

**THE CORPORATION OF THE TOWNSHIP OF ESSA  
COMMITTEE OF THE WHOLE MEETING  
WEDNESDAY, OCTOBER 5, 2022  
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**
- 2. DISCLOSURE OF PECUNIARY INTEREST**
- 3. DELEGATIONS / PRESENTATIONS / PUBLIC MEETINGS**

- p. 1            **Delegation – Jennifer Llyod, Bradford Women’s + Group**  
                 re: Supporting Bill 5 – Stopping Harassment and Abuse by Local Leaders Act.

**STAFF REPORTS**

- 4. PLANNING AND DEVELOPMENT**

- p. 5            a.        **Staff Report PD019-22 submitted by Wes Crown from MHBC Planning,**  
                 **re: Brookfield Subdivision (Part of Lot 16, Con. 4) – Baxter Settlement Area.**

Recommendation: *Be it resolved that Staff Report PD019-22 be received; and That Council adopt a by-law to allow 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 and the associated external servicing requirements as appropriate.*

- 5. PARKS AND RECREATION / COMMUNITY SERVICES**

- 6. FIRE AND EMERGENCY SERVICES**

- 7. PUBLIC WORKS**

- p. 50            a.        **Staff Report PW013-22 submitted by the Manager of Public Works,**  
                 **re: Winter Sand Tender Results.**

Recommendation: *Be it resolved that Staff Report PW013-22 be received; and That the tender received from JOHN EEK & SON LTD for the purchase, mixing and stacking of winter sand in the amount of \$191,750.00 plus H.S.T. be accepted as per the Township’s specifications.*

- p. 52      **b.      Staff Report PW014-22 submitted by the Manager of Public Works,  
re: Suggested amendments to Essa's Parking By-law 2005-96 to Restrict  
Loading and Unloading by Private and Public Transportation along Centre  
Street in Angus.**

Recommendation: *Be it resolved that Staff Report PW014-22 be received; and  
That By-law 2005-26, being a Consolidated By-law to Regulate Traffic and Parking, be  
amended to include provisions, and in addition a new Schedule B, to restrict loading  
and unloading by private and public transportation along Centre Street in Angus; and  
That Staff be directed to notify private and public transportation agencies of changes  
in Essa.*

- p. 76      **c.      Staff Report PW015-22 submitted by the Manager of Public Works,  
re: Automated Speed Enforcement (ASE) Pilot Project.**

Recommendation: *Be it resolved that Staff Report PW015-22 be received; and  
That Council authorize the Mayor and Clerk to enter into a Service Agreement with  
Global Traffic Group Ltd. to implement a one year Automated Speed Enforcement  
(ASE) Pilot Project in Essa Township in 2023 based on Scenario 1 of the financial  
proposal presented, since the program will have zero impact on the taxpayer in 2023.*

8.      **FINANCE**
9.      **CLERKS / BY-LAW ENFORCEMENT / IT**
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 7<sup>th</sup> day of December,  
2022 at 6:00 p.m.*



Supporting Bill 5, Stopping Harassment and  
Abuse by Local Leaders Act.  
It's needed.

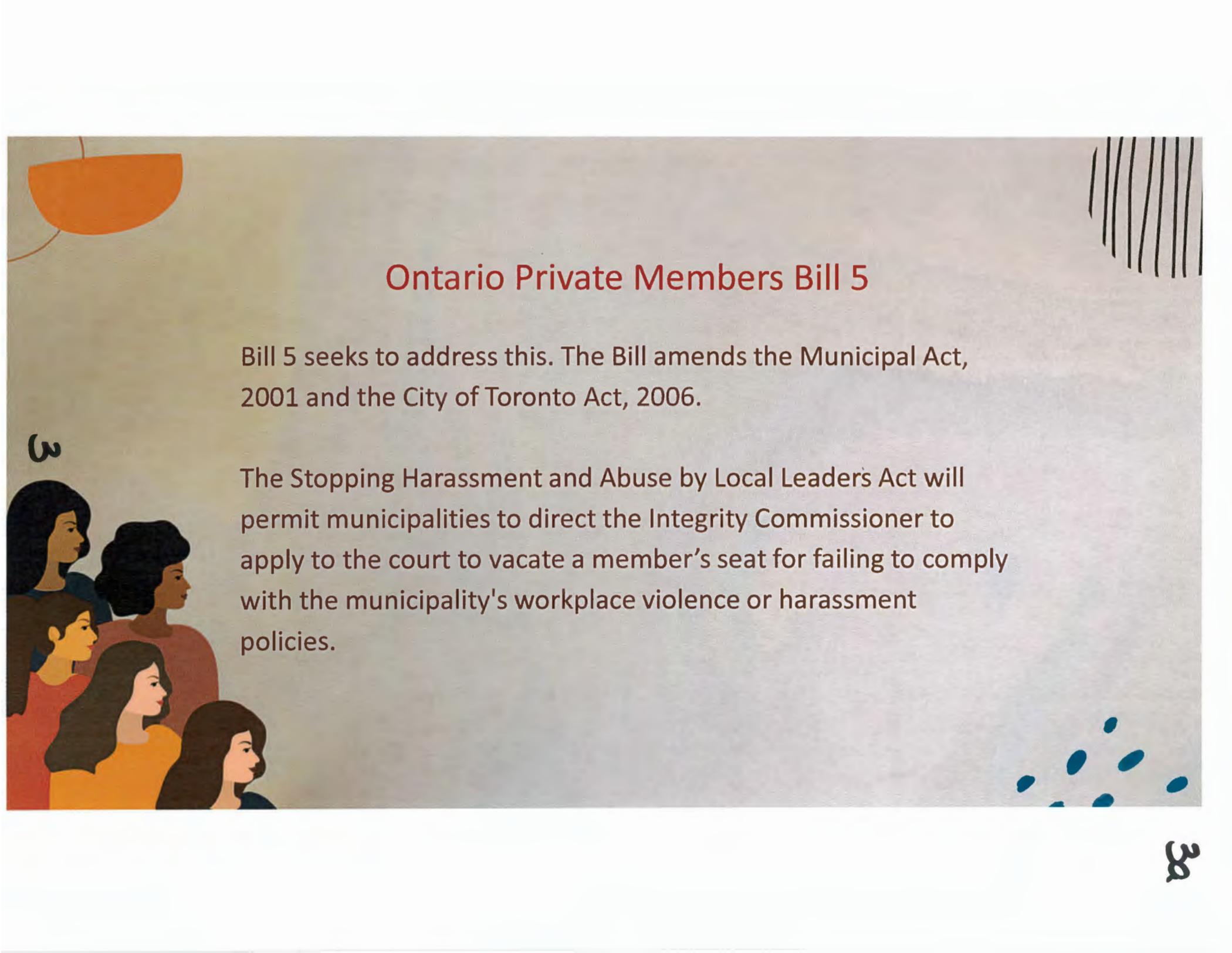
#TheWomenOfSimcoeSayNo

## Ontario Private Members Bill 5

Multiple Ontario municipalities have learned the hard way in the last few years about the lack of tools in the Municipal Act for holding councillors accountable for workplace harassment.

Currently, the most severe penalty that can be imposed on a municipal councillor is the suspension of pay for 90 days. There is no process for removing councillors from office.





## Ontario Private Members Bill 5

Bill 5 seeks to address this. The Bill amends the Municipal Act, 2001 and the City of Toronto Act, 2006.

The Stopping Harassment and Abuse by Local Leaders Act will permit municipalities to direct the Integrity Commissioner to apply to the court to vacate a member's seat for failing to comply with the municipality's workplace violence or harassment policies.

## Ontario Private Members Bill 5

This helps keep workplaces safe. It's accountability, through a transparent and fair process that should exist but doesn't.

### Our Ask Today:

For council to pass a motion to endorse Bill 5 and write a letter of support to be sent to local MPPs, Premier Doug Ford, the Minister of Municipal Affairs and Housing, the Association of Municipalities of Ontario and Liberal MPP for Orléans, Stephen Blais.

