referenced in the legal agreement. A Road Occupancy Permit will be required for the completion of all works within the County right of way.
17. That the Developer shall agree in the Subdivision Agreement that the water distribution system for this plan shall be looped within this draft plan and/or with the watermain system on the periphery of this draft plan as necessary. Additional (external) watermain is to be constructed to access water from the Collingwood-New Tecumseth pipeline with all costs to be borne by the Developer, as detailed in a Water Supply and Distribution Upgrades/Front-ending Agreement.
18. That prior to any works occurring or final approval, the Developer shall agree in either a Preservicing Agreement or the Subdivision Agreement, or another appropriate agreement such as an External Works Agreement, to prepare and/or implement the following to the

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Applicant: Brookfield Homes
File No.: E-T-0602
Municipality: Township of Essa
Subject Lands: Part Lot 16, Concession 4

Date of First Draft Plan: March 17, 2010
Date of Last Extension: February 3, 2021
Date of Last Expiry: March 17, 2021
Lapsing Date: March 15, 2024

satisfaction of the Township, and all works shall be in strict accordance with these plans:

- a) Landscape Design Plan or Plans as the case may be,
- b) Sanitary Servicing Brief,
- c) Stormwater Management Plan,
- d) Geotechnical Report,
- e) Noise and Vibration Study,
- f) Traffic Impact Study,
- g) General and overall lot grading plan, and
- h) Erosion and Dust Control Plan.

19. That the Developer shall agree in any Agreement (External/Preservicing/Subdivision Agreement) that all portions of public lands or highways which are not paved, and all drainage swales on public or private property, shall be graded and seeded/sodded in accordance with the standards of the Township of Essa. And furthermore, that disturbed soils be seeded or planted on within five months of their disruption and/or that watering of earth take place during construction to the satisfaction of the Municipality, and that stockpiling of topsoil only take place at a distance of 100m from existing dwellings, or at another lesser distance should the Developer prove to the Municipality that the lesser distance will not give cause to dust complaints as the Developer may be stockpiling in conjunction with mitigation measures known to appropriately address dust and erosion.
20. That the Developer shall agree in any Agreement that there will be no disruption of access during sidewalk construction or ditch or road works for any period *exceeding 24 hours* and that 48 hours notice of the intent to disrupt be provided to all residents along Denney Drive.
21. That the Developer shall agree in any Agreement that the services installed by the Developer shall be in accordance with the standards and specifications of the Township of Essa, and shall include stormwater management works, adequate pavement widths for roadways, sidewalks on one side of the street, street lighting, regulatory signs, street name signs, water hydrants and any other services or facilities as required to meet the Township's Urban Local Roads Standard TESTD 101.01. And furthermore, the Subdivision Agreement will stipulate that hydrant markers be placed to the satisfaction of the Municipality.
22. That the Developer shall agree in the Subdivision Agreement to urbanization on Denney Drive, from Murphy Road north to the north limits of the plan.
23. That the Developer shall agree in the Subdivision Agreement that Occupancy for dwellings will not be issued until the Township of Essa is satisfied that adequate road access and servicing facilities are available to service the proposed development. In addition, prior to Occupancy, each dwelling must portray in a clearly visible location, the assigned municipal address for purposes of emergency response, and all construction methods recommended to compensate for railway noise and vibration must have been implemented.
24. That the Developer shall agree in the Subdivision Agreement to install, to the satisfaction of

Applicant: Brookfield Homes
 File No.: E-T-0602
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Date of First Draft Plan: March 17, 2010
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the Township, fencing in accordance with the standards of the Township of Essa. This may generally involve, but is not limited to: 1.8m privacy (wooden) fencing along the rear/side of new lots wherein these lots abut existing residential lots and 1.2m chainlink fencing surrounding the park and walkways. There may be gates and/or openings where approved by the Municipality, including but not limited to, between the park and church lands to the south, and there may possibly be other variations or modifications that are authorized from time to time, ie adjacent to 83 Denney Dr.

25. That prior to final approval, the MOECC must issue an Environmental Compliance Approval (ECA) for storm sewers and the stormwater management pond, sanitary sewers, sewage pump station and forcemain, water treatment, storage reservoir and the pumping facility.
26. That prior to final approval or prior to any grading or construction on the site, the following shall be prepared and submitted to the satisfaction of the NVCA:
 - a) detailed Stormwater Management Report/Plan consistent with current standards;
 - b) Erosion Control Plan;
 - c) detailed Grading Plan;
 - d) Geotechnical Report for the Stormwater Management Pond;
 - e) Landscape Plan for the Stormwater Management Pond; and
 - f) A detailed stormwater outlet design that ensures that there are no impacts to stream morphology and incorporates restoration as required. Thermal mitigation of stormwater flows will be required to protect coldwater receivers.
27. That the Developer shall agree in the Preservicing/Subdivision Agreement, in wording acceptable to the NVCA, to carry out or cause to be carried out the recommendations and measures contained within the plans and reports set out above, and further, that appropriate sediment and erosion control measures be installed and maintained as approved by the NVCA prior to any construction or grading.
28. That the final stormwater management plan and works shall ensure a legal outlet and that there are no detrimental impacts to adjacent or upstream and downstream lands as a result of the development of the site and alterations to drainage and infiltration.
29. That the owner shall confirm technical and legally the adequacy of the drainage outlets to the satisfaction of the NVCA and Township.
30. That details on any infrastructure assoc'd with development including the booster pumping station should be provided to the NVCA for review and comment, the booster pumping station should be adequately protected from any natural hazards (ie flood hazard) to the satisfaction of the NVCA and Township.
31. That the Developer shall agree in the Preservicing/Subdivision Agreement, in wording acceptable to the NVCA, to engage a qualified professional to certify in writing that the works were constructed in accordance with the plans, reports and specifications, as approved by

Applicant: Brookfield Homes
 File No.: E-T-0602
 Municipality: Township of Essa
 Subject Lands: Part Lot 16, Concession 4

Date of First Draft Plan: March 17, 2010
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the NVCA.

32. That prior to any site alteration in a Regulated Area, a permit under the Conservation Authorities Act will be obtained from the NVCA.
33. That prior to final plan approval, the Developer shall agree to pay all development fees to the NVCA as required in accordance with the NVCA's Fees Policy under the Conservation Authorities Act.
34. That prior to final approval, the Township be advised in writing, by the NVCA, how conditions above have been satisfied.
35. That the Developer shall monitor groundwater elevations following the issuance of draft plan approval until such time that final approval is issued and that all information be submitted to the Township prior to final approval for consideration as baseline data.
36. That the Developer shall agree in the Subdivision Agreement to include in all offers of purchase and sale a statement which advises the prospective purchaser that the schools on designated sites in the community are not guaranteed. Attendance at schools in the area yet to be constructed is also not guaranteed. Pupils may be accommodated in temporary facilities and/or be directed to schools outside the area.
37. That the Developer shall agree in the Subdivision Agreement to include in all offers of purchase and sale a statement which advises the prospective purchaser that school buses will not enter cul-de-sacs, and pick up points will generally be located on through-streets convenient to the appropriate school board. Additional pick up points will not be located within the subdivision until major construction activity has been completed.
38. That prior to final approval, the Township be advised by the Simcoe County/Simcoe Muskoka Catholic District School Boards that they are satisfied that conditions above have been addressed.
39. That the Developer shall agree in the Subdivision Agreement to locate an accessible pad for a Canada Post community mailbox in close proximity to a streetlight(s) and accessible sidewalk to the satisfaction of the Township - to be identified on the engineered drawings to the satisfaction of Canada Post; and that prior to final approval, the Township be advised, in writing, by Canada Post how this condition has been satisfied. Again, the Township must also be satisfied with the community mailbox location, to ensure safety and accessibility.
40. That the Developer shall agree in the Preservicing/Subdivision Agreement to coordinate the preparation of an overall utility distribution plan to the satisfaction of all affected utilities and authorities. This composite utility plan must allow for the safe installation of all utilities, including the required separation between utilities.
41. That the Developer shall provide Enbridge Gas Distribution with all road cross-sections if

Applicant: Brookfield Homes
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necessary, to show all utilities in the configuration proposed for all of the street widths in the plan, and the Developer shall contact Enbridge by emailing salesarea50@enbridge.com for service and meter installation details.

42. That the Developer shall agree in the Subdivision Agreement to grade all streets to final elevation prior to the installation of the gas lines, and provide the necessary field survey information required for the installation of the gas lines, all to the satisfaction of Enbridge Gas Distribution and that prior to final approval the Township be advised, in writing, by Enbridge Gas Distribution how this condition and the previous condition have been satisfied.
43. The Developer shall agree in the Subdivision Agreement, in words satisfactory to Bell Canada or Rogers, to grant any easements that may be required for telecommunication services. Easements may be required subject to final servicing decisions. In the event of any conflict with existing Bell Canada facilities or easements, the Developer shall be responsible for the relocation of such facilities or easements.
44. The Developer shall be required to enter into an agreement (or Letter of Understanding) with Bell Canada or Rogers concerning telecommunications service and complying with any underground servicing conditions imposed, and if no such conditions are imposed, the Developer shall advise the Municipality of the arrangement made for telecommunication servicing.
45. That prior to final approval, the Township be advised, in writing, by Bell Canada and/or Rogers how conditions above have been satisfied.
46. That prior to final approval, the Township be advised in writing, by the County of Simcoe, how conditions above have been satisfied.

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Applicant: Brookfield Homes
File No.: E-T-0602
Municipality: Township of Essa
Subject Lands: Part Lot 16, Concession 4

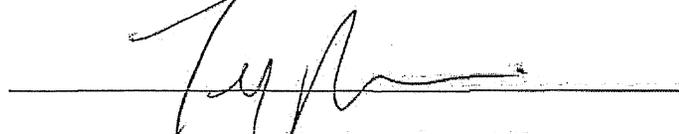
Date of First Draft Plan: March 17, 2010
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Notes to Draft Approval

1. It is the Developer's responsibility to fulfill the conditions of draft approval and to ensure that the required clearance letters are forwarded to the Approval Authority.
2. The Developer shall apply for any extension at least sixty (60) days prior to the lapsing date.
3. All costs associated with the land transfer to the County shall be borne by the Developer. All documentation is to be prepared and registered by the County's solicitor and to be executed where required by the Developer. The Developer will be required to submit a deposit to the County's solicitor prior to the services being rendered.
4. Works shall be in conformity with all laws and statutes of the Province and by-laws of the applicable municipalities and agencies. Specifically, the Developer is to take note that a Road Occupancy Permit will be required from the County of Simcoe for any proposed works within the Murphy Road/County Road 21 right of way and an Entrance Permit will be required from the County to provide access to Lot 67 from Murphy Road/County Road 21.
5. The Developer is required to comply with the County's Waste Collection Design Standards. Failure to comply could result in waste collection services being withheld or suspended.
6. It is suggested that the Developer be aware of Section 144 of the Land Titles Act and subsection 78(10) of the Registry Act. Subsection 144(1) of the Land Titles Act requires that a plan of subdivision of land that is located in a land titles division be registered under the Land Titles Act. Exceptions to this provision are set out in subsection 144(2). Subsection 78(10) of the Registry Act requires that a plan of subdivision of land that is located only in a registry division cannot be registered under the Registry Act unless the title of the Developer of the land has been certified under the Certification of Title Act. Exceptions to this provision are set out in clauses (b) and (c) of subsection 78(10).

Subject to the conditions set forth above, this Draft Plan is approved under Section 51 of the Planning Act R.S.O 1990, Chapter 13, as amended.

This 28 day of Dec, 2017



Mayor, Essa Township

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Baxter WWTP - Required Land Conveyance and Easements

Marshall Subdivision WWTP Outfall Sewer - Aerial Image
 Aerial Overlay from Ontario Orthophotography Project dated 2018
 As prepared by Brookfield Residential dated May 31, 2023

Property	Easement	Conveyance	Total
240 Murphy Drive	0.70 ha	0.91 ha	1.61 ha
114 Denney Drive		0.09 ha	0.09 ha
124 Denney Drive		03.40 ha	3.40 ha
Total	0.70 ha	4.40 ha	5.1 ha

Note: The above figures have been rounded and are subject to minor revisions based on survey data.