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## TOWNSHIP OF ESSA STAFF REPORT

**STAFF REPORT NO.:** PD019-22

**DATE:** October 5, 2022

**TO:** Committee of the Whole

**FROM:** Wes Crown, MCIP, RPP  
Associate – MHBC Planning

**SUBJECT:** Brookfield Subdivision (Part of Lot 16, Con. 4)  
Baxter Settlement Area

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### RECOMMENDATION

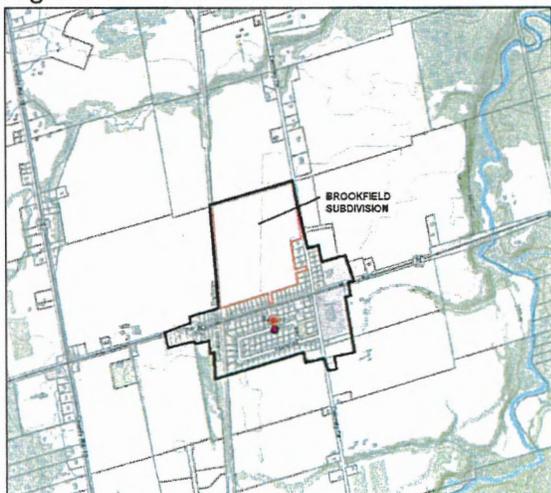
That Staff Report PD019-22 be received; and

That Council adopt a by-law to allow 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 and the associated external servicing requirements as appropriate.

### BACKGROUND

In 2020 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 below.

Figure 1



The draft plan of subdivision was approved subject to 46 conditions and 6 notes. The Draft Plan 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 services. Brookfield has completed significant work with respect to satisfying the conditions of draft approval and has entered into a total of 5 agreements with the municipality to-date. Work on the external services are nearing completion (water and stormwater), completed or subject to agreements (external road improvements), or with the design underway (wastewater). Staff, the Township Solicitor, Engineer and the Consulting Planner have been working over the past number of months with Brookfield on the preparation of the Subdivision Agreement and WWTP Servicing Agreement.

### Purpose

The purpose of this report is to provide a general update with respect to the development, the works that are completed and underway, the status of the draft plan conditions, and the status of the preparation of the required Subdivision Agreement and WWTP Servicing Agreement.

It is also the purpose of this report to seek Council instructions for the finalization of the two required agreements and approval of a by-law to permit the execution of the agreements by the Mayor and Clerk. As Council is aware, **its October 5<sup>th</sup> meeting is the last meeting until December 7<sup>th</sup>**, after the municipal election and inaugural meeting.

### Existing Agreements

The proposed development has significant history and background and much work has already been completed by both Brookfield and the Township. Multiple agreements are already in place addressing a wide range of development, pre-development, and servicing matters. These existing agreements are listed below in Table 1 together with the securities noted in the agreements posted with the Township.

Table 1

Agreement	Securities
Earthworks Agreement (September 2018)	\$61,164.00
Model Home Agreement (February 2019)	\$175,000 (\$25,000 per model home)
Water Supply Agreements (2018 & 2019)	\$2,221,536.00
Pre-Servicing Agreement (April 2021)	\$4,814,332.05 (Phase 1)
External Works Agreements (2020 & 2021)	\$869,786.51

In accordance with the approved agreements, Brookfield (or the Township and its contractors at the expense of Brookfield) have undertaken a considerable amount of internal and external works to the subdivision. These are generally shown on the External Works map provided as **Attachment 3** to this report and described in Table 2 below.

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Table 2

Work	Status
Earthworks	Completed for Phase 1
Model Homes	Seven (7) constructed
Water Supply	Construction, including booster station, substantially complete. Completion anticipated in October 2022
Internal Works (Phase 1)	Underground and above ground works for Phase 1 is substantially complete.
External Works	Stormwater Management works and facility is substantially complete; sewage collection system is substantially complete; pedestrian crossings are secured; revised Environmental Study Report (ESR) was completed and published and submitted to MECP in May/22 and as such EA process is now complete, Currently, design, ECAs and a Site Plan Approval submitted to Township and are being sought for the proposed WWTP.

### Draft Plan Conditions

As noted above, the draft plan of subdivision was approved subject to 46 conditions and 6 notes. Provided as **Attachment 4** is a summary chart which lists each of the conditions and provides brief background and status of each of the conditions of draft approval. Through the completion of the engineering design for the internal and external works and through the existing agreements listed above and already entered into with the Township, most of the conditions of draft approval have either been satisfied or will be satisfied through the finalization and entering into of the Subdivision Agreement and/or the WWTP Servicing Agreement.

### Draft Subdivision Agreement

The Township team (CAO, Manager of Public Works, Consulting Engineers and Planners) lead by the Township Solicitor have been working for several months preparing the draft 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 comments. Brookfield has provided detailed comments to the municipality and the Township team is reviewing the comments and suggestions. The Agreement is close to being finalized in a form acceptable to the Township and subject to the experience of the Township Solicitor.

### Wastewater Treatment Plant Servicing Agreement

The Township team (CAO, Manager of Public Works, Township Solicitor, Consulting Engineers and Planner) lead by the Township's Consulting Engineer have prepared the draft WWTP Servicing Agreement and have identified the refinements to the Subdivision Agreement required to ensure that it is consistent with and is coordinated with the

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proposed Subdivision Agreement. The draft WWTP Servicing Agreement has been provided to Brookfield for review and comment.

The WWTP Servicing Agreement addresses the full range of issues associated with the satisfaction of 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, assumption and acceptance of works by the Township.

Brookfield has submitted the ECA Pre-Submission Design package in the summer of 2022 including the design brief, report, treatment concept plan, and forms to the Township for review. The Township has completed its peer review and these comments have been provided to Brookfield for review and updates to the ECA submission package including progressing with the detailed design of the WWTP. The WWTP Servicing Agreement still requires a detailed cost estimate for the works to determine the required securities and the operations proposal and estimate from the Ontario Clean Water Agency (OCWA) for the operation of the Plant on behalf of the Township.

## COMMENTS AND CONSIDERATIONS

As noted above, 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 preliminary design for the WWTP. As noted earlier in this report, the Township already has exiting agreements and significant financial securities (letter of credit) with respect to the works.

The Subdivision and WWTP Servicing Agreements have been prepared and provided to Brookfield and are nearing completion. Through the finalization and execution of the Subdivision and WWTP Servicing Agreements the balance of the conditions of draft approval can be satisfied. Council should note that several agencies will not provide clearance letters until Council has executed a Subdivision Agreement with the developer. This is a normal part of the planning approval process.

Council direction to Staff, as noted above, to finalize the Subdivision and WWTP Servicing Agreements is sought. In addition, Council is recommended to consider passing a by-law to authorize Staff to finalize the agreements and to permit the execution of the agreements by the Mayor and Clerk once all conditions of approval, and the WWTP design and details of an Agreement, are satisfied – to Staff's satisfaction. As Council may note, the by-law states that the agreements may only be presented to the Mayor and Clerk for execution subject to a series of conditions including concurrence from the CAO and the provision of the required fees, deposits, securities, insurance and other matters to the Township as set out in the agreements. The final approval of the WWTP Servicing Agreement should occur first and the finalization of the subdivision for registration will require a further report to Council with respect to a detailed reporting on how all the conditions of draft approval have been satisfied.

## FINANCIAL IMPACT

The full costs of the proposed subdivision development and the preparation of the Subdivision and WWTP Servicing Agreements will be borne by Brookfield.

## SUMMARY/OPTIONS

Council may consider to:

1. Receive the report as submitted and pass the authorizing by-law as recommended leaving the final details to Staff.
2. Require the finalization of the Subdivision and WWTP Servicing Agreements and the presentation of the agreements as executed by Brookfield for Council consideration and approval at future meeting.
3. Require the finalization of the Subdivision and WWTP Servicing Agreements and presentation of the agreements as executed by Brookfield for Council consideration and approval together with the final reporting on the satisfaction of the conditions of draft approval to permit the final approval and registration of the Plan of Subdivision at a future meeting.
4. Direct Staff in another manner.