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INDEMNITY

TO: The Corporation of the Township of Essa (the "Township")

AND TO: HGR Graham Partners LLP, their solicitor herein (the "Township's Solicitor")

FROM: BROOKFIELD RESIDENTIAL (ONTARIO) LIMITED (the "Developer")

RE: Lots 1 through 119 (inclusive) and Blocks 120 through 123 (inclusive) and Henderson Street, Shorey Lane, Edgar Avenue and Felhazi Trail on the unregistered plan of subdivision being the M-Plan for Phase 1

-and-

Lots 1 through 134 (inclusive) and Blocks 135 and 136 and Henderson Street and Cochrane Crescent on the unregistered plan of subdivision being the M-Plan for Phase 2

Transfer of Easements pursuant to Terms and Conditions of Subdivision Agreement made between The Corporation of the Township of Essa and Brookfield Residential (Ontario) Limited

ADJOINING PINS: 58111-0359(LT) – Randall Lee Marshall;
58111-0237(LT) – Randall Lee Marshall; and
58111-0360(LT) – 1035167 Ontario Limited

Our File No: A4247083

The Developer indemnifies and save harmless the Township, its officers, agents, contractors and employees, from and against any and all claims, demands, losses, costs, damages, actions, suits or proceedings, and the Developer agrees to be responsible for all damages and injuries, howsoever caused including the negligence of the Township arising out of or attributable to any act or omission connected with the easements granted by Randall Lee Marshall and 1035167 Ontario Limited, or Restrictive Covenants agreed to by Randall Lee Marshall and 1035167 Ontario Limited as set out in the Subdivision Agreement between Brookfield and the Township of Essa dated May or June, 2023. This Indemnity shall remain in effect until released by the Township.

The Developer agrees to provide security in the form of a Letter of Credit in an amount not to exceed \$250,000.00, acceptable to the Township.

DATED AT _____, **ON this** _____ **day of** _____, 2023.

DEVELOPER:

BROOKFIELD RESIDENTIAL (ONTARIO) LIMITED

Per: _____

Name:

Title:

Per: _____

Name:

Title:

I/We have authority to bind the Corporation.

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THE CORPORATION OF THE TOWNSHIP OF ESSA

BY-LAW 2023 – XX

A By-law to provide for authorization to enter into a Subdivision Agreement and WWTP Servicing Agreement with Brookfield Residential (Ontario) Limited.

WHEREAS the Corporation of the Township of Essa (Township) draft approved the Brookfield Residential (Ontario) Limited (Brookfield) subdivision (File No: E-T-0602) in the community of Baxter in 2010 and extended the draft approval in February 2021 for an additional three (3) years;

AND WHEREAS the Township and Brookfield have entered into a series of development agreements to support and advance the development of the residential subdivision;

AND WHEREAS the Township administration has prepared drafts of the required Subdivision Agreement and Wastewater Treatment Plant (WWTP) Servicing Agreement to regulate and guide the proposed subdivision development;

AND WHEREAS subs. 51(25) of the *Planning Act* permits the Township to require Brookfield to enter into one or more Agreement for the lands to which it applies dealing with such matters as are necessary for the development of the lands; and

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF ESSA ENACTS AND BE IT ENACTED AS FOLLOWS:

1. That the Mayor and Clerk are hereby authorized to execute the Subdivision Agreement and Wastewater Treatment Plant (WWTP) Servicing Agreement for the Brookfield Residential (Ontario) Limited subdivision (File No: E-T-0602) in the community of Baxter and affix thereto the seal of The Corporation upon advice from Township staff that all normal and required undertakings have been agreed to by Brookfield Residential (Ontario) Limited and as set out in the required Agreements.
2. That this By-law shall take effect and come into force upon passing.

BY-LAW READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS XTH DAY OF MONTH, 2023.

THE CORPORATION OF THE TOWNSHIP OF ESSA

Sandie Macdonald, Mayor

Lisa Lehr, Manager of Legislative Services



TOWNSHIP OF ESSA STAFF REPORT

STAFF REPORT NO.: PR012-23

DATE: June 7, 2023

TO: Committee of the Whole

FROM: Jason Coleman – Manager of Parks and Recreation

SUBJECT: Trails Connecting Communities Program 2023 Installation of Pavilion/Gazebo at Bob Geddes Park in Angus

RECOMMENDATION

That Staff Report PR012-23 be received; and that Council authorize the Manager of Parks and Recreation to proceed with an application for the 2023 Trails Connecting Communities Program for the manufacturing and installation of a Pavilion/Gazebo at a cost of approximately \$70,000 at Bob Geddes Park;

And That Council approve the additional funds required to offset this grant program to come from Parks Reserves.

BACKGROUND

At the May 3, 2023, Committee of the Whole Meeting in the Township, Council asked Staff to investigate and explore this grant opportunity.

As per the Planning Department from the County of Simcoe, “The Trails Connecting Communities Program (TCCP) was established in 2009 to assist municipalities in funding trails and active transportation projects around the County. The program operates through a 50/50 matching structure whereby County funds are matched to local municipal investment, to a maximum of \$30,000. The program is available to municipalities and trail organizations that partner with municipalities. Since its inception in 2009, the TCCP has provided over \$2,799,900 in funding to local municipalities to assist in the completion of 133 trail and active transportation projects.” The focus of the program is on enhancing or expanding a trail network for non motorized use.

COMMENTS AND CONSIDERATIONS

Most recently in 2022, the Township was successful in receiving \$30,000 in funds from the County of Simcoe regarding the same grant opportunity. Those funds assisted with the Transportation and Trails Master Plan which is still ongoing. It should be noted that even though the Transportation and Trails Master Plan is not complete and still underway, the County of Simcoe has confirmed that Essa Township is also eligible to apply to the 2023 grant stream in an amount of up to \$30,000.

After community engagement and obtaining public feedback input from the Transportation and Trails Master Plan open house sessions, it is believed that this grant opportunity, for 2023, could be utilized in the manufacturing and installation of a Pavilion/Gazebo for Bob Geddes Park

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located at 147 Centre St. in Angus. This location currently has 1 Baseball Field, 1 playground with a trail that connects to LeClair Park/Trail, Rippon Trail, also 3 Soccer fields and is next to the Nottawasaga River. The Pavilion/Gazebo would offer an opportunity for users take shelter in all elements, along with a spot to sit, rest, eat or play if desired as it would be connected and situated directly off the trail. According to the Trails Connecting Communities Program application guidelines, expenditures such as construction material trail head shelters/pavilions are eligible to receive matching funding. The primary intake period for applications to be received is up until May 26, 2023. The expected completion date for the project is anticipated to be September 30, 2023, at the time this report was written.

FINANCIAL IMPACT

The 'turnkey' operation cost for a concrete slab, shelter, drawings, inspections, and excavation is anticipated to be approximately \$70,000 HST included. If the Township were to be successful in receiving \$30,000 in funds from this grant submission for The Trails Connecting Communities Program for 2023, an additional funding amount of \$40,000 would be required by the Township to come from Parks Reserve Funds to complete this project. The grant opportunity would reduce the overall project by \$30,000 in total (if successful). The current balance of the Parks and Recreation Reserve is \$5,535,440.00.



Manager of Finance

SUMMARY/OPTIONS

Council may:

1. Take no action.
2. Authorize the Manager of Parks and Recreation to proceed with an application for the 2023 Trails Connecting Communities Program; and approve the additional funds to offset this grant program to come from Parks Reserves.
3. Direct Staff in another course of action

CONCLUSION

Staff recommends that Option 2 be approved.

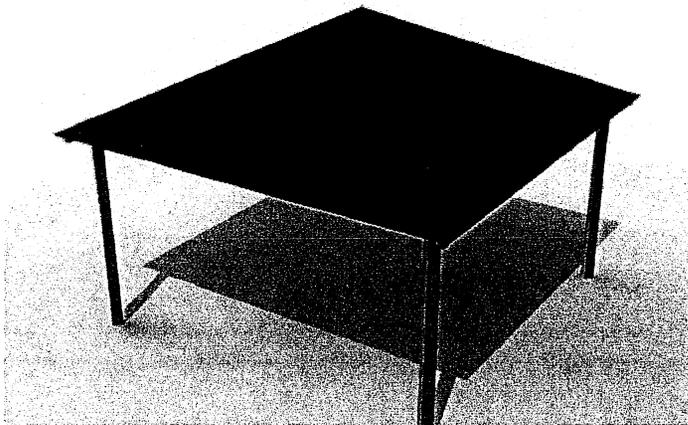
Respectfully submitted,



Jason Coleman
Manager of Parks and Recreation



Colleen Healey-Dowdall
Chief Administrative Officer



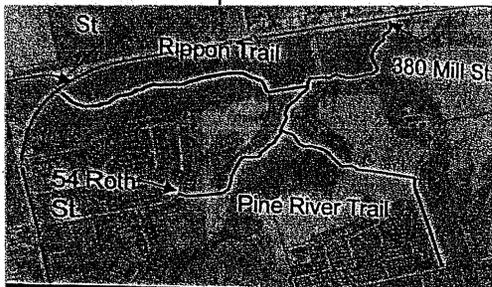
Attachment # 2

Proposed Location for Bob Geddes Park 147 Centre St. Angus



Attachment#3

Essa Trails Pamphlet



Pine River Trail

The Pine River Trail is a 1.5 km trail through the Nottawasaga Fishing Park and LeClair Park.

Entrances: 54 Roth St, Angus and 380 Mill St, Angus

Rippon Trail

The Rippon Trail is a 1 km trail that connects Peacekeepers Park at the north end of Mill St to the Nottawasaga Fishing Park, and the Pine River Trail.

Entrances: 330 Mill St and 380 Mill St

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TOWNSHIP OF ESSA STAFF REPORT

STAFF REPORT NO.: PR013-23

DATE: June 7, 2023

TO: Committee of the Whole

FROM: Jason Coleman – Manager of Parks and Recreation

SUBJECT: Award of RFP – Vending Machines RFP-PR-23-04

RECOMMENDATION

That Staff Report PR013-23 be received; and

That the proposal received from Naccarato Enterprises Ltd. be accepted for supply, installation, stocking, and maintenance of vending machines at the Angus Recreation Centre and Thornton Community Centre, contingent upon WSIB Clearance Certificate and a copy of Insurance being provided to the Municipality.

BACKGROUND

The Request for Proposal RFP-PR-23-04 Vending Machine Contract has just completed the first year of a pilot project for both the Angus Recreation Centre and the Thornton Community Centre by Time Out Vending Company. Each location had 1 machine for beverages and 1 machine for snacks. It is currently up for renewal as the pilot project finished at the end of the hockey season (April 2023). The new RFP-PR-23-04 is scheduled for for a three-year term. August 1, 2023, to August 1, 2026, with the possibility of 1 year extension upon satisfactory performance and review.

The Request for Proposal RFP-PR-23-04 Vending Machine Contract was posted on the Township’s website, digital board, and circulated in accordance with Essa’s Procurement Policy A05-01. The closing date for this was May 24, 2023, at 2:00 pm.

COMMENTS AND CONSIDERATIONS

The following is a summary of results:

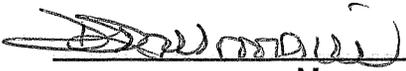
BIDDER	% OF GROSS SALES TO BE PAID TO TOWNSHIP
Time Out Vending	20%
Naccarato Enterprises Ltd.	26%
Adaria Vending	15%
RMF Vending Services	5%
Canteen of Canada Ltd.	20%

The Township also advertised for concession booth space, however, no bids were received in this regard.

FINANCIAL IMPACT

Revenue collected to-date from the 2022/2023 season of the pilot project is \$2,253.16 (both arenas) with one last commission cheque to be received in June which will cover the months of March, April and May, 2023.

The successful bid received is expected to bring in an additional \$200 annually based on the percentage of gross sales – this could result in revenue of approximately \$3,000 annually.



Manager of Finance

SUMMARY/OPTIONS

Council may:

1. Take no action at all and do not issue the tender.
2. Delay issuing the tender until September 1st after it is known as to whether there is interest in renting out the concession booth(s) – re-advertising and inviting bids for a concession booth lease immediately.
3. Award the RFP PR-23-04 for seasons 2023/2024, 2024/2025, 2025/2026 to Naccarato Enterprise Ltd.
4. Direct Staff in another course of action.

CONCLUSION

Staff recommends that **Option 2** be approved since all components and criteria are met that have been outlined in the scope of work. Even if a concession booth is rented out, some may wish to access the vending machines. The vending machines may or may not take away from concession sales if there is an interest in renting out concession space.

Respectfully submitted,

Jason Coleman

Jason Coleman
Manager of Parks and Recreation

Colleen Healey-Dowdall

Colleen Healey-Dowdall
Chief Administrative Officer



TOWNSHIP OF ESSA STAFF REPORT

STAFF REPORT NO.: PR014-23

DATE: June 7, 2023

TO: Committee of the Whole

FROM: Jason Coleman – Manager of Parks and Recreation

SUBJECT: Hydro One Account – Peacekeepers Park

RECOMMENDATION

That Staff Report PR014-23 be received; and

That Council direct Staff to proceed with creating and opening a Hydro One account and Meter for the Peacekeepers Park for the Peacekeepers Association project to be considered successful and operate.

BACKGROUND

As per the Government of Canada, Veteran's website:

"The Peacekeepers Park in Angus was established in 2008 as the land was leased from the Township by the Jerry Tremblay, CD, Central Ontario Chapter, Canadian Association of Veterans in United Nations Peacekeeping. A solid granite commemorative stone was imported from Pakistan and a maple leaf carved into its face in honour of all who served in peace. Peacekeepers Park is dedicated to the 160,000+ Canadians who have served on United Nations sanctioned missions since 1947.

The stone path was installed in 2016 and is lined with 18 mounted pedestals which detail the 59 United Nations missions since 1949. The first eight plaques describe peacekeeping and peacemaking missions, while the last 10 depict aid and observer missions. Also along the path are the Buffalo Nine Memorial and Bringing Their Faces Into The Light—walls mounted with renditions and short biographies of the faces of the fallen.

Included in the park are the Wall of Honour, Lynx reconnaissance vehicle (donated in part by Canadian Forces Base Borden), LAV III Monument, Korea missions plaque and a guard post."

Located on site, there are picnic tables, benches, a parking lot, waste receptacles and numerous tall trees that provide ample shade in the summer months. It should be noted that this park is well utilized by the community and the Township plans to begin snowplowing the parking lot this coming winter.

COMMENTS AND CONSIDERATIONS

This past year in Angus, some of the monuments and artifacts located on site were vandalized. There are no security cameras or electrical connections at this park. As such, the Legion and

Peacekeepers Association applied for a grant and were successful in receiving approximately \$40,000 in funding which would allow for upgrades such as lighting, electricity, and security cameras to be installed at Peacekeepers Park to help deter future vandalism and provide additional safety. Although there has been no cost to the Township to-date for the project, it has now been brought to Staff's attention that for the project to operate and be considered successful, the Township requires a Hydro One Account to be created along with a meter number. This results in an unexpected new expense added to the Township to operate this park's new features.

FINANCIAL IMPACT

Annual cost for Hydro to be provided to Peacekeepers Park on an ongoing basis is estimated to be approximately \$650 annually, all inclusive. This item has not been a budgeted expense for 2023.

Peacekeepers Park estimated hydro usage:

$3.6 \text{ kw per day} \times \$0.50 \text{ kwh} \times 365 \text{ days year} = \$657/\text{annually}$



Manager of Finance

SUMMARY/OPTIONS

Council may:

1. Take no action.
2. Direct Finance staff to proceed with creating a Hydro One account for monthly or annual payment by the municipality.
3. Direct Staff in another course of action.

CONCLUSION

Staff recommends that Option 2 be approved.

Respectfully submitted,

Jason Coleman

Jason Coleman
Manager of Parks and Recreation



Colleen Healey-Dowdall
Chief Administrative Officer



TOWNSHIP OF ESSA STAFF REPORT

STAFF REPORT NO.: PR015-23

DATE: June 7, 2023

TO: Committee of the Whole

FROM: Jason Coleman – Manager of Parks and Recreation

SUBJECT: Concession Stands Operator RFP-PR-23-03

RECOMMENDATION

That Staff Report PR015-23 be received; and

That Council direct Staff to issue another RFP for the Concession Stands for Angus Recreation Centre and Thornton Community Centre, with the possibility of separate contracts to be entered into, and

That local vendors be personally invited to submit proposals.

BACKGROUND

The Request for Proposal RFP-PR-23-03, Concession Stands Operator Contract, was posted on the Township's website, digital board at the Admin Centre, and circulated in accordance with Essa's Procurement Policy A05-01. The closing date for this was May 24, 2023, at 2:00 pm. The contract proposal is for 3 seasons with up to 1 additional 3 season term extension option (with successful review) with the operating dates from September 1 – April 15 each year. The Request for Proposal includes both the Angus Recreation Centre and Thornton Community Centre.

COMMENTS AND CONSIDERATIONS

Since the onset of the Covid-19 Pandemic in 2020, the concession stands were closed and not operate. This past year, 2022/2023, Council approved Staff's recommendation for a temporary conversion of the concession stands area to multi-purpose/office space for different community sports organizations/or staff, however, users of the facility expressed interest to see the return of the concession stands - in addition to a new tender for the vending machines at both facilities.

The following is a summary of results:

NO BIDS RECEIVED

FINANCIAL IMPACT

The 2023 Operating Budget does not reflect anticipated revenue for concession stands.

SUMMARY/OPTIONS

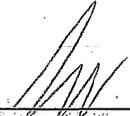
Council may:

1. Take no action.
2. Direct Staff to issue another RFP for Concession Stands with the possibility of separate contracts to be entered into, and with local vendors be personally invited to submit proposals, including those that have expressed interest in 'food trucks'.
3. Direct Staff in another course of action

CONCLUSION

Staff recommends that **Option 2** be approved in an attempt to find an operator for one or both concession stands.

Respectfully submitted,



Jason Coleman
Manager of Parks and Recreation



Colleen Healey-Dowdall
Chief Administrative Officer



TOWNSHIP OF ESSA STAFF REPORT

STAFF REPORT NO.: PW009-23

DATE: June 07, 2023

TO: Committee of the Whole

FROM: Michael Mikael, Manager of Public Works

SUBJECT: **Timetable for Automated Speed Enforcement Implementation**

RECOMMENDATION

That Staff Report PW009-23 be received; and

That Council authorize Staff to continue to phase-in Community Safety Zones throughout the municipality, based on criteria developed and accepted by the Manager of Public Works, in order to ensure that Automated Speed Enforcement is prioritized in locations requiring it the most, where vulnerable road users are at risk; and,

That mobile, Automated Speed Enforcement be implemented throughout 20 locations for the one-year pilot project, as the initial rollout of the program, operating at key times of the day, and that additional Automated Speed Enforcement locations may be added; and,

That signs be installed at all access points to the Township to advise motorists that Automated Speed Enforcement is in effect in our municipality, once the required MTO agreement is executed.

BACKGROUND

On October 5, 2022, Council authorized Staff to enter into a Service Agreement with Global Traffic Group Ltd. to implement an Automated Speed Enforcement (ASE) Pilot Project in 2023.

Staff has executed an agreement with the Ministry of the Attorney General last month, and is working towards the execution of an agreement with the Ministry of Transportation as a final step towards the start of the ASE program.

Attachment no.1 represents the anticipated/estimated timeline for the ASE pilot project implementation, dependent on MTO Agreement execution.

COMMENTS AND CONSIDERATIONS

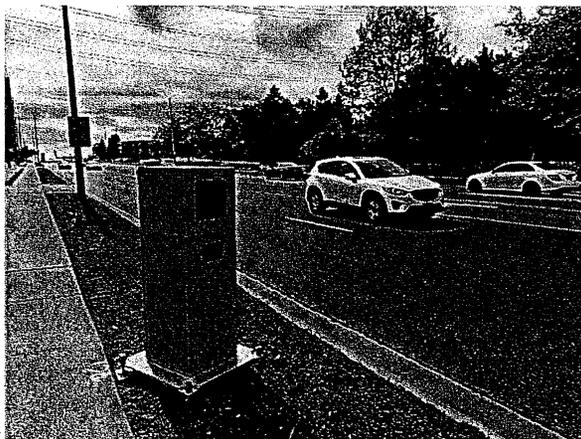
Community Safety Zones (CSZs)

Currently, there are 8 CSZs in the Township. This Manager is recommending an additional 12 locations throughout the Township as the first phase of implementation. These locations are being recommended in a concurrent report (PW010-23) and are just the first phase of implementation, as a number of other roadways are in the queue to be converted to CSZs at a future Council meeting.

With this in mind, staff recommend continuing to phase in CSZs based on the criteria developed in order to ensure ASE implementation is prioritized based on data.

Automated Speed Enforcement (ASE) Zones:

All signage requirements will be installed and in place once the MTO agreement is fully executed within the next few weeks, leading to the 90 days public awareness period as presented below in fig1.



This initiative is in response to Council's priority that staff be directed to review the increasing speeds of vehicles travelling on township roadways and report on potential methods of reducing driving speeds, improving driver behaviour and additional alternatives which could be implemented through the completion of the Township-wide Transportation Master Plan (TMP) leading to a Vision Zero Framework which acknowledges that the transportation system must be changed since it is difficult to change human capabilities and limitations. In altering the system design and operation, safety should be prioritized over speed, convenience, or cost.

FINANCIAL IMPACT

None. All ASE signage has been supplied by Global Traffic Group.

Staff expect the ASE program to become, eventually, revenue-neutral to further financially support the Township, to implement permanent traffic calming measures to ensure safer roadways and active transportation for residents.

It should also be noted that due to the lack of real data, the analysis is based on various assumptions related to projected number of ASE charges (offences) and revenue, which may impact the final revenue numbers in 2023, as compared to previous financial analysis provided by staff, however, clearer data should be available during the preparation of the 2024 budget.



Manager of Finance

SUMMARY/OPTIONS

Council may:

1. Take no further action.
2. Authorize Staff to continue to phase-in CSZs throughout the municipality, based on criteria developed and accepted by the Manager of Public Works, in order to ensure that ASE is prioritized in locations requiring it the most, where vulnerable road users are at risk.
3. Implement 20 CSZ locations for the one-year pilot project, as the initial rollout of the program, operating at key times of the day, and that additional ASE locations may be added.
4. Install signs at all access points to the Township to advise motorists that ASE is in effect in our municipality, once the required MTO agreement is executed.
5. Direct Staff in another course of action.

CONCLUSION

Staff recommends Options # 2,3,4 be approved.