## CONCLUSION

Option #1 is recommended. As noted earlier in this report, significant and considerable work has been completed by the Township and Brookfield to advance the Township's approval of the Baxter subdivision. The subject development is located within an identified and designated Settlement Area in the Township, the lands are designated and zoned for the proposed subdivision, and the Township has draft approved the 253 lot, single detached residential subdivision in the community of Baxter. The conditions of approval are near fulfilled and Council will not meet again for two months. The Planner's recommendation is to provide authority to staff to continue to advance this plan once the developer has met with set out obligations.

Prepared by:

*W. R. Crown*

Wes Crown, BES, MCIP,  
RPP, Associate  
MHBC Planning

Reviewed by:

*Colleen Healey-Dowdall*

Colleen Healey-Dowdall  
CAO

Attachments:

1. Draft Plan, 2. Draft Plan Conditions, 3. External Works, 4. Draft Plan Conditions Tracking Matrix and last public meeting minutes

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Attachment 1 PART 1 PLAN S1R-40863

LOT CONCESSION

17 4

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PN 58990-0098

BLOCK 255

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

PLAN 51M-

I CERTIFY THAT THIS PLAN IS REGISTERED IN THE LAND REGISTRY OFFICE FOR THE LAND TITLES DIVISION OF SIMCOE (No. 91) AT \_\_\_\_\_ DAY OF \_\_\_\_\_ 2017 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. 91) THIS PLAN COMPRISES ALL OF PN 58990-0092

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 METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

OWNER'S CERTIFICATE - PLAN OF SUBDIVISION

THIS IS TO CERTIFY THAT I, \_\_\_\_\_, OWNER OF THE LAND SHOWN IN THIS PLAN, HAVE BEEN LAID OUT IN ACCORDANCE WITH THE VESTING OF THE TOWNSHIP OF ESSA, ON \_\_\_\_\_ DAY OF \_\_\_\_\_ 2017

C. L. MARSHALL FARMS LIMITED

I HAVE THE AUTHORITY TO SIGN THIS CERTIFICATE

NOTES

BOUNDARIES ARE SHOWN AS DERIVED FROM OBSERVED REFERENCE POINTS AND ARE BY REFERENCE TO THE NETWORK (1985) QUADRAANGLE, UTM ZONE 18, BANDS (30M) (30M) (30M) DISTANCES ARE GIVEN AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE CORRECTED SCALE FACTOR OF 0.99974

INTEGRATION DATA

DESIGNED REFERENCE POINTS (RPN) USE ZONE 18, BANDS (30M) (30M) (30M). COORDINATES TO UTM ACCURACY FOR SECTION 14 (3) OF OREG 216/70. POINT # EASTING NORTING. GSP (1) 502 244.18 4 809 772.81. GSP (2) 502 244.18 4 809 782.23. GSP (3) 502 275.48 4 809 833.01

LEGEND

- SINGLE RESIDENTIAL - 15m 47 LOTS
△ SINGLE RESIDENTIAL - 15m 79 LOTS
○ SINGLE RESIDENTIAL - 15m 127 LOTS

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.

PRELIMINARY

DATE \_\_\_\_\_ PER DE ROSA CHIEF LAND SURVEYOR

J.D. BARNES LAND INFORMATION SPECIALISTS 1500 SHEPPARD AVENUE EAST, SUITE 100, SCARBOROUGH, ONTARIO M1S 1T5. TEL: 416-291-1111 FAX: 416-291-1112

Table with columns: LOT/BLOCK, RANGES, ANG, CHORD, BEARING. Lists lot numbers and their corresponding survey data.



LOT CONCESSION

ORIGINAL ROAD ALLOWANCE BETWEEN LOTS 15 AND 16

SIMCOE COUNTY ROAD 21 (MURPHY ROAD) PN 58990-0002

APPROVED UNDER SECTION 91 OF THE PLANNING ACT, R.S.O. 1996, c.P.13. THIS DAY OF \_\_\_\_\_ 2017



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

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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,

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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.

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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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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

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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

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  
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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

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Municipality: Township of Essa  
Subject Lands: Part Lot 16, Concession 4

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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](mailto: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

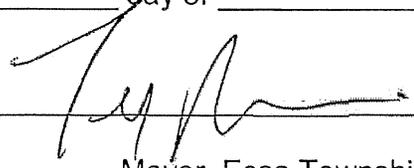
Date of First Draft Plan: March 17, 2010  
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Lapsing Date: March 15, 2024

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

  
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Mayor, Essa Township

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**Legend**

-  Stormwater Management Pond
-  Water Booster Station
-  Wastewater Treatment Plant

**External Works Overview**

Baxter, Ontario  
07/07/2022

**Brookfield  
Properties**

Brookfield Homes  
 E-T-0602  
 Township of Essa  
 Part Lot 16, Concession 4  
 Draft Plan Conditions

DPC #	CONDITION	NOTES	STATUS (AS OF SEPTEMBER 25, 2022)
1	<p>That this approval applies to the draft plan of subdivision/draft M-Plan located in the settlement of Baxter, prepared by JD Barnes , dated November 27, 2017 to show:</p> <ul style="list-style-type: none"> <li>• 47 – 12m single residential lots;</li> <li>• 79 – 15m single residential lots;</li> <li>• 127 – 18m singles residential lots;</li> <li>• 2 walkways (Blocks 254 and 257),</li> <li>• 1 parkette block (Block 256)</li> <li>• Streets A-E with daylighting triangles</li> </ul> <p>External Components:</p> <ul style="list-style-type: none"> <li>• 1 external park block (not shown on either of the above but rather Pt 3 of 51 R-)</li> <li>• 1 external stormwater management block and easement to outlet stormwater (not shown on either of the above but rather Pt 1 of 51 R-)</li> <li>• 1 external road to park and public services (not shown on either of the above but rather Pt 2 of 51R-)</li> <li>• Sidewalk along the west side of Denney Dr between the north limit of the plan and Murphy Rd, including urbanization with concrete curb and storm sewer</li> </ul> <p>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</p>	<ul style="list-style-type: none"> <li>• Internal:                             <ul style="list-style-type: none"> <li>○ The internal land conveyances are captured in the draft Phase 1 and Phase 2 M-Plans which have been provided to the Municipality</li> <li>○ Conveyances are to be identified in the Subdivision Agreement</li> </ul> </li> <li>• External:                             <ul style="list-style-type: none"> <li>○ The external lands, as identified on Plan 51R-41354, have already been conveyed to the Municipality.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Conveyances identified on Schedule provided in Draft Subdivision Agreement</li> </ul>
2	<p>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.</p>	<ul style="list-style-type: none"> <li>• Planning Public Meeting held March 7, 2018</li> <li>• Zoning by-law amendment passed on May 2, 2018 per Council report No. PD020-18; COW Resolution No. CW083-2018</li> </ul>	<ul style="list-style-type: none"> <li>• Complete</li> </ul>

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DPC #	CONDITION	NOTES	STATUS (AS OF SEPTEMBER 25, 2022)
3	<p>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 <u>users</u>. 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 <u>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 arrangements, direct responsibilities, front-ending, and a cost recovery payment schedule if applicable.</u></p> <p><i>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.</i></p>	<ul style="list-style-type: none"> <li>• MECP approvals are in place to construct SPS and FM</li> <li>• Amending EA complete for wastewater solution.</li> <li>• Draft Design and ECA application submitted to the Township.</li> </ul>	<ul style="list-style-type: none"> <li>• Revised Environmental Study Report (ESR) was completed and published and submitted to MECP in May, 2022. The EA process is now complete.</li> <li>• Currently, ECAs and a Site Plan Approval are being sought for the proposed WWTP.</li> </ul>
4	<p>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.</p>	<ul style="list-style-type: none"> <li>• Clauses included in draft subdivision agreement</li> <li>• Water Supply &amp; Distribution Agreement between Township and Brookfield executed November 6, 2018</li> <li>• Township's Consultant completed the detailed design for the facility</li> <li>• Township's Consultant awarded the tender for the construction of the facility</li> <li>• Township Consultant undertaking the inspection and contract administration for the construction of the facility</li> <li>• Township secured additional water supply from the Town of New Tecumseth through an Amending Water Supply Agreement dated March 24, 2021.</li> <li>• Brookfield's Front Funding Agreement with the Township is in good standing, and</li> <li>• Brookfield committed to funding the Township's financial obligation to the Town of New Tecumseth for the additional water supply. Brookfield will be paying for the Township's additional water supply as of October 2021.</li> </ul>	<ul style="list-style-type: none"> <li>• Complete</li> </ul>
5	<p>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.</p>	<ul style="list-style-type: none"> <li>• The lands for the SWM facility and roadway have been conveyed to the Municipality, which are identified as Parts 1 and 2 on Plan 51R-41354.</li> <li>• SWM ECA and permits in place. The SWM Pond construction is captured in the External Works Agreement and the works are currently being undertaken.</li> <li>• SWM Pond is substantially complete; Gauley Drive design and completion of construction to be undertaken in 2022 following completion of Wastewater EA.</li> </ul>	<ul style="list-style-type: none"> <li>• Construction substantially complete</li> <li>• Completion in 2022</li> </ul>

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DPC #	CONDITION	NOTES	STATUS (AS OF SEPTEMBER 25, 2022)
6	<p>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.</p>	<ul style="list-style-type: none"> <li>• The parkland has been dedicated to the municipality which is identified as Part 3 on Plan 51R-41354.</li> <li>• An Intersection Pedestrian Signal (IPS) has been designed for the intersection of Felhazi Trail and Denney Drive. This will be constructed as in 2022.</li> <li>• Finalization of the Gauley Drive roadway design and construction will be completed in 2022 following completion of the Wastewater EA.</li> <li>• A Park Development Agreement was approved by Council in 2018, however, the Agreement is stale dated.</li> <li>• Both the Township and Brookfield wish to reduce their costs associated with the development of the Park             <ul style="list-style-type: none"> <li>◦ Township wishes to have the Township's contribution limited to the amount that will be collected by DCs for the subdivision of \$619,091, rather than the \$850K identified in the DC Background Study and 2021 budget</li> <li>◦ Brookfield wishes to reduce the amount previously agreed to pay without reimbursement.</li> </ul> </li> <li>• The DPC does not require that the park be graded and seeded, nor a Parkland Development Agreement be entered into, prior to entering into a subdivision agreement.</li> </ul>	<ul style="list-style-type: none"> <li>• Brookfield presented two Park concepts with varying budget to staff in May, 2022.</li> <li>• As set out in Staff Report CAO025-22, the Township will undertake the design and development of the park funded through DCs.</li> </ul>
7	<p>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.</p>	<ul style="list-style-type: none"> <li>• Street naming was assigned on November 7, 2018 pursuant to Council Report No. PD045-18; Committee of the Whole Resolution No. CW181-2018</li> <li>• Conveyances of road allowances will be set out in subdivision agreement.</li> </ul>	<ul style="list-style-type: none"> <li>• Complete</li> </ul>
8	<p>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, 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.</p>	<ul style="list-style-type: none"> <li>• Design features captured in detailed design drawings</li> <li>• Denney Drive reconstruction undertaken in 2021 under the Amending External Works Agreement; works are substantially complete</li> <li>• Adequate securities were posted under the Amending External Works Agreement</li> <li>• Appropriate clauses will be added to subdivision agreement</li> </ul>	<ul style="list-style-type: none"> <li>• Substantially complete</li> <li>• Final completion (i.e. top asphalt) following Phase 2 servicing program, and towards the end of Phase 2 home construction</li> </ul>
9	<p>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.</p>	<ul style="list-style-type: none"> <li>• Acknowledged</li> <li>• Daylighting triangles are provided for on the Phase 1 and Phase 2 Draft M-Plans</li> <li>• Conveyances identified on Schedule to draft Subdivision Agreement</li> </ul>	<ul style="list-style-type: none"> <li>• Information provided to the Township in support of Subdivision Agreement</li> </ul>

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DPC #	CONDITION	NOTES	STATUS (AS OF SEPTEMBER 25, 2022)
10	That the Developer shall transfer to the Corporation of the County of Simcoe (County) at no cost a fee simple unencumbered interest, in 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.	<ul style="list-style-type: none"> <li>The required conveyance is identified as Block 136 on the Phase 2 Draft M-Plan</li> <li>The transfer will take place following the registration of the Phase 2 M-Plan</li> </ul>	<ul style="list-style-type: none"> <li>N/A to Phase 1</li> <li>To be conveyed following Phase 2 M-Plan Registration</li> </ul>
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.	<ul style="list-style-type: none"> <li>This Lot is identified as Lot 31 on the Phase 2 Draft M-Plan.</li> <li>Appropriate clauses will be added to Phase 2 Amending Subdivision Agreement</li> </ul>	<ul style="list-style-type: none"> <li>N/A to Phase 1</li> <li>Clauses to be included in Phase 2 Subdivision Agreement and APS for the subject lot</li> </ul>
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.	<ul style="list-style-type: none"> <li>Required clause will be added to subdivision agreement</li> </ul>	<ul style="list-style-type: none"> <li>Clause to be included in Subdivision Agreement</li> </ul>
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.	<ul style="list-style-type: none"> <li>Required clauses included in the draft subdivision agreement</li> </ul>	<ul style="list-style-type: none"> <li>Information provided to the Township in support of Subdivision Agreement</li> </ul>
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.	<ul style="list-style-type: none"> <li>Clauses will be added to subdivision agreement</li> <li>The walkway blocks are provided as Block 122 on the Phase 1 draft M-Plan and Block 135 on the Phase 2 draft M-Plan</li> <li>The walkway blocks and drainage have been accommodated in the detailed design of the subdivision.</li> <li>The walkway blocks are captured in the Schedule to the draft the Subdivision Agreement</li> </ul>	<ul style="list-style-type: none"> <li>Information provided to the Township in support of Subdivision Agreement</li> </ul>
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: <ul style="list-style-type: none"> <li>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</li> <li>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.</li> </ul> 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.	<ul style="list-style-type: none"> <li>Appropriate clauses will be added to Subdivision agreement</li> <li>The works are fully secured under the Pre-Servicing Agreement</li> <li>Brookfield made a financial contribution to the Township in the amount of \$500,000.00 towards future signalization of the intersection</li> </ul>	<ul style="list-style-type: none"> <li>Clauses to be included in Subdivision Agreement</li> </ul>
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.	<ul style="list-style-type: none"> <li>Brookfield entered into a Road Improvement Agreement with the County for the works in July 2021</li> <li>The County's portion of the works are secured under the Road Improvement Agreement with the County</li> <li>The road component of the works is substantially complete, with the IPS installation to take place in 2022</li> </ul>	<ul style="list-style-type: none"> <li>Complete</li> </ul>

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DPC #	CONDITION	NOTES	STATUS (AS OF SEPTEMBER 25, 2022)
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.	<ul style="list-style-type: none"> <li>• Required clauses will be added to subdivision agreement</li> <li>• Detailed design includes looping of internal watermain as well as external watermain along Denney Drive</li> <li>• The watermain along Denney Drive and within Phase 1 were constructed in 2021</li> </ul>	<ul style="list-style-type: none"> <li>• Clauses included in Subdivision Agreement</li> </ul>
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 satisfaction of the Township, and all works shall be in strict accordance with these plans: <ul style="list-style-type: none"> <li>a) Landscape Design Plan or Plans as the case may be,</li> <li>b) Sanitary Servicing Brief</li> <li>c) Stormwater Management Plan</li> <li>d) Geotechnical Report</li> <li>e) Noise and Vibration Study</li> <li>f) Traffic Impact Study</li> <li>g) General and overall lot grading plan, and Erosion and Dust Control Plan.</li> </ul>	<ul style="list-style-type: none"> <li>• Required clauses will be included in subdivision agreement</li> <li>• The referenced plans and reports have been prepared and have been accepted by the Township's Peer Review Consultant</li> </ul>	<ul style="list-style-type: none"> <li>• Appropriate clauses included in Subdivision Agreement</li> </ul>
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.	<ul style="list-style-type: none"> <li>• Appropriate clauses will be added to subdivision agreement</li> </ul>	<ul style="list-style-type: none"> <li>• Appropriate clauses to be included in Subdivision Agreement</li> </ul>
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.	<ul style="list-style-type: none"> <li>• Appropriate clause will be added to subdivision agreement</li> </ul>	<ul style="list-style-type: none"> <li>• Appropriate clause will be included in Subdivision Agreement</li> </ul>
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.	<ul style="list-style-type: none"> <li>• Appropriate clause will be added to subdivision agreement</li> </ul>	<ul style="list-style-type: none"> <li>• Appropriate clause will be included in Subdivision Agreement</li> </ul>
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.	<ul style="list-style-type: none"> <li>• Appropriate clause included in subdivision agreement</li> <li>• Urbanization of Denney Drive Stage #1 included in current External Works Agreement; Urbanization of Denney Drive Stage #2 included in Amending External Works Agreement</li> <li>• The Denney Drive Reconstruction project was substantially completed in Fall 2021</li> </ul>	<ul style="list-style-type: none"> <li>• Appropriate clause will be included in Subdivision Agreement</li> </ul>