Respectfully submitted,

Reviewed by,

Michael Mikael

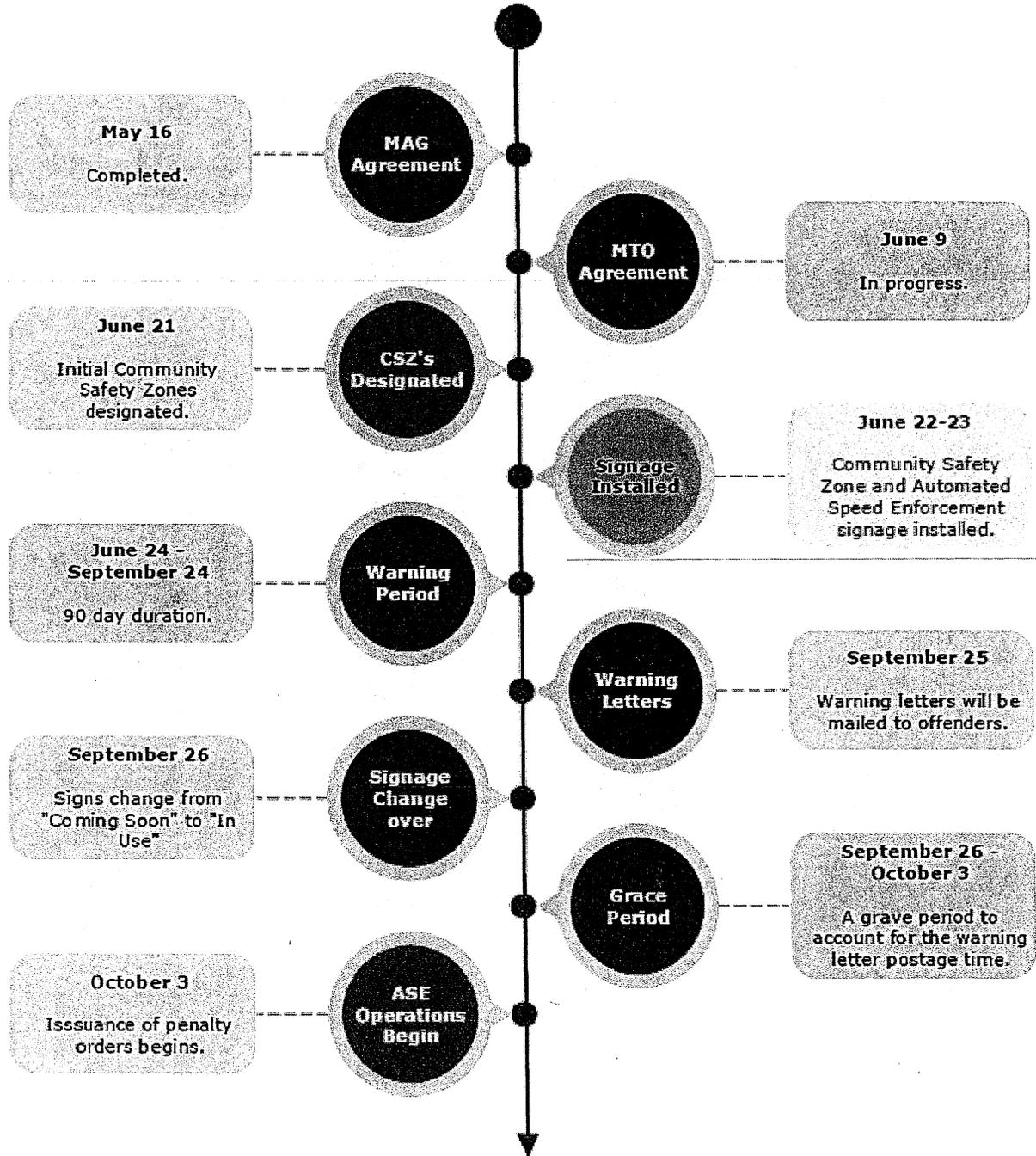
Colleen Healey-Dowdall

Michael Mikael
Manager of Public Works

Colleen Healey-Dowdall
Chief Administrative Officer

Attachment no.1 – Timeline Milestones

Essa Automated Speed Enforcement Implementation: Timeline Milestones



*Dependent on MTO Agreement execution



TOWNSHIP OF ESSA STAFF REPORT

STAFF REPORT NO.: PW010-23

DATE: June 07, 2023

TO: Committee of the Whole

FROM: Michael Mikael, Manager of Public Works

SUBJECT: **Community Safety Zones (CSZs)**

RECOMMENDATION

That Staff Report PW010-23 be received; and

That Council adopt amendments to By-law No. 2000-15, being a by-law to designate parts of a highway / road network as "Community Safety Zones".

BACKGROUND

A Community Safety Zone (CSZs) is a designation under the Highway Traffic Act where traffic laws remain the same but fines are increased. The intent of these zones is to modify driver behaviour to increase safety for all travellers. CSZs are typically implemented and advise motorists they are within a zone where public safety is of special concern, including school areas. Many set fines are doubled in CSZs, such as speeding and traffic signal-related offences.

CSZs were introduced on Ontario roads in the Fall of 1998. As stated in the Ontario Traffic Manual Book 5 ("OTM" Book 5):

"The purpose of the Community Safety Zone is to inform the driver that they are entering a zone that the community has designated as an area where the safety of its children/citizens is paramount."

All rules of the road remain unchanged; however, there are increases to the fines for moving violations that occur within a CSZ. As such, a by-law and the appropriate on-street signing (as listed in OTM Book 5) are required.

There is no specific Warrant provided in the Ontario Traffic Manual for CSZs. However, their effectiveness depends on selective and appropriate deployment. Drivers should not encounter a CSZ in such a wide variety of applications that they lose their special designation/meaning. Rather, as cited in OTM Book 5, CSZs are intended for:

“...roadways near schools, day care centres, playgrounds, parks, hospitals, senior’s residences, and may also be used for collision prone locations within a community.”

An important aspect of the effectiveness of a CSZ is the ability of the police to enforce it. As such, the input of the OPP is strongly recommended when assessing a section of road for a CSZ. There are no specific guidelines related to the length or area for a CSZ. However, the OTM Book 5 does indicate that the entire length of a roadway is not the intended application, rather they should be limited to areas / segments of special concern to the community.

The designation of a CSZ requires careful consideration and therefore a “blanket” CSZ designation in all school zones is not recommended.

COMMENTS AND CONSIDERATIONS

The existing CSZ By-law (2000-15) was adopted in March 2000, and has not been updated since that date which included 8 locations as per schedule A of the By-law.

It is recognized by Staff that a significant safety concern exists along with violation and collision components based on the elements of risk/collision and violation history at several locations across the Township. Accordingly, Staff is currently considering additional locations for CSZs, as per the attached, detailed Draft Community Safety Zone By-law for Council’s consideration based on the following warrant criteria(s):

Area of Special Consideration:

- Community centres;
- Elementary or secondary schools;
- High pedestrian traffic locations (defined as a location experiencing an average of 100 pedestrians per hour or more for any eight hours of the day); and
- Seniors’ centres and residences.

Safety Performance (Collision and Risk Components) considering the following factors:

- Posted speed;
- Daily traffic volumes;
- Number of lanes;
- Length of sidewalks;
- Pedestrian volumes; and
- Intersections and entrances per kilometre.

The safety performance is comprised of collision history and risk components. Either the collision history or the risk component must be satisfied for the safety performance to be met. Roads with a posted speed greater than 70 km/h shall not be considered for a CSZ.

It is also recognized that a significant safety concern may exist even though it is not shown in the collision record, therefore, a second warrant based on the elements of risk is available. Prior to using the risk warrant, field observations or the local Police Service must verify that there is an unusually high violation rate at the subject location(s).

Currently the Township of Essa doesn't have a Community Safety Zone Policy, however, it is recommended that the warrant criteria(s) stated above which is also employed by the Region of York be implemented for CSZs within the Township Limits.

It worth noting that the Town of Innisfil, Niagara and Waterloo Region apply a similar in-house CSZ warrant criteria for evaluation with exception to the maximum speed limits for CSZs capped at 60 KM/hr.

FINANCIAL IMPACT

Costs associated with purchasing and the installation of CSZ signs are included in the approved 2023 Transportation Operating Budget – Traffic Calming in the range of \$8,000 (excluding applicable tax).



Manager of Finance

SUMMARY/OPTIONS

Council may:

1. Take no further action – maintain the existing 8 CSZ locations.
2. Accept/adopt the proposed amendments to By-law No.2000-15 as per the attachment.
3. Direct Staff in another course of action – modifying the list proposed by the Manager of Public Works/Engineering.

CONCLUSION

Staff recommends **Option # 2** be approved which would add 12 new CSZs to the existing 8 of Essa Township based on the criteria contained in this Report (refer to red font in the attached Proposed Amended By-law).

Respectfully submitted,

Reviewed by,

Michael Mikael

Colleen Healey-Dowdall

Michael Mikael, P.Eng.
Manager of Public Works

Colleen Healey-Dowdall, RPP
Chief Administrative Officer

Attachment: Draft By-law Update with Proposed new CSZs

THE CORPORATION OF THE TOWNSHIP OF ESSA

BY-LAW NO. 2023-??

A By-law to amend designated parts of highways
as "Community Safety Zones".

WHEREAS Section 214.1(1) of the *Highway Traffic Act*, R.S.O. 1990, Chapter H.8, as amended by Bill 26, Chapter 6, Statutes of Ontario 1998 provides the Council of a municipality to designate community safety zones on parts of highways under its jurisdiction;

AND WHEREAS the Council of The Corporation of the Township of Essa deems it expedient and necessary to establish community safety zones on Township streets;

NOW THEREFORE the Council of The Corporation of the Township of Essa enacts as follows:

1. **INTERPRETATION** - Unless otherwise stated in this By-law, subsection 1 of Section 1 of the *Highway Traffic Act of Ontario*, R.S.O. 1990, Chapter H.8, as amended from time to time is hereby adopted in this by-law for the purpose of definition and interpretation.
2. **DEFINITION** - For the purpose of this by-law the following words shall have the meaning given herein:
 - 2.1 **"Council"** means the Council of The Corporation of the Township of Essa.
 - 2.2 **"Highway"** means a highway as defined in the *Highway Traffic Act of Ontario*, R.S.O. 1990, Chapter H.8, as amended from time to time.
 - 2.3 **"Motor Vehicle"** means a motor vehicle as defined in the *Highway Traffic Act of Ontario*, R.S.O. 1990, Chapter H.8, as amended from time to time.
 - 2.4 **"Official Signs"** means a sign approved by the Ministry and placed or erected on a highway or elsewhere pursuant to the provisions of this by-law.
3. **GENERAL REGULATIONS** - Highways as set out in columns 1, 2, and 3 of Schedule "A", attached hereto, are hereby designated as Community Safety Zones during the time periods as set out in Column 4 said Schedule "A".

Official signs shall be erected or placed in accordance with the Regulations of the *Highway Traffic Act of Ontario*, R.S.O. 1990, Chapter H.8, as amended from time to time, in the areas designated as Community Safety Zones.
4. **PENALTY** - Every person who commits an offence under specified sections of the *Highway Traffic Act* on part of a highway designated as a Community Safety Zone when it is in effect is liable on conviction to the fines set out in Section 214.1 of the *Highway Traffic Act*.
5. **SEVERABILITY** - Should any section, sub-section, clause, paragraph or provision of this by-law including any part of Schedule "A" be declared by a court of competent jurisdiction to be ultra vires, invalid or illegal for any reason, the same shall not affect the validity of the by-law as a whole.

7b

6. **CITING** - This by-law shall be cited as the "Community Safety Zones By-law".
7. **ENACTMENT** - That this By-law shall come into force and take effect from the final passing thereof.

READ A FIRST AND SECOND TIME on this the XXnd day of April, 2023.

READ A THIRD TIME AND FINALLY PASSED on this the XXnd day of April, 2023.

Sandie Mcdonald, Mayor

Lisa Lehr, Manager of Legislative Services

**SCHEDULE "A" to
BY-LAW NO. 2023-XX
"Community Safety Zones"**

SCHEDULE "A" TO BY-LAW 2023-??				
	Column 1 Highway	Column 2 From	Column 3 To	Column 4 Effective Hours and Dates
1.	Simcoe St.	Auburn St.	Raglan St.	At any time January 1 st to December 31 st
2.	Sydenham St.	Auburn St.	Raglan St.	At any time January 1 st to December 31 st
3.	Auburn St.	Simcoe St.	Sydenham St.	At any time January 1 st to December 31 st
4.	Brian Ave.	Bushey Ave.	Tarbush Ave.	At any time January 1 st to December 31 st
5.	Bushey Ave.	Brian Ave.	To a point 160m north of Brian Ave.	At any time January 1 st to December 31 st
6.	Tarbush Ave.	Brian Ave.	To a point 160m north of Brian Ave.	At any time January 1 st to December 31 st
7.	Roth St.	North St.	To a point 125m west of North St.	At any time January 1 st to December 31 st
8.	Denney Dr.	Murphy Rd.	To a point 30m south of Marshall Cres.	At any time January 1 st to December 31 st
9.	Centre St.	Michael St.	To a point 30m south of Alessio Dr.	At any time January 1 st to December 31 st

7b

10.	Willoughby Rd.	Greenwood Dr.	To a point 30m south of 4 th Line	At any time January 1 st to December 31 st
11.	10 th Line	25 th Side Rd.	To a point 30m south of County Rd. 90	At any time January 1 st to December 31 st
12.	25 th Side Rd.	9 th Line	To a point 30m south of 10 th Line	At any time January 1 st to December 31 st
13.	5 th Line	25 th Side Rd.	To a point 30m south of Willoughby Rd.	At any time January 1 st to December 31 st
14.	5 th Line	Mike Hart Dr.	To a point 30m south of Gold Park Gate	At any time January 1 st to December 31 st
15.	20 th Side Rd.	From a point 450m west of 9 th Line	To a point 300m east of 9 th Line	At any time January 1 st to December 31 st
16.	Intersection of Centre St.	5 th Line	To a point 30m south of 30 th Side Rd.	At any time January 1 st to December 31 st
17.	Greenwood Dr.	Centre St.	To a point 30m south of Gold Park Gate	At any time January 1 st to December 31 st
18.	King St.	Water St.	To a point 30m south of Vernon St.	At any time January 1 st to December 31 st
19.	Cecil St.	Coulson Ave.	To a point 30m south of Masonic Way	At any time January 1 st to December 31 st

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20.	5 th Line South	10 th Side Rd.	To a point 30m south of the 50 km/h speed limits	At any time January 1 st to December 31 st
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TOWNSHIP OF ESSA STAFF REPORT

STAFF REPORT NO.: PW011-23
DATE: June 07, 2023
TO: Committee of the Whole
FROM: Michael Mikael, P.Eng., Manager of Public Works
SUBJECT: Off-Road Vehicle Access on Municipal Roads

RECOMMENDATION

That Staff Report PW011-23 be received; and

That Council support the decision by Staff to approve the allowance of ATVs / ORVs on the paved or unpaved municipal road network during the designated season of May 1st to November 1st each calendar year, on a permanent basis as per C010-23 (attached)

BACKGROUND

Council passed By-law 2021-16 to allow ORVs on municipal roads on a trial basis for one year. The pilot project was extended for an additional year during 2022 to give staff time to investigate the program's physical / operational impact on the Township's local roads.