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DPC #	CONDITION	NOTES	STATUS (AS OF SEPTEMBER 25, 2022)
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.	<ul style="list-style-type: none"> <li>• Clause will be added to subdivision agreement</li> <li>• Agreement will address occupancy issuance in advance of downstream wastewater treatment plant, as the facility cannot be operated until such time as a critical sewage flow rate is achieved.</li> </ul>	<ul style="list-style-type: none"> <li>• Clauses to be included in Subdivision Agreement</li> </ul>
24	That the Developer shall agree in the Subdivision Agreement to install, to the satisfaction of 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.	<ul style="list-style-type: none"> <li>• Clauses added to subdivision agreement</li> <li>• Fencing type and location identified on landscape plans</li> <li>• Perimeter privacy fencing abutting existing residential lots constructed in 2021 under the pre-servicing agreement</li> </ul>	<ul style="list-style-type: none"> <li>• Clauses included in Subdivision Agreement</li> </ul>
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.	<ul style="list-style-type: none"> <li>• Acknowledged</li> <li>• ECAs in place for storm sewers, sanitary sewers, watermain, SWM facility, SPS &amp; FM</li> <li>• ECA for water treatment, storage reservoir and pumping facility is the responsibility of the Township</li> <li>• ECA will be obtained for STP; design drawings for ECA application have been submitted to Township</li> <li>• The WWTP facility is required to have a critical sewage flow to operate.</li> </ul>	<ul style="list-style-type: none"> <li>• Acknowledged</li> </ul>
26	<p>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:</p> <ol style="list-style-type: none"> <li>detailed Stormwater Management Report/Plan consistent with current standards</li> <li>Erosion Control Plan;</li> <li>Detailed Grading Plan;</li> <li>Geotechnical Report for the Stormwater Management Pond;</li> <li>Landscape Plan for the Stormwater Management Pond; and</li> </ol> <p>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.</p>	<ul style="list-style-type: none"> <li>• Acknowledged</li> <li>• Complete and plans and reports listed in draft Subdivision Agreement</li> <li>• Permit issued from the NVCA for the SWM facility</li> </ul>	<ul style="list-style-type: none"> <li>• Complete</li> </ul>
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.	<ul style="list-style-type: none"> <li>• Appropriate clauses included in subdivision agreement</li> </ul>	<ul style="list-style-type: none"> <li>• Appropriate clauses included in Subdivision Agreement.</li> <li>• Brookfield will circulate Agency on draft Agreement prior to finalization</li> </ul>
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.	<ul style="list-style-type: none"> <li>• SWM facility substantially complete</li> </ul>	<ul style="list-style-type: none"> <li>• Complete</li> </ul>
29	That the owner shall confirm technical and legally the adequacy of the drainage outlets to the satisfaction of the NVCA and Township.	<ul style="list-style-type: none"> <li>• SWM facility and outfall substantially complete</li> </ul>	<ul style="list-style-type: none"> <li>• Complete</li> </ul>
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.	<ul style="list-style-type: none"> <li>• The water booster station design / approval / construction is the responsibility of the Township</li> <li>• NVCA Permit received</li> </ul>	<ul style="list-style-type: none"> <li>• Complete</li> </ul>
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 the NVCA.	<ul style="list-style-type: none"> <li>• Appropriate clauses included in draft subdivision agreement</li> </ul>	<ul style="list-style-type: none"> <li>• Appropriate clauses included in draft Subdivision Agreement</li> <li>• Brookfield will circulate Agency on draft Agreement prior to finalization</li> </ul>

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DPC #	CONDITION	NOTES	STATUS (AS OF SEPTEMBER 25, 2022)
32	That prior to any site alteration in a Regulated Area, a permit under the Conservation Authorities Act will be obtained from the NVCA.	<ul style="list-style-type: none"> <li>Permit for the construction of the storm sewer outlet was obtained from the NVCA</li> </ul>	<ul style="list-style-type: none"> <li>Complete</li> </ul>
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.	<ul style="list-style-type: none"> <li>Fees paid, applications processed, and permits received</li> </ul>	<ul style="list-style-type: none"> <li>Complete</li> </ul>
34	That prior to final approval, the Township be advised in writing, by the NVCA, how conditions above have been satisfied.		<ul style="list-style-type: none"> <li>Brookfield will circulate Agency on draft Agreement prior to finalization</li> <li>Brookfield will obtain clearance letter prior to registration</li> </ul>
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.	<ul style="list-style-type: none"> <li>Groundwater monitoring ongoing</li> </ul>	<ul style="list-style-type: none"> <li>Ongoing</li> </ul>
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.	<ul style="list-style-type: none"> <li>Appropriate clauses included in draft subdivision agreement</li> </ul>	<ul style="list-style-type: none"> <li>Appropriate clauses included in draft Subdivision Agreement</li> </ul>
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.	<ul style="list-style-type: none"> <li>Appropriate clauses included in draft subdivision agreement</li> </ul>	<ul style="list-style-type: none"> <li>Appropriate clauses included in draft Subdivision Agreement</li> </ul>
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.		<ul style="list-style-type: none"> <li>Brookfield will circulate Agency on draft Agreement prior to finalization</li> <li>Brookfield will obtain clearance letter prior to registration</li> </ul>
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.	<ul style="list-style-type: none"> <li>Appropriate clauses included in draft subdivision agreement</li> <li>Detailed design includes for community mailbox pads; location accepted by Ainley on behalf of Township per 4th Submission comments</li> </ul>	<ul style="list-style-type: none"> <li>Appropriate clauses included in draft Subdivision Agreement.</li> <li>Brookfield will circulate Agency on draft Agreement prior to finalization</li> <li>Brookfield will obtain clearance letter prior to registration</li> </ul>
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.	<ul style="list-style-type: none"> <li>Appropriate clauses included in draft subdivision agreement</li> <li>Composite Utility Plans have been provided to the Township's Peer Review Consultant; CUPs are complete and acceptable to Ainley on behalf of Township per 4th Submission comments</li> </ul>	<ul style="list-style-type: none"> <li>Appropriate clauses included in draft Subdivision Agreement</li> </ul>
41	That the Developer shall provide Enbridge Gas Distribution with all road cross-sections if 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.	<ul style="list-style-type: none"> <li>Enbridge design complete</li> </ul>	<ul style="list-style-type: none"> <li>Provision of information to Enbridge is complete</li> <li>Brookfield will coordinate with Enbridge for meter installation</li> </ul>
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.	<ul style="list-style-type: none"> <li>Appropriate clauses included in draft subdivision agreement</li> <li>Boulevards are currently pre-graded with utility installation commencing in short order</li> </ul>	<ul style="list-style-type: none"> <li>Appropriate clauses included in draft Subdivision Agreement</li> <li>Brookfield will circulate Agency on draft Agreement prior to finalization</li> <li>Brookfield will obtain clearance letter prior to registration</li> </ul>

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DPC #	CONDITION	NOTES	STATUS (AS OF SEPTEMBER 25, 2022)
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.	<ul style="list-style-type: none"><li>• Appropriate clauses included in draft subdivision agreement</li></ul>	<ul style="list-style-type: none"><li>• Appropriate clauses included in draft Subdivision Agreement</li><li>• Brookfield will circulate Agency on draft Agreement prior to finalization</li><li>• Brookfield will obtain clearance letter prior to registration</li></ul>
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.		<ul style="list-style-type: none"><li>• The subdivision is being serviced with Bell and Rogers as part of our utility servicing program</li></ul>
45	That prior to final approval, the Township be advised, in writing, by Bell Canada and/or Rogers how conditions above have been satisfied.		<ul style="list-style-type: none"><li>• Brookfield will circulate Agency on draft Agreement prior to finalization</li><li>• Brookfield will obtain clearance letter prior to registration</li></ul>
46	That prior to final approval, the Township be advised in writing, by the County of Simcoe, how conditions above have been satisfied.		<ul style="list-style-type: none"><li>• Brookfield will circulate Agency on draft Agreement prior to finalization</li><li>• Brookfield will obtain clearance letter prior to registration</li></ul>

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**PUBLIC MEETING MINUTES**  
**March 7, 2018**

**PROPOSED ZONING BY-LAW AMENDMENT (Z6/16)**  
**Brookfield Homes (Marshall Subdivision), Baxter**

The Mayor opened the meeting by stating that the purpose of this public meeting is to review an application for a Zoning By-law Amendment relating to Part of Lot 16, Concession 4, and Part of Lot 16, Concession 5, in Baxter, in accordance with Section 34 the Planning Act. As well, to hear comments and review written submissions from the public and other agencies.