Report C010-23 (attached) of this year, recommends a permanent program to allow ORVs on Township roads. On May 3rd, 2023, Council requested Staff comments with respect to extending the program, starting April 1st of each year (as opposed to May 1st), to allow an additional month of usage.

COMMENTS

1. Operational impact on the municipal road network:

Minimal operational impact was noticed with respect to safety or residents' complaints. Also, there was zero collision and/or risk components related to ATV's/ORV's.

2. Physical impact on the municipal road network (damages/deterioration) :

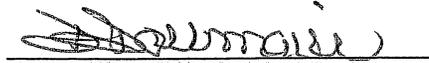
The average 500cc ATV weighs 630 lbs and a typical 700cc ATV weighs 809 lbs.

Average vehicular movement on the Township roads, regardless of paved or surface-treated road, weighs approximately 4,094 lbs (based on EPA's 2022 data for average vehicle), therefore, the heaviest (typically) ATV (809 lbs) is almost 5 times lighter in weight than the average vehicle weight.

Road edge damage is minimal and can be caused by any means of transportation. A month of additional usage would not be significant nor is an issue for this Manager.

FINANCIAL IMPACT

None.



Manager of Finance

SUMMARY / OPTIONS

Council may:

1. Take no action (would defeat the program).
2. Approve the allowance of ATVs / ORVs on the paved or unpaved municipal road network during the designated season of April 1st to November 1st each calendar year, on a permanent basis.
3. Approve the allowance of ATVs / ORVs on the paved or unpaved municipal road network during the designated season of May 1st to November 1st each calendar year, on a permanent basis.
4. Direct Staff in another course of action.

CONCLUSION

Staff recommends that option 2 be approved.

Respectfully submitted,



Michael Mikael, P.Eng
Manager of Public Works

Reviewed by,



Colleen Healey-Dowdall, RPP
Chief Administrative Officer

Attachments:

Attachment 1: C010-23



7c

TOWNSHIP OF ESSA STAFF REPORT

STAFF REPORT NO.: C010-23
DATE: May 3, 2023
TO: Committee of the Whole
FROM: Lisa Lehr, Manager of Legislative Services
Michael Mikael, Manager of Public Works
SUBJECT: ATV / ORV By-law

RECOMMENDATION

That Staff Report C010-23 be received; and

That Council approve the allowance of ATVs / ORVs on the paved or unpaved vehicular driving surface of roads under municipal jurisdiction during the designated season of May 1st to November 1st each calendar year, on a permanent basis; and

That Council approve the Draft By-law to amend Essa's ATV / ORV By-law 2021-16.

BACKGROUND

At its meeting of May 5, 2021, Council passed By-law 2021-16 (Attachment No. 1) to allow ATVs / ORVs to be driven on roads under municipal jurisdiction on a trial basis (Pilot Project). The Pilot Project was extended by Council into 2022, with Council requesting that a further Staff Report be provided in an effort to re-evaluate the merits of the ATV Pilot Program in 2023.

The current ATV Pilot Project By-law allows for off-road vehicles (ATVs) to travel on the paved or unpaved vehicular driving surface of all urban and/or rural roads under municipal jurisdiction between the hours of 7:00 a.m. to 11:00 p.m. from May 1st to November 1st in each calendar year.

COMMENTS AND CONSIDERATIONS

The Clerk has consulted with Municipal Law Enforcement Officers (MLEO), the Manager of Public Works and the Nottawasaga OPP and can confirm that there has been a decrease in the number of calls requesting assistance and/or complaints received by the municipality and the OPP about ATVs/ORVs on municipal roads than that which was filed previous to commencing the Pilot Project in 2021.

MLEOs – 1 Official Complaint Filed in 2023

The general nature of the one official complaint filed with Municipal Law Enforcement Officers between May 1st and November 1, 2022 was:

- Noise
- Trespassing on private property

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***Please Note: The above-noted complaint was not in regard to ATVs on municipal roads, but rather ATVs riding on private property.*

Public Works – 0 complaints

OPP Complaints / Charges / Warnings - 6

The following is a breakdown of ATV Traffic Complaints and MVCs (Motor Vehicle Collisions) involving ATVs/ORVs (does NOT include dirt bikes) in Essa Township that were received and attended to by the OPP during 2022:

Incidents	Location	Breakdown	Other
6 Complaints	Public (Simcoe County Forest, Hydro Property, Parks)	0	1 MVC involving ATV (Please Note – the breakdown of warnings/charges was not provided by OPP at this time)
	Private Property	0	
	Streets	6	

[NOTE: A copy of Staff Report C026-21 has been attached for Council's reference (Attachment No. 2). The Staff Report provides a breakdown of complaints received by OPP for 2020 and 2021.]

Since the Pilot Project was implemented in 2021, it should be noted that there has been a significant decrease in calls/complaints filed with Municipal Law Enforcement Officers; the complaints are now being directed to the proper authority and the general public is much better educated on Essa's By-law and the Off Road Vehicles Act. Staff have worked with OPP to provide joint media release(s) to ensure that the general public has a better understanding of the rules relating to ATVs / ORVs.

At this time, it is recommended that Council allow ATVs / ORVs permission to drive on the paved or unpaved vehicular driving surfaces on a permanent basis during the designated season (May 1st to November 1st each calendar year; 7:00 am to 11:00 pm).

A copy of the DRAFT By-law has been attached for Council's consideration (Attachment No. 3).

FINANCIAL IMPACT

None.


Manager of Finance Approval

SUMMARY/OPTIONS

Council may:

1. Take no further action.
2. **Approve the allowance of ATVs / ORVs on the paved or unpaved vehicular driving surface of roads under municipal jurisdiction during the designated season of May 1st to November 1st each calendar year, on a permanent basis.**
3. **Approve the DRAFT By-law to amend Essa's ATV/ORV By-law 2021-16.**
4. Direct staff to extend the ATV Pilot Program into 2023, thereby allowing ATVs to drive on municipal roads during the designated season of May 1st to November 1st, 2023, and that a further Staff Report be brought forward in 2023 prior to the end of the designated season for Council to re-evaluate the merits of the ATV Pilot Program.
5. Direct staff to amend Essa's ATV By-law 2021-16 to allow for ATVs and ORVs to drive on roads under municipal jurisdiction on a permanent basis going forward, twelve months per year.
6. Direct staff to rescind Essa's ATV By-law 2021-16 and draft a By-law to prohibit all ATVs and ORVs from driving on roads under municipal jurisdiction.
7. Direct staff as Council deems appropriate.

CONCLUSION

It is recommended that Council approve Option No. 2 and 3.

Recommendation Supported
by:



Michael Mikael
Manager of Public Works

Respectfully submitted:



Lisa Lehr
Manager of Legislative Services

Reviewed by:



Colleen Healey-Dowdall
Chief Administrative Officer

Attachments:

- 1 – Essa By-law 2021-16 "ATV / ORV By-law"
- 2 – Copy of Staff Report C026-21 "ATV / ORV By-law"
- 3 – DRAFT By-law to Amend By-law 2021-16

7c

Attachment #1

THE CORPORATION OF THE TOWNSHIP OF ESSA

BY-LAW 2021 - 16

Being a By-law to permit all-terrain, multi-purpose off highway utility and recreational off-highway vehicles (off-road vehicles) on the shoulder of all municipal roads and to repeal By-law 2005-24.

Whereas the *Highway Traffic Act*, R.S.O. 1990, Chapter H.8, Section 191.8(1), provides that no person shall drive an off-road vehicle on a highway except in accordance with the *Highway Traffic Act* regulations and any applicable Municipal By-law; and

Whereas the *Highway Traffic Act*, R.S.O. 1990, Chapter H.8, Section 191.8(3), provides that a municipality may pass by-laws permitting certain off-road vehicles on highways under the jurisdiction of the municipality and providing speed limits for such vehicles; and

Whereas the operation of off-road vehicles on highways is a privilege and not a right; and

Whereas the *Municipal Act*, S.O. 2001, Chapter 25, Section 11.(3), provides that a municipality may pass by-laws with respect to municipally owned roads, including parking and traffic on such highways; and

Whereas requests have been received to permit off-road vehicles on certain municipally owned highways within the boundary of the Township of Essa; and

Whereas Council of the Corporation of the Township of Essa is desirous of permitting ATVs and ORVs access to roads under its municipal jurisdiction as part of a Pilot Project in 2021 to run from May 1, 2021 to November 1, 2021, at which time Council will re-evaluate the merits of the Pilot Project;

Now Therefore Council of the Corporation of the Township of Essa hereby enacts as follows:

I. DEFINITIONS

In this By-law,

"*Boulevard*" shall mean that part of the highway situated between the curb line and the property line of the lot abutting the highway, but does not include a sidewalk or shoulder.

"*Highway*" includes a common and public highway, street, avenue, parkway, driveway, square, place, bridge, viaduct or trestle, any part of which is intended for or used by the general public for the passage of vehicles and includes the area between the lateral property lines thereof.

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"Multi-purpose off-highway utility vehicle" means an off-road vehicle that,

- a) has four or more wheels, the tires of which are all in contact with the ground,
- b) has a steering wheel for steering control,
- c) has seats that are not designed to be straddled, and
- d) has a minimum cargo capacity of 159 kilograms;

"Municipality" shall mean the Township of Essa.

"Off-Road Vehicle" shall mean an off-road vehicle intended for off-road and within the meaning of the *Off-Road Vehicles Act*, and as defined by the *Highway Traffic Act* and or the regulations thereto and includes off-road vehicles as defined as follows:

"All-Terrain Vehicle" means an off-road vehicle that,

- a) has four wheels, the tires of which are all in contact with the ground,
- b) has steering handlebars,
- c) has a seat that is designed to be straddled by the driver, and
- d) is designed to carry,
 - (i) a driver only and no passengers, or
 - (ii) a driver and only one passenger, if the vehicle,
 - a) has one passenger seat that is designed to be straddled by the passenger while sitting facing forward behind the driver, and
 - b) is equipped with foot rests for the passenger that is separate from the foot rests for the driver;

"Recreational off-highway vehicle" means an off-road vehicle that,

- a) has four or more wheels, the tires of which are all in contact with the ground,
- b) has a steering wheel for steering control,
- c) has seats that are not designed to be straddled, and
- d) has an engine displacement equal to or less than 1,000 cubic centimetres;

"Recognized Agency" shall be the Ontario Federation of All-Terrain Vehicle Clubs and the Central Ontario ATV Club.

"Seat belt assembly" means a device or assembly composed of a strap or straps, webbing or similar material that restrains the movement of a person in order to prevent or mitigate injury to the person.

"Highway" shall mean any and all public highways assumed and maintained under the jurisdiction and ownership of the Township of Essa.

7c

II. REGULATION OF OFF-ROAD VEHICLES ON HIGHWAYS

1. Off-road vehicles shall be permitted upon the highways under the jurisdiction of the Township of Essa, in accordance with Ontario Regulation 316/03 of the *Highway Traffic Act*, as amended, and the *Off Roads Vehicle Act*, as amended.
2. Unless such lands form part of a trail route approved and maintained by a recognized agency, no person shall operate an off-road vehicle over or upon the following areas:
 - a) Any Community Centre under the jurisdiction of the municipality;
 - b) Any park, open space lands, sport field, playground or trail under the jurisdiction of the municipality;
 - c) Any cemetery within the jurisdiction of the municipality;
 - d) Any municipal public property in the Township without the consent of the municipality;
 - e) Any unopened road allowance unless such vehicle is required for emergency response purposes or unless prior permission has been obtained from the Township;
 - f) Upon any sidewalk or boulevard within the municipality;
 - g) In any settlement area except as a means of direct access to the approved trail routes or to obtain core services.
3. No person shall operate an off-road vehicle on highways unless it meets the equipment requirements of Section 7 to 15 of O. Reg. 316/03, as amended, and it is operated in accordance with Sections 16 to 24 of O. Reg. 316/03, as amended.
4. No person shall drive an off-road vehicle at a rate of speed greater than:
 - a) 20 kilometres per hour, if the speed limit established under the *Highway Traffic Act* or by municipal by-law for that part of the highway is not greater than 50 kilometres per hour, or
 - b) 50 kilometres per hour, if the speed limit established under the *Highway Traffic Act* or by municipal by-law for that part of the highway is greater than 50 kilometres per hour.
5. No person shall operate an off-road vehicle within the Township of Essa between the hours of 11:00 p.m. and 7:00 a.m. the following day, except where approved in advance by Council in association with a special event or other activity.
6. No person shall operate an off-road vehicle in such a way as to disrupt or destroy the natural environment, create a nuisance by method or frequency of operation on any municipal property or upon any highway within the municipality.

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7. No person shall leave an off-road vehicle within the municipal road allowance unless it is within designated parking lot spaces and or designated on-street parking spaces or where otherwise authorized signage is displayed indicating that off-road vehicle parking is permitted.
8. No person shall operate an off-road vehicle on roads under municipal jurisdiction between November 1st to April 30th in each calendar year.

III. ENFORCEMENT

1. Where applicable, the provisions of this By-law shall be enforceable by a Police Officer, Municipal Law Enforcement Officer, or other such persons appointed by the municipality.
2. No person shall obstruct, hinder, or otherwise interfere with a Police Officer, Municipal Law Enforcement Officer or other duly appointed individual in the lawful carrying out of their duties and responsibilities under the provisions of this By-law.
3. Failure to stop when directed by a Police Officer or Municipal Law Enforcement Officer shall be an offence of obstruction.
4. Every person who contravenes any provision of this By-law is guilty of an offence and upon conviction is liable to a fine provided for by the *Provincial Offences Act*, R.S.O. 1990, Chapter P.33, as amended.

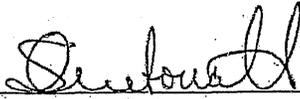
IV. GENERAL

1. That in the event any provisions of this By-law are found by a Court of competent jurisdiction to be without effect under Section 14.(1) of the *Municipal Act*, S.O. 2001, as amended, such provisions shall be deemed to be severed and the remainder of this By-law shall remain in full force and effect.
2. That this By-law shall apply in addition to the provisions of any other Township By-law and the *Municipal Act*, 2001, S.O. 2001 c. 25, as amended, provided that in the event of conflict, the provisions of any other Township By-law or the *Municipal Act*, 2001, S.O. 2001 c. 25, as amended, shall not be paramount over this By-law, provided such provisions are not contrary to law.
3. That By-law 2005-24 be and is hereby repealed.
4. That it is hereby recognized this By-law may be revoked and repealed at any time.
5. That nothing in this By-law shall limit any other statutory or common law rights or powers of the municipality or any Officer to enter on land.

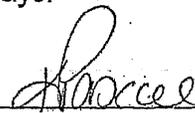
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6. That this By-law shall be cited as the "Off Road Vehicles By-law".
 7. That this By-law shall come into force and take effect on the date of final passing thereof.

READ A FIRST, AND TAKEN AS READ A SECOND AND THIRD TIME AND FINALLY
PASSED 5th day of May, 2021.



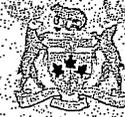
Sandie Macdonald
Mayor



Lisa Lehr
Manager of Legislative Services

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THE HONOURABLE ESTHER ROSENBERG
REGIONAL SENIOR JUSTICE
ONTARIO COURT OF JUSTICE
CENTRAL EAST REGION
50 EAGLE STREET WEST
NEWMARKET, ONTARIO L3Y 6G1



L'HONORABLE ESTHER ROSENBERG
JUGE PRINCIPAL REGIONAL
COUR DE JUSTICE DE L'ONTARIO
REGION DU CENTRE-EST
50, RUE EAGLE OUEST
NEWMARKET (ONTARIO) L3Y 6G1
TELEPHONE/TELEPHONE (905) 853-4890
FAX/TELECOPIEUR (905) 853-4891

May 10, 2021

Ms. Krista Pascoe
Clerk
5786 County Road 21
Utopia, Ontario
L0M 1T0

Dear Ms. Pascoe,

Re: Set Fines for the Township of Essa

Enclosed herewith please find the Order and the schedule of set fines.

The setting of the fines does not constitute my approval of the short form of the wording used to describe the offences.

I have forwarded copies of the Orders and the Schedules of the set fines to the POA Court in Barrie.

Yours truly,

Esther Rosenberg
Regional Senior Justice
Central East Region

/brw
Enclosures

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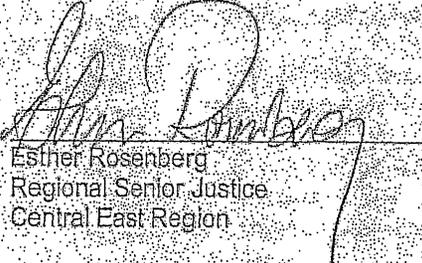
PROVINCIAL OFFENCES ACT

Part I

IT IS ORDERED pursuant to the provisions of the *Provincial Offences Act* and the rules for the Ontario Court of Justice that the amount set opposite each of the offences in the attached schedule of offences under the Provincial Statutes and Regulations thereunder and Municipal By Law 2021-16, for the Township of Essa, attached hereto is the set fine for that offence. This Order is to take effect May 10, 2021.

DATED at Newmarket this 10th

day of May, 2021


Esther Rosenberg
Regional Senior Justice
Central East Region

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PART I PROVINCIAL OFFENCES ACT

TOWNSHIP OF ESSA

BY-LAW 2021-16
"Off Road Vehicles By-law"

A By-law to permit all-terrain, multi-purpose off highway utility and recreational off-highway vehicles (off-road vehicles) on the shoulder of all municipal roads

Item	Column 1 Short Form Wording	Column 2 Provision Creating or Defining Offence	Column 3 Set Fine
1.	Operating an Off-Road Vehicle in a prohibited area	II(2)	\$150.00
2.	Fail to meet equipment requirements	II(3)	\$150.00
3.	Drive an Off-Road Vehicle at a speed greater than 20 km/h if established speed limit is not greater than 50 km/h	II(4a)	\$150.00
4.	Drive an Off-Road Vehicle at a speed greater than 50 km/h if established speed limit is greater than 50 km/h	II(4b)	\$150.00
5.	Operate an Off-Road Vehicle during prohibited times	II(5)	\$150.00
6.	Operate an Off-Road Vehicle in a way as to disrupt or destroy natural environment on municipal property or highway	II(6)	\$150.00
7.	Operate an Off-Road Vehicle on municipal roads between November 1 st to April 30 th	II(8)	\$150.00
8.	Obstruct, hinder or interfere with a Police Officer, Municipal Law Enforcement Officer or other duly appointed individual	III(2)	\$200.00
9.	Fail to stop when directed	III(3)	\$200.00

NOTE: The penalty provisions for offences listed above are Section III. (4) of By-law 2021-16, certified copy of which has been filed.



TOWNSHIP OF ESSA STAFF REPORT

STAFF REPORT NO.: C026-21
DATE: October 6, 2021
TO: Committee of the Whole
FROM: Lisa Lehr, Manager of Legislative Services
SUBJECT: ATV / ORV By-law

RECOMMENDATION

That Staff Report C026-21 be received; and

That Council direct staff to extend the ATV Pilot Program into 2022, thereby allowing ATVs to drive on municipal roads only during the designated season of May 1st to November 1st, 2022; and

That a further Staff Report be brought forward in 2022 prior to the end of the designated season for Council to re-evaluate the merits of the ATV Pilot Program.

BACKGROUND

At its meeting of May 5, 2021, Council passed By-law 2021-16, that being a *By-law to permit all-terrain, multi-purpose off highway utility and recreational off-highway vehicles (off-road vehicles) on the shoulder of all municipal roads.*

The current By-law allows for off-road vehicles (ATVs) to travel on the paved or unpaved vehicular driving surface of all urban and/or rural roads under municipal jurisdiction between the hours of 7:00 a.m. to 11:00 p.m. from May 1st to November 1st in each calendar year. The "season", that being May 1st to November 1st, was proposed in an effort to allow for a Pilot Program to run in 2021, whereby Council could re-evaluate the merits of the Program upon the end of the first "season".

Upon passage of the By-law, Council requested that Staff provide a follow-up report of which would summarize complaints/concerns/requests for service that the municipality and OPP received during the Pilot Program, of which would assist Council in their consideration of allowing for road access to ATVs on a permanent basis as opposed to restricting access to the "season" of May 1st to November 1st each calendar year.

COMMENTS AND CONSIDERATIONS

The Clerk has consulted with Municipal Law Enforcement Officers (MLEO), the Manager of Public Works and the Nottawasaga OPP and can confirm that there has been a decrease in the number of calls requesting assistance and/or complaints received by the municipality and the OPP about ATVs/ORVs on municipal roads.

Of the 3 complaints that were officially filed with MLEOs and Council between May 1st and September 27, 2021, the following is the breakdown in the nature of the complaints:

- Noise
- ATVs trespassing on private property

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***Please Note: The above complaints were not in regards to ATVs on municipal roads, but rather ATVs riding on private property.*

In respect of enforcement, Section 17 of the *Off Road Vehicles Act (ORVA)* authorizes the following individuals to stop persons who are driving an off-road vehicle:

- (1) A peace officer may stop any person driving an off-road vehicle;
- (2) The owner or occupier of land may stop any person driving an off-road vehicle on the land;

As Municipal Law Enforcement Officers are not authorized to stop persons driving off-road vehicles under the ORVA, the municipality refers ATV complaints and activities to the Nottawasaga Detachment of the OPP.

The following is a breakdown of ATV Traffic Calls and MVCs (Motor Vehicle Collisions) that were received and attended to by the OPP during the specified timeframes indicated in the chart, with a comparative to the same timeframes in 2020:

2021 TRAFFIC COMPLAINTS			
Timeframe	Request(s) for Assistance filed with OPP	Charges / Warnings	Trespass to Property Act (TPA) or Off-Road Vehicles Act (ORVA)
May 1 – Sept 27 2021	6	3 warnings	3 warnings under TPA
Jan 1 – Sept 27 2021	9	6 warnings	4 warnings under TPA 2 warnings under ORVA
2020 TRAFFIC COMPLAINTS			
May 1 – Sept 27 2020	7	3 warnings	2 charges under ORVA 1 warning under ORVA
Jan 1 to Dec 31 2020	14	2 charges 2 warnings	2 charges under ORVA 1 warning under ORVA 1 warning TPA

2021 MVC CALLS			
Timeframe	Request(s) for Assistance filed with OPP	Charges / Warnings	Trespass to Property Act (TPA) or Off-Road Vehicles Act (ORVA)
May 1 – Sept 27 2021	0	0	0
Jan 1 – Sept 27 2021	1	1 charge	1 charge under TPA
2020 MVC CALLS			
May 1 – Sept 27 2020	1	2 charges	1 charge under TPA 1 charge under ORVA
Jan 1 to Dec 31 2020	2	4 charges	3 charges under TPA 1 charge under ORVA

As can be seen in the charts above, there has been a decrease in the requests for service from the OPP since the passage of Essa's ATV By-law (May 2021). In respect of Traffic Complaints, warnings that were issued to riders appear to be for trespassing on private property; not for ATV riders not following the rules of the road. No charges were laid under the *Off Road Vehicles Act* or the *Trespass to Property Act* in respect to traffic complaints. As well, it appears as though there has been a decrease in OPP assistance for MVCs involving ATVs.