The Planner then described the proposal as follows:

The purpose of the application submitted by Brookfield Homes is to zone lands to construct the 253 detached homes approved in 2010, with site specific setbacks to be contained in a "blanket" Zoning By-law Amendment which would apply to all 253 lots in the new plan of subdivision, and as well, zone a stormwater management block, a roadway and a park; with the park to contain a pumphouse for sewage effluent. The lot sizes are not changing since the 2010 draft plan approval, it is just that the plan is now moving forward to build-out.

An overview of the subdivision is as follows:

- The plan lies in the settlement area of Baxter and has since 2000 the time of the last Official Plan adoption.
- The new plan of subdivision will contain 253 single, detached homes.
- The stormwater collection pond and parkland blocks will be located on the east side of Denney Drive, opposite the plan and homes.
- Water for the new homes will be supplied by way of the pipeline coming from Collingwood. The water pipeline will run along the main street in Baxter and up Denney Drive to the plan. A water service will also connect Street A from Murphy Rd alongside Lot 64.
- Sewage will be collected and pumped from the pumphouse in the park, north to Angus where it will be treated at the Angus Sewage Treatment Plant. The sewage will be carried within a high pressure forcemain which will lie within the road allowance of Denney Drive and the 5<sup>th</sup> Line. This sewer line will be installed through the "directional bore" process. Because this sewer line is a forcemain, no one is permitted connection direct to the line.
- The pump station has been placed in the park since Council has suggested that it might be nice for the park to contain a splashpad, washrooms and changerooms. The park will contain other features yet to be determined.
- There will be 3 m easements dispersed within the plan alongside lots bordering existing properties in order to provide drainage to be collected in rear lot catchbasins. Swales will be located on the proposed development side of the plan, about 0.5 m – 1 m away from the property line, so that no storm drainage is directed onto existing lots. The swale will be up to 0.45 m deep.

ZBA details:

The building lots are currently zoned as Low Density, Residential (R1) Zone, the default zone in the Township's Zoning By-law. Most developers today ask for a reduction in standards since the R1 Zone, created in the seventies, calls for 60 foot lots, a 25 foot front yard setback, a 35 foot rear yard setback and 5 foot side yards. The max lot coverage in the R1 Zone is 35%.

Today, developers are generally asking for front and rear yards of similar minimum size, 4 foot sides and usually about 45% lot coverage. This developer, Brookfield, is no exception. This is what Brookfield has proposed:

- 47 - 40 foot lots – positioned along the west near to the railway and at corners inside the plan
- 79 - 50 foot lots
- 127 - 60 foot lots – positioned around the perimeter to provide compatibility

Specifically, Brookfield would like 25 foot rear yards instead of 35 foot rear yards; 4 foot side yards instead of 5 foot side yards; corner sides of 16 feet as opposed to 25 or 20 feet; lot coverage of 40% and allowances for porches and decks that are less than 1 m in height.

Again, the ZBA is similar to other standards that other developers and builders are providing in Angus and in other surrounding communities. There are only 10 lots that require the minimum zoning and these are interior to the plan.

Public meeting notice concerning the proposed Amendment was circulated in accordance with the Planning Act since the application was considered to be complete. This meeting is about zoning provisions which can be used to mitigate for some concerns but not all.

The developer has made modifications and accommodation already to suit previous comments expressing concern for stormwater (grading), traffic and children's safety (crosswalks and traffic lights), direction that lots and homes will face on Denney and groundwater (monitoring taking place).

The Township Planner then summed up agency comments as follows:

- Simcoe County District School Board has no objections.
- Essa's Fire Chief is concerned about staffing for fighting fires and response time, however, residential sprinklers would be a solution to this concern.

It was mentioned that there were some neighbours who had questions about water and sewage, concern for grading and if stormwater will affect existing lots and homes. A letter was received from the Hamelin's of 91 Denney Drive and the Planner read this

letter into the record noting that the proposals of the letter warranted consideration.

The servicing lots are currently zoned as Agricultural (A) Zone. It is proposed that the pumphouse be located in the park, beside the washroom/changehouse and splashpad will be setback approximately 70 feet from Denney Drive.

It was stated that additional information was available for pick up in the foyer and Brookfield's Planner and Engineer will now present further details.

Leslie Cosburn, the Planner for Brookfield Residential, explained the following with the help of a PowerPoint presentation:

- On the draft plan, we have turned lots to front Denney Drive as per the Township's request.
- Only some lots have minimum standards to be applied.
- No retaining walls.
- Rear lot storm swales to catch all existing drainage.
- Will help existing draining problems.
- Concepts (3). May be similar homes here.
- Sidewalk on the west side of Denney Drive.
- There will be traffic signals installed.
- Park amenities – destination park.
- Pumpstation will be clad siding to blend in to the neighbourhood.
- Will be compatible – 66 m from the centerline of Denney Drive.
- No smell in Baxter will come from the pumphouse.

The Mayor then asked if anyone in the audience would like to speak and that speakers must state their name and address so that proper records may be kept and notice of future decisions be sent to those persons involved in the review process. Comments are to be orderly, respectful and not repetitious. All comments are to be addressed to the Mayor who is the Chair of the meeting.

Trevor Aucoin, 59 Marshall Crescent – asked if there is going to be a water tower. David Murphy, Engineer for Brookfield, replied it will be a booster station. It will boost pressure/capacity. Trevor Aucoin then asked what about fire protection? David Murphy added that additional capacity will provide adequate fire protection. Boosting at the corner and travelling along Murphy Road. More water is to be provided, to add to the community of Baxter.

Betty Jean Sharples, 173 Murphy Road – stated that she resides across from vacant lot (Lot 64) and wants to connect to water. Mayor Dowdall replied that will be another meeting. David Murphy further added that they have entered into an agreement with New Tecumseth so that existing residents can later connect. Betty Jean asked what the purpose of testing the water was for. Leslie Cosburn replied that pre, during and post construction, we test quality so we don't negatively impact water. Betty asked if there will be a retaining wall. It was replied no. Betty also asked about a fence, which it was stated

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yes.

Scott Higgins, 79 Denney Drive – has traffic concerns. What if there is an accident at the intersection of Murphy and Denney. David Murphy indicated that the traffic study shows traffic signals are warranted.

Mark Hill, 190 Murphy Road – will there be any elevation changes? David Murphy explained they will be raising 1 – 1.5 m high, will be flowing north and then east to pond, spills onto our roads not any existing or surrounding lots. Mark also asked about lots abutting Murphy Road, will there be storm sewers? David Murphy said yes, many.

Mark Hill also commented about prevailing winds and dust, as soils are loam and sand. With strong winds will there be dust control? David Murphy stated that there will be a water truck full time; if soils are stripped and sitting any longer time (5 months), then hydroseeding will take place. Mark asked about timing. David said the whole subdivision to be built out in one summer. They will have a sales and work program set out for efficiencies.

Jen (Sales with Brookfield) stated they will build when there are enough sales. 2019? Estimated closings in 2020. Don't want sporadic builds here and there and spread out.

Mark Hill asked where stripping. David said they will do all lot grading, catchbasins, all to be put in place in one summer season. Mark has concerns for dust. David replied they can stage earthworks if we know there will be dust problems. Mark commented with 40 foot lots and a park, there should be overflow parking in the park as small lots can lead to parking on streets which is a problem for municipal operations.

Nancy Zulak, 85 Denney Drive – will I be forced to connect to water? Concern about train stalled at tracks. Mayor Dowdall said that connecting to water will be reported on by the Municipality later.

Daphne Kingsbury, 7565 County Road 10 – County Road 10 concern for fire with trains blocking tracks. Fire Chief Cynthia Ross-Tustin replied that they try to deal with this often. The Township can't control CP Rail and we will call for back up from neighbouring municipalities. Daphne further commented on her concern for flooding.

Brian Higgins, 3 Marshall Crescent – is there a current sewage plan? Mayor Dowdall: I understand there are no plans to allow to connect at this point. Big cost, that being about \$50,000 per household.

Liana Maltby, 6070 County Road 21 – commented on increased traffic on County Road 56 and County Road 21. Mayor Dowdall stated how that is a County issue but would agree there are concerns here. The hill not ideal.

Eleanor Johnson, 206 Denney Drive – asked what side of the street will the sewer line be on going north. David Murphy answered the east side. Eleanor wondered about the

Nottawasaga River and if this would cause an environmental concern or hazard. David Murphy said that the forcemain will travel 7 times under creeks and rivers. Eleanor then asked about environmental hazard. David stated no, the Conservation Authority won't allow. We have studied and are still studying. Locating the utilities now. It will be 6 – 8 feet deep, bored, directional drilling. The sewer line is 9 km and is a huge undertaking which the cost is being borne solely by Brookfield. There will be an oversized pumpstation, just one pumphouse with 3x the pressure of watermain. We don't want a system like Everett, we need strong flow – so the booster station will supplement to ensure good flows.

Onika Farinha, 176 Murphy Road – there are 2 empty lots near to her. When to be built? Jen of Sales answered how they haven't decided yet but they can do first if wanted. Onika replied yes.

Mary Davie, 166 Murphy Road – commented that the traffic signal will be good to have as it will help residents to be able to get out of their driveways.

Bethany Weening, 87 Denney Drive – asked if there would be any expropriation from front of their property for the planned works. David Murphy answered no. All works would be within the existing road allowance.

Barbara Moore, 128 Denney Drive – when light? Brookfield said it could be ASAP – immediately, will help with construction depending on County approval.

Gord Van Clieaf, 171 Murphy Road – asked what the route of the dump trucks would be. David Murphy said that they move a lot of dirt, will be moving a lot of dirt here. Will try to suit residents. Will ask Township when the time comes.

Daphne Kingsbury asked about high speed internet.

Trevor Aucoin also further asked about natural gas? It was replied yes.

Stefan Wiederer, 139 Murphy Road – asked how deep is the wet well. David answered 8 m deep, completely sealed. Stefan asked if their sandpoint would dry up. David said no.

Simone Lehnhardt, 6184 19<sup>th</sup> Sideroad – asked if speed bumps on Denney Drive are possible or round-a-bouts. The crowd booed at this. Mayor Dowdall acknowledged the problem of speeding.

Bob Pollard, 7901 5<sup>th</sup> Line – commented he wants better communication. Doesn't like newspaper ads. Mayor Dowdall said that everyone here could be added to a mailing list.

Nancy Zulak commented about traffic and would like speeding enforcement. Mayor Dowdall replied that they will speak with the OPP about enforcing.

Bill Ezers, 19 Gillespie Trail – for crossing the railway, any improvement planned for railway crossing further north along the 5<sup>th</sup> Line? He said that he has asked about this before and

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the Mayor indicated that his concern was heard and has been referred to staff.

Trevor Aucoin made comment about the sound from trains. Council will get complaints. 40 foot lots are not huge and not that deep – the residents will still hear train whistle.

The Mayor then confirmed that if there were no further questions or submissions, Council wishes to thank all those in attendance for their participation. The planning office will be preparing a report to be presented to Council concerning this matter. Council will then consider all matters and render a decision. A decision has not yet been made and again, please inform the Clerk or Planner should you wish further notice on this matter, if you have not written to us or spoken. The sign-in list outside of the Council Chambers will help to notify us that you wish to be kept informed of this matter. Again, thank you for your participation in this community matter and your comments will be considered along with all others.



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**COMMUNITY OF BAXTER  
PUBLIC MEETING  
HELD JUNE 9, 2010 AT 6 PM  
CONCERNING NEW DEVELOPMENT**

**MINUTES**

**In attendance:**

Greg Murphy, CAO (Chairperson), Colleen Healey, Mgr. Planning & Development, Rick Groves, AECOM, Dale Murray, Triton Engineering, Ray Duhamel and John Lackey, Jones Consulting.

Members of the public who signed in: Matt & Lisa Burton, Jennifer Armstrong, Susanne & Trevor Aucoin, Karen & Chuck Anderson, John Borland, Bill Edgar, Larry Brolley, Nancy Zulak, John & Judy Campbell, Mary Davie, Donna Caldwell, Sherry Elliott, Rick Steinhauser, Barbara A. Gauley, JoAnn Peterson, J.C. Watson, Carol Cochrane, Jeff Weening, Bob Span, Mark Hill, C. Labelle.

Greg Murphy introduced the panel, welcomed the public and reviewed the open meeting format and agenda.

Colleen Healey gave an up-date of the Official Plan; the status and frame work. She explained what is an Official Plan, what types of things it discusses and how we are governed by the Province.

**Ray Duhamel outlined the subdivision components:**

- 45% - 60' frontages; 45% - 50' frontages and 10% - 40' frontages
- Two access points from Denney
- Options being explored for sewage treatment facility
- Storm water pond which will be fenced
- Access to subdivision not possible from Murphy Road (County of Simcoe will not approve access off of County Road 21)
- Crossing street – an Intersection Pedestrian Signal (IPS) to be installed
- Park will be large
- Railway – berm – deep lots in accordance with CPRs requirements
- Need to balance aim of the Province – dense/targets
- Wouldn't dream of townhouses- need to strike a balance

Colleen Healey explained draft plan approval process – that Council has given go-ahead and now the developer to start to look at details

Trevor Aucoin - 39 Marshall Crescent: want answers to questions – want discussion(s) don't want OMB hearing

Ray Duhamel: a formal level – we are here to answer questions

4a

Trevor Aucoin: sewage? What kind - who to run?; Want answers; Fencing?

Greg Murphy: Township will run the system, OCWA would typically run with Township owned system

Nancy Zulak – 85 Denney Drive: 500 vehicles; speeding; no policing; why both exits onto Denney?; don't want a house beside me

Ray Duhamel: we all wanted an entrance out onto Murphy Road, but have to deal with the County policy: the County will not allow an entrance onto their road

Nancy Zulak: not happy

Ray Duhamel: don't have a choice – rules have changed over the years; septic not an option today

Jennifer Armstrong: are septic not allowed any more?

Ray Duhamel: there is a hierarchy of servicing – Province prefers full municipal services or then communal for residential subdivision

Nancy Zulak: when will it start? I want to move

Ray Duhamel: reality of where we are at ...

Nancy Zulak: hidden meetings; conflict of interest; Deputy Mayor has conflict; hidden meetings every Friday; people's houses are to go up for sale

Jeff Weening – 87 Denney Drive: just moved here last summer; why 25' lots – seems unreasonable; too small; building garbage and will attract garbage

Nancy Zulak: smallest lot beside me

Ray Duhamel: smallest lot is 40'; largest lot development for an urban standard; a lot to be said for compact – this is sprawl – not compact; there is a medium to achieve to get to Provincial standard; lots are a good size and homes will be nice

Nancy Zulak: schooling – kids can't go

Greg Murphy: School Board letter indicates that there is room at the public school

Nancy Zulak: "bull" kids won't go to that school

Colleen Healey: School Board has been consulted; letter received to confirm capacity at the public school

T.C. Hill – Murphy Road: asked about fencing and dust control

Ray Duhamel and Greg Murphy answered ... standard subdivision conditions ... engineering standards for fencing

Nancy Zulak: building on spec or as sold?