In respect of allowing ATVs access to roads under municipal jurisdiction on a permanent basis (12 months/year), Council may want to consider mirroring that which is permitted by our municipal partners (Town of New Tecumseth and the Township of Adjala-Tosorontio). As the Nottawasaga Detachment of the OPP enforces ATV By-laws for the three municipalities that participate in the Tri-Municipal Policing Agreement, having the same "rules" in our By-law as that which is in New Tecumseth and Adjala-Tosorontio will allow for ease of enforcement by the OPP. It will also ensure that communications are clear and concise to residents and visitors of Essa. Uniform rules between the three municipalities for ATV By-laws will secure consistent

communication and enforcement by the OPP, which will assist not only Essa ATV riders, but riders travelling Essa roads from New Tecumseth as well as Adjala-Tosorontio. In regards to allowing for ATVs/ORVs on municipal roads all year round, the following should also be considered by Council prior to extending the "season" to allow for road-riding in winter months:

- Public safety concerns during winter months due to unfavorable driving conditions, reduced visibility and wet soft shoulder that may promote accidents especially on rural roads
- Potential interference with the snow removal operations during winter months which may result into the need to increase the level of service with respect to the MTO minimum standards for snow removal operations (potential higher cost)
- Off Road Vehicles do not offer the same protection as cars/trucks (windshield for visibility, enclosed interior, seatbelts, etc.)
- ATVs lack lateral stability and crush protection for riders – the accumulation of snow and dips on roads can greatly reduce traction and stability especially on wet granular shoulders (rural roads) which may lead to collisions / injuries and potential liability exposure for future civil claims

Having taken everything into consideration, the author of this Report is of the opinion that it would be in Council's best interest to extend the Pilot Program into 2022, thereby limiting ATV riders from accessing roads under municipal jurisdiction to a designated "season" (that being May 1st to November 1st, 2022; if Council wishes they could consider lengthening the "season" to start April 1st instead of May 1st). It is felt that the data gathered and submitted to Council in respect of ATV complaints and requests for assistance analyzes issues for too short a period of time (only 5 months) for changes to be recommended at this stage. The Clerk believes that, at this time, it would be premature for Council to consider allowing ATVs on roads under municipal jurisdiction on a permanent basis, or removing the dedicated "season". Extending the Pilot Program into 2022 will allow for staff to gather more information that could assist Council in making a more informed decision, in addition to allowing for staff to organize and launch a public education session for ATV riders. This public education session could be coordinated by staff with the OPP and ATV groups (ie: OFATV and/or COATV), and would work towards ensuring that ATV motorists are safe on our roads.

FINANCIAL IMPACT

None.

SUMMARY/OPTIONS

Council may:

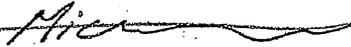
1. Take no further action.
2. **Direct staff to extend the ATV Pilot Program into 2022, thereby allowing ATVs to drive on municipal roads during the designated season of May 1st to November 1st, 2022, and that a further Staff Report be brought forward in 2022 prior to the end of the designated season for Council to re-evaluate the merits of the ATV Pilot Program.**
3. Direct staff to extend the Pilot Program into 2022 and amend the designated season as outlined in By-law 2021-16 to run from April 1st to November 1st, 2022.
4. Direct staff to amend Essa's ATV By-law 2021-16 to allow for ATVs and ORVs to drive on roads under municipal jurisdiction on a permanent basis going forward, twelve months per year.
5. Direct staff to rescind Essa's ATV By-law 2021-16 and draft a By-law to prohibit all ATVs and ORVs from driving on roads under municipal jurisdiction.
6. Direct staff as Council deems appropriate.

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CONCLUSION

It is recommended that Council approve Option No. 2.

Recommendation Supported by:



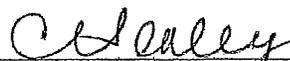
Michael Mikael
Manager of Public Works

Respectfully submitted:



Lisa Lehr
Manager of Legislative Services

Reviewed by:



Colleen Healey-Dowdall
Chief Administrative Officer

Attachments:
None.

THE CORPORATION OF THE TOWNSHIP OF ESSA

BY-LAW 2023 – xx

Being a By-law to amend Essa's ATV/ORV By-law 2021-

16.

WHEREAS the *Highway Traffic Act*, R.S.O. 1990, Chapter H.8, Section 191.8(1), provides that no person shall drive an off-road vehicle on a highway except in accordance with the *Highway Traffic Act* regulations and any applicable Municipal By-law; and

WHEREAS the *Highway Traffic Act*, R.S.O. 1990, Chapter H.8, Section 191.8(3), provides that a municipality may pass by-laws permitting certain off-road vehicles on highways under the jurisdiction of the municipality and providing speed limits for such vehicles; and

WHEREAS the operation of off-road vehicles on highways is a privilege and not a right; and

WHEREAS the *Municipal Act*, S.O. 2001, Chapter 25, Section 11.(3), provides that a municipality may pass by-laws with respect to municipally owned roads, including parking and traffic on such highways; and

WHEREAS at its meeting of May 5, 2021, Council of the Township of Essa commenced a Pilot Program to allow ATVs / ORVs to drive on the paved or unpaved vehicular driving surface of roads under the municipal jurisdiction of Essa Township, with the Pilot Program being extended into 2022 via the passage of Resolution CW127-21; and

WHEREAS Council of the Corporation of the Township of Essa is desirous of permitting ATVs and ORVs access to roads under its municipal jurisdiction on a permanent basis during the designated season of May 1st to November 1st each calendar year;

NOW THEREFORE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF ESSA HEREBY ENACTS as follows:

1. That By-law 2021-16 be and is hereby amended as follows:

Preface of By-law

- strike "on the shoulder of all municipal roads" and replace with "on the paved and unpaved vehicular driving surface of roads under the municipal jurisdiction of Essa Township".

Pretext of By-law – para 6

- Strike para 6 and replace with:

"WHEREAS Council of the Corporation of the Township of Essa is desirous of permitting ATVs and ORVs access to the paved and

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unpaved driving surface of roads under its municipal jurisdiction during the designated season of May 1st to November 1st each calendar year"

7. That this By-law shall come into force and take effect on the date of final passing thereof.

READ A FIRST, AND TAKEN AS READ A SECOND AND THIRD TIME AND FINALLY PASSED xx day of May, 2023.

Sandie Macdonald
Mayor

Lisa Lehr
Manager of Legislative Services

DRAFT



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TOWNSHIP OF ESSA STAFF REPORT

STAFF REPORT NO.: PW012-23
DATE: June 07, 2023
TO: Committee of the Whole
FROM: Michael Mikael, P.Eng – Manager of Public Works
SUBJECT: **Angus Class EA Addendum – Water Supply & Storage Expansion**

RECOMMENDATION

That Staff Report PW010-23 be received; and

That the RFQ as received from **Greenland International Consulting Ltd** be accepted in the amount of **\$278,416.00 (excluding applicable tax)** to implement and finalize the Angus Class EA Addendum for Water Supply and Storage Expansion.

BACKGROUND

The Community of Angus is one of three (3) urban centres in the Township of Essa (Township). Per the 2001 Official Plan (OP) and current County (OP), Angus is a primary growth area in the Township and dependent on full water and sanitary servicing.

The Township retained Greenland in 2021 to initiate a Municipal Class Environmental Assessment (Class EA) to develop an Infrastructure Master Plan (IMP) for the Community of Angus. The purpose of the IMP was to complete a 25-year forecast of proposed capital projects for water and wastewater servicing requirements to facilitate future growth expected in Angus. Existing conditions stormwater management modeling was also developed as part of the project. The IMP also further assisted the Township with the on-going development of their municipal infrastructure asset management plan (including modeling) (SewerGEMS & WaterGEMS) for the Community of Angus. The IMP was completed in 2022 and identified the preferred solutions to ensure sufficient water and wastewater infrastructure capacity to support development activities projected over the next 25 years.

The preferred water supply and water storage solutions identified consisted of the following:

- *Water Supply:* Increase Capacity by 40 L/s at Existing Angus Wells at Current Locations; and,
- *Water Storage:* Increase Available Storage by 4,200 m³ over three (3) Locations.

Project Objectives / Work Plan

The objective of this *Schedule B Class EA Addendum* is to confirm the feasibility of the preferred water supply and storage solutions identified in the Angus Infrastructure Master Plan (IMP) Class EA through the completion of required background studies (including facilities assessments, hydrogeological and environmental/archeological studies, as needed), conceptual design exercises and modelling (WaterGEMS) updates based on the results of these studies, such that final solutions can proceed to the implementation stage including detailed design.

The core approach will consist initially of completing detailed background investigations and facilities assessments to establish the technical and hydrogeological framework within which the IMP solutions can be assessed and confirmed. Much of this work plan will be provisional and dependent upon these initial assessments.

Following comprehensive background review including a hydrogeological scoping assessment and facilities site visit, the Consultant will be in a position to determine the best direction to proceed with respect to provisional hydrogeological field work (i.e. pump testing) which will be the second major step in establishing the viability of the IMP solutions for water supply and will inform our EA evaluation requirements (including siting).

A public information centre will be conducted once initial assessment of shortlisted EA solutions identified as feasible in the preceding stages of work have been completed. Concept designs will be provided for all preferred solutions (currently assumed to include three (3) well supply and three (3) storage systems, with a preference towards expansion and reuse of existing facilities where possible), and an EA Addendum report issued at the end of the process, summarizing all project work and the confirmed preferred solutions

COMMENTS AND CONSIDERATIONS

A Request for Quotation (RFQ) document was emailed to Greenland International Consulting Ltd. on April 28th, 2023, and closed on May 18th, 2023, utilizing a competitive approach. The RFQ was evaluated based on *Sole Sourcing (non-competitive procurement) evaluation weight criteria* with respect with to Section 7 (Essa Procurement Policy Number A05-01) since Greenland International Consulting prepared the Township Infrastructure Master Plan and maintains Essa's (SewerGEMS & WaterGEMS) computer models. Greenland's involvement in the project for a fee is required regardless of a competitive procurement result.

7. Non-Competitive Procurement (Essa Procurement Policy Number A05-01)

7.1 Any provision in this Policy may be excepted where a Department Head deems it necessary or in the best interests of the Township to acquire goods or services from a particular source through the use of non-competitive procurement such as single sourcing or sole sourcing. Due to the potential public perception regarding favouritism or conflict of interest, it is important to be transparent when using the non-competitive method.

7.2 The approval of Council may be sought to acquire goods or services through a non-competitive process.

Greenland's total fee structure (including core & provisional work plan – excluding HST) is \$278,416.00.

Council approved \$320,000 (\$288,000 Development Charges - \$32,000 Water User Fee) in the 2023 Public Works prioritized capital budget which is \$41,584.00 less than the approved capital budget.

Worth to mention that Greenland's project schedule is 10 - 11 months of authorization, assuming all provisional work is included in the scope of services. Greenland will also be utilizing (R.V. Anderson-RVA) and (GEI) Consulting firm(s) as subconsultant for associated specific tasks as presented in the RFQ fee structure.



Manager of Finance

Moving Forward Plan:

1. Finalize the Angus Class EA Addendum – Water Supply & Storage Expansion (2023-2024)
2. Implement/Finalize the detailed design based on Angus Class EA Addendum outcome (confirmed preferred solutions) and tender the capital work for construction (2024-2025)

SUMMARY/OPTIONS

Council may:

1. Award the RFQ to Greenland International Consulting Ltd in the amount of \$278,416.00 (excluding applicable tax)
2. Direct Staff in another course of action

CONCLUSION

Staff recommends that Option 2 be approved, given that this consulting firm ranked the highest based on *Sole Sourcing (non-competitive procurement) evaluation weight criteria* with respect with to section 7 (Essa Procurement Policy Number A05-01).

Respectfully submitted,



Michael Mikael, P.Eng
Manager of Public Works

Reviewed by,



Colleen Healey-Dowdall, RPP
Chief Administrative Officer

Attachments:

Attachment No.1 -Confidential Attachment

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TOWNSHIP OF ESSA STAFF REPORT

STAFF REPORT NO.: C011-23
DATE: June 7, 2023
TO: Committee of the Whole
FROM: Sarah Corbett, Deputy Clerk
SUBJECT: Council Invited Events

RECOMMENDATION

That Staff Report C011-23 be received.

BACKGROUND

Each year, members of Council are invited to several charitable functions by neighbouring municipalities, upper tier government and local foundations.

Council requested that Staff prepare a list of known activities that have a financial impact to better coordinate their attendance and participation.

COMMENTS AND CONSIDERATIONS

Staff contacted neighbouring municipalities, upper tier government and local foundations and have put together a list of events. It should be noted that this is not a comprehensive listing of all Council invited events, only those known at this time.

Golf Tournaments:

EVENT	DATE	COST	NOTES
Bradford West Gwillimbury - Mayor and Council Golf Classic	June 16, 2023	N/A	Not accepting further registrations
Innisfil Mayor's Golf Tournament	June 19, 2023	N/A	Not accepting further registrations
Springwater Swing	June 22, 2023	\$150 per golfer	
Thornton Firefighters Association Golf Tournament	July 7, 2023	\$180 per golfer	
Nottawasaga Foundation (Stevenson Memorial Hospital)	July 21, 2023	\$1250 per golfer	Not hosting a Gala this year and have expanded Golf Tournament
Matthews House Hospice Annual Golf Tournament	August 30, 2023	TBD	
Warden's 18 th Annual Golf Tournament	September 14, 2023	TBD	

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Galas:

EVENT	DATE	Cost	Notes
Warden's Gala	June 8, 2023	Estimated \$2750 for 4	
Royal Canadian Armed Forces Day	2024 Date TBD	N/A	Scheduled bi-annually – Next in 2024
Matthews House Hospice Annual Gala	October 20, 2023	Estimated \$2750 for 4	
Nottawasaga Foundation (Stevenson Memorial Hospital)	N/A		Not happening in 2023

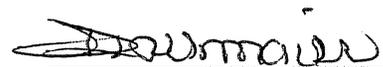
FINANCIAL IMPACT

Council activities were included in the 2023 budget.

Council approved \$5500 in G/L 03-030-514-6300 for attendance/participation in Charity/Fundraiser events such as Charity Golf Tournaments. To date, these funds are available in its entirety, as Council has not participated in any Charity events.

Council could approve two (2) golfers to attend two (2) tournament and four (4) persons to attend (1) gala dinner to stay within budget. Council may wish to consider not duplicating causes, for example:

- 2 Council/Staff attend Springwater Swing
- 2 Council/Staff attend Nottawasaga Foundation Golf Tournament
- 4 Council/Staff attend Warden's Gala



Manager of Finance

SUMMARY/OPTIONS

Council may:

1. Take no further action; thereby receiving this Report only.
2. Direct staff to register Council or Staff for participation at Charity events as Council deems appropriate.
3. Direct Staff in a different manner.

CONCLUSION

Option #2 is recommended.

Respectfully submitted:

Reviewed by:

Reviewed by:



Sarah Corbett
Deputy Clerk



Lisa Lehr
Manager of Legislative Services



Colleen Healey-Dowdall
Chief Administrative Officer

Attachments:

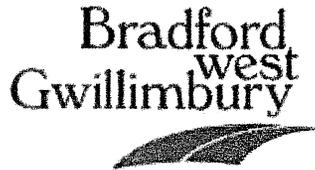
- 1 - Bradford West Gwillimbury Mayor and Council Golf Classic
- 2 - Springwater Swing Golf Tournament Information
- 3 - Thornton Firefighters Association Golf Tournament Information
- 4 - Nottawasaga Foundation Golf Tournament Information
- 5 - Warden's Golf Tournament Information
- 6 - Warden's Gala Information

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From: James Leduc <jleduc@townofbwg.com>

Sent: Monday, May 15, 2023 12:16 PM

Subject: Fw: Join Mayor and Council for our 2023 Golf Classic | Friday, June 16 | The Club at Bond Head



I would like to personally invite you to the
2023 Mayor and Council's Golf Classic, taking place on
Friday, June 16th at the Club at Bond Head.

Register before midnight tonight to qualify for
our Early Bird rate!

LEARN MORE & REGISTER TODAY

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I am proud to share that all proceeds raised will go directly to the Lake Simcoe Conservation Foundation's Connect Campaign which will help build their new Nature Centre at Scanlon Creek, scheduled to open in 2024. The 8,000ft² sustainably designed environmental hub will attract over 15,000 annually in an immersive natural experience – a place where our entire community—young and old—will have the opportunity to reconnect with nature once again.

I look forward to enjoying the day will you, while giving back to our community and local environment.

Yours truly,



Mayor James Leduc



Connect

Tournament Details

Join us for the 15th annual **Springwater Swing** on **Thursday, June 22, 2023** at **Springwater Golf Course**

Tournament schedule

11:30 a.m.	Registration, Putting Green and Lunch
1:00 p.m.	Shotgun Start
6:00 p.m.	Drinks, Social and Dinner

Registration and cost

The registration fee of \$150 includes 18 holes of golf with cart, lunch and dinner. The registration fee is included in the Title, Gold and Dinner sponsorship packages (see page 3 for details). **Please register by June 1.**

About the cause

Funds raised through the annual tournament support physician recruitment, local initiatives and our community assistance and international grant programs. Our community assistance program helps community members in financial need, whether it's assisting families after a fire, death or illness, or helping children participate in camp. Our international grant program provides financial support to young athletes in Springwater competing at an international level. Past proceeds have also supported local food banks, local hospice care, student exchanges, bursary programs, public access AED units and more.

About the course

Springwater Golf Course offers terrific views and challenging play for golfers at every skill level. Rated one of the best conditioned courses in the area by Toronto Life, its 18 hole public course promises excitement to golfers of every level. Well-groomed fairways and greens keep Springwater Golf Course difficult yet friendly.

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TIMONTON FIREFIGHTERS ASSOCIATION

2023 GOLF TOURNAMENT

FRIDAY JULY 7 @ TANGLE CREEK
SHOTGUN START - TEE OFF @ 11 AM

SPONSORSHIPS

PLATINUM - \$1000

Gold level + advertising on TFFA social media accounts. Booth, banner, and advertising options. Includes 2 golf passes

GOLD - \$500

Silver level + banner/advertising at registration and company name and/or logo in all printed material

SILVER - \$200

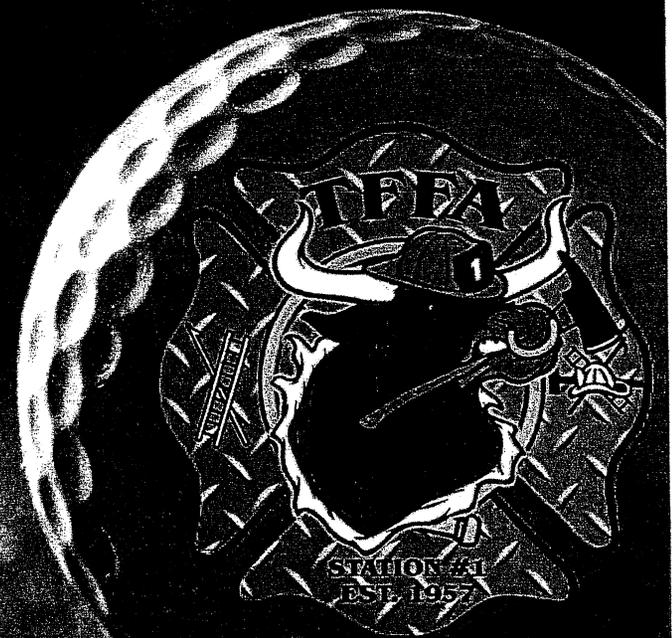
Bronze level + company name for golf carts

BRONZE - \$100

Sponsorship of a hole & basic signage provided by the TFFA

Includes:

- 18 holes
- Golf cart (2 per)
- Games & Prizes
- Dinner



Questions & E-Transfers can be sent to thomson@tffanet.org

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May 23, 2023

Dear Friends:

Last year with the help of our many generous supporters, we raised an incredible \$403,000, bringing the total amount over the past 30 years to more than \$7.2 million dollars. For the past couple of years, we have been running a modified format of our **Annual Charity Golf Tournament** and it has been received very positively. Due to this favourable response, this year's Tournament will follow the same format.

This year's tournament will take place on **Friday, July 21, 2023**. Golf spots will be limited to sponsors in the **Titanium, Platinum, Double-Gold, and Gold** Sponsorship categories. The **Silver** category will receive a golf voucher for a later date. **Titanium, Platinum, Double-Gold, and Gold** can also choose to take golf vouchers instead, for a later date.

TITANIUM Sponsor: \$15,000
8 participants for the Executive Tournament. Includes golf, cart, and specialty holes featuring food, beverages, and prizes
or
16 x 18-Hole Golf and Cart Vouchers to be used at a future date
(Includes corporate acknowledgement on all electronic and print media and corporate logo on Foundation website)

PLATINUM Sponsor: \$5,000
4 participants for the Executive Tournament. Includes golf, cart, and specialty holes featuring food, beverages, and prizes
or
8 x 18-Hole Golf and Cart Vouchers to be used at a future date
(Includes corporate acknowledgement on all electronic and print media and corporate logo on Foundation website)

DOUBLE-GOLD Sponsor: \$2,500
2 participants for the Executive Tournament. Includes golf, cart, and specialty holes featuring food, beverages, and prizes
or
4 x 18-Hole Golf and Cart Vouchers to be used at a future date
(Includes corporate acknowledgement on all electronic and print media)

GOLD Sponsor: \$1,250
1 participant for the Executive Tournament. Includes golf, cart, and specialty holes featuring food, beverages, and prizes
or
2 x 18-Hole Golf and Cart Vouchers to be used at a future date
(Includes corporate acknowledgement on all electronic and print media)

SILVER Sponsor: \$750
1 x 18-Hole Golf and Cart Voucher to be used at a future date
(Includes corporate acknowledgement on all electronic and print media)

BRONZE Sponsor: \$500
Corporate acknowledgement on all electronic and print media

Titanium, Platinum, Double-Gold, and Gold Sponsors can register securely using PayPal (PayPal account is **not** required) by clicking here:

[Nottawasaga Foundation Registration by Credit Card](#)

Silver and Bronze Sponsors can register securely using PayPal (PayPal account is **not** required) by clicking here:

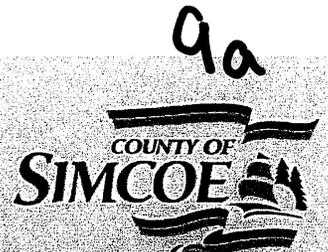
[Nottawasaga Foundation by Credit Card](#)

All Golf vouchers are valid until the **end of the 2023** golf season.

Thank you. *Your support truly does make all the difference!*

WARDEN'S

18TH ANNUAL GOLF TOURNAMENT



Thursday, September 14, 2023 | Hawk Ridge Golf and Country Club
In support of the County's Give a Lift Fundraising Campaign

Save the date!

We are pleased to share that planning is underway for the 18th Warden's Golf Tournament in support of the Give-a-Lift Long-Term Care and Seniors Services Bus Fundraising Campaign. The tournament is scheduled to take place on September 14, 2023 at Hawk Ridge Golf Club in the Township of Severn. Stay tuned for more details.

To learn more about the Give-a-Lift Long-Term Care and Seniors Service Bus Fundraising Campaign, visit [https://www.simcoe.ca/givealift \(/givealift\)](https://www.simcoe.ca/givealift (/givealift)).

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20 WARDEN'S
23 GALA

BOOTS
AND
Bowties

Thursday, June 8, 2023
6:00 p.m. Registration & Reception
7:00 p.m. Dinner

Nottawasaga Inn Resort,
6015 Hwy 89, Alliston, ON

Company Name: _____

Contact Person: _____

Mailing Address: _____

City/Province/Postal Code: _____

Phone #: _____ Email: _____

I agree to receive electronic messages from the County of Simcoe Office of the Warden and CAO related to commercial promotions, fundraising and other opportunities. You may withdraw consent to receive any such messages at any time.

SPONSORSHIP OPPORTUNITIES

\$10,000 Presenting Sponsor

Includes: Table of 10, name on media releases, logo and recognition on all promotional material and prominently displayed throughout the event

\$5,500 Gold Sponsor

Includes: Table of 8, logo and recognition on all promotional material, name on media releases and throughout the event

\$2,750 Silver Sponsor

Includes: Table of 8, logo displayed during the event and name on media releases

\$1,250 Bronze Sponsor

Includes: 2 seats, logo displayed during the event

\$500 Soiree Sponsor

Includes: name displayed during the event

I am unable to attend but would like to make a donation in the following amount \$ _____

We are actively seeking donations for our prize table. Please check this box if you are interested in making a donation.

REGISTRATION INFORMATION

I would like to purchase an individual ticket for \$350. Number of seats: _____ x \$350 = \$ _____

Please list the guests at your table: *Please indicate any dietary restrictions beside their name

1.		6.	
2.		7.	
3.		8.	
4.		9.	
5.		10.	

PAYMENT

Personal information contained on this form is collected pursuant to the Municipal Act and protected in accordance with the Freedom of Information and Protection of Privacy Act and is used only to register you for this event. Questions about this collection should be directed to the Office of the Warden and CAO, County of Simcoe, 1110 Highway 26, Midhurst, Ontario L9X 1N6.

\$ _____ Total Payment Due I will pay by: Credit Card Cheque (payable to County of Simcoe)

Card #: _____ Expiry: _____ / _____ Security Code (CVC or CVV): _____

Name on Card: _____ Signature: _____

Mail Cheque to: Office of the Warden and CAO | County of Simcoe | 1110 Highway 26, Midhurst, ON L9X 1N6

Registration deadline is **Thursday, May 25, 2023.**

Guest names & dietary restrictions are also due by this date.

Registration inquiries and completed forms can be sent to: wardensgala@simcoe.ca or 705-726-9300 ext.1260