Ray Duhamel: not sure now

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Greg Murphy: Developers try to control dust; but there may be times that the suppression of dust may not be fully achieved... subdivisions are built in stages

Nancy Zulak: where starting?

Greg Murphy: not sure – depends on stages proposed

Nancy Zulak; shrubs on my property over-hanging the neighbouring lot; do I have to take these down?

Mary Davie: will provide water to existing ... will I have to pay?

Greg Murphy: any benefitting property would pay: various options – capital contribution basis; owner has option to pay up-front or over some years

Mary Davie: goes by my place now; do I still pay?

Greg Murphy: yes, not all paid for; residents in future will pay back the taxpayers for the unfinanced capital

Mary Davie; what about sewers?

Greg Murphy: we can't force the developer to pay for sewers for others; if majority of residents wanted to connect, project could proceed; have to investigate

Trevor Aucoin; if residents want to connect to sewers, there should be a fee; we are willing to pay; why aren't people on the main street connected to water?

Greg Murphy: in existing Marshall subdivision the drinking water was not good/not up to standard; had to upgrade for Ministry of Environment standards to be met; water coming from Collingwood; water has to be treated once it comes from Collingwood; will get fire protection; could not allow people to connect to the subdivision's water without further upgrades

Trevor Aucoin: what about our reservoir

Greg Murphy: will decommission existing water system in Marshall Subdivision Ph. 1

Trevor Aucoin: what if Denney is blocked, how do emergency service vehicles access the new subdivision?

Greg Murphy: two access points; one fire station in Angus and one fire station in Thornton

Nancy Zulak: "who in hell" would want to live there with trains? ... unhappy

Resident/Neighbour: Bradford – industrial development in Bradford; fence doesn't help with noise from trains

Greg Murphy: there will also be a berm; works will be done based on CPR recommendations

Ray Duhamel: discussed Rail Guideline document; 30m distance setback; berm & fence;

Question from public: does existing subdivision meet this?

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Ray Duhamel: Not sure, it should be close although standards have changed over the years

Trevor Aucoin: noise study lately?

Ray Duhamel: Not lately, planning on meeting standards required by CPR

J. C. Watson – 136 Denney Drive: how deep is stormwater pond?

John Lackey: 1.5 m deep

J.C. Watson: what if they interfere with our well?

John Lackey: developer's responsibility to ensure no impact; if disruption, then developer pays; monitoring now

J.C. Watson: how safe is effluent reaching the Nottawasaga River

Dale Murray: effluent reaches the River after being treated; discussions with Township over what they want to see; need to meet with the Ministry of Environment; Ministry of Environment will rule at end of day; sensitive modeling will be required; a lot of study needed; will need Certificate of Approval from Ministry of Environment at end of day; 300 m<sup>3</sup>/day

Trevor Aucoin: lagoons or sludge storage?

Rick Groves: Angus has the capacity to accept sludge from Baxter

Trevor Aucoin: truck from plant to Angus?

Rick Groves: yes

Trevor Aucoin: concerned because no answers; nothing to tell us how deep is stormwater pond; not knowing type of sewage; we had wanted fencing height; what about water in ditches in existing subdivision; we as residents want answers; same developer; outstanding questions, on-going; Township assumed this subdivision

Greg Murphy: better standards today (than in 80s); existing subdivision is last subdivision of its kind; height of chain link fence is 1.8 metres high (around stormpond)

J.C. Watson: what about overflow?

Greg Murphy: storm sewer criteria below roadside ditch; must meet Ministry of Environment water quality/quantity

Question from resident: what about standing water in existing subdivision?

Greg Murphy: flat grade and high water table; can enclose ditch; residents can enclose on their own or as a group as a local improvement; same concern in Thornton last year, the residents in Thornton got together and paid for catchbasins and storm sewers to be installed which worked out to \$1,700.00 per lot, etc.; roadside ditches are designed to handle 1:5 year storm frequency events

Resident of Marshall Cres: lived in subdivision since 1992; couldn't cut grass last summer for first time, why?

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Need ditches cleaned out

Greg Murphy: can clean out but won't solve problem due to flat topography, high ground water table and the fact that sump pumps are continually discharging water into the roadside ditches

Trevor Aucoin: have we checked water levels lately since connecting to Collingwood? Sump runs more since Collingwood

Jennifer Armstrong: can't get into our ditch; full of muck, slime, dead birds; we would maintain but impossible; will get rid of problem if only \$1,700.00 per house as in Thornton; growth happens, these are our assets; the new subdivision is going to make the value of our homes less appealing; why not our sized lots with septic?

Greg Murphy: Provincial policies won't allow; must go on at least communal sewage treatment

Jennifer Armstrong: twenty years in making we know; these issues are outstanding from start of subdivision; same developer; we want our questions taken care of; maybe we don't have to go further; what about existing children who need a proper sidewalk? Want safety for children from sliding in ditches; not against growth; we want to connect to sewage; the new subdivision will be nicer than ours

Greg Murphy: can't force a developer to oversize a sewage plant or pay for a sidewalk in the existing subdivision; unfair to a developer if the Township asked this

Trevor Aucoin: what about us? We want to connect our homes to the proposed sanitary treatment system and will pay our share

Rick Groves: We, the Township, have asked about a second module for expansion/connection later

Trevor Aucoin: how long will the Environmental Assessment take?

Rick Groves: depends on how the developer goes about it; developers may not be required to go through Environmental Assessment process now if using the Planning Act; Minister of Environment guidelines are tightening up for the best; we are challenging developer at every stage of the way; sewage treatment plants going all over; no odour, safe;

Ray Duhamel: we needed to reach a certain level of certainty; will be excruciating amount of detail now needed; needed to know some key points before we go on to design ... how many lots; what size - this is stage one; needed to get here before they could start in on the details; now can go from planning to engineering

Jennifer Armstrong: if no appeal carried forward then where do we have securities that our issues will be dealt with?

Trevor Aucoin: any new noise study?

Greg Murphy: will have to refer to CPR standards

Trevor Aucoin: we are experts on noise, what about the new people? We are concerned for the new people; want the noise to be less for new people

Ray Duhamel: what standards would you like to see?

4a

Greg Murphy: no separate Township standards – just CPR or the Canadian Transportation Guidelines

Jennifer Armstrong: is it okay that we are below standard?

Ray Duhamel: not a requirement to go back and upgrade for existing residents

Nancy Zulak: when last traffic study? Lots of speeding; an issue; traffic is a major issue; majority of residents don't want this – Council has shoved down our throat; 22 years, this has been coming; don't want cars or subdivision

Greg Murphy: in 1988, existing residents didn't want the Marshall subdivision

Trevor Aucoin: not against change; want to upgrade Baxter; four way stop sign; places where no sidewalks now; want to improve old for existing kids; how much land are you taking for the crosswalk?

Greg Murphy: developer enclosing the ditch from within the existing road allowance from Murphy Road north to the northerly access into the subdivision to accommodate the sidewalk construction

Nancy Zulak: complaints on speeding

Greg Murphy: policing has been increased; additional policing; explained the details. We also encourage citizens to report to the OPP incidents of aggressive driving as the police cannot be expected to monitor the speed on each road on a 24/7 basis

Ray Duhamel intervened: this is not a general complaining session; let's stick to the problems; we have experts here, do you have any questions for them?

Richard Steinhauser – 55 Denney: a lagoon?

Ray Duhamel: no

Richard Steinhauser: This is twenty years in the making and still issues twenty years later; what is life-cycle of my septic; why does the existing subdivision not look finished? Why can't it be done (filling in the ditches)?

Greg Murphy: someone has to pay for the infrastructure works; all budgetary; complaints from others in Essa Township if the general taxpayer were to pay for improvements here to benefit only some

Ray Duamel: plant will be expandable

Jennifer Armstrong; thought it was a closed facility; we don't want "closed"

Trevor Aucoin: who to pay for park equipment?

Greg Murphy: the developer is to provide land and the Township will develop; development charges collected and reserves established; the Township's Parks & Recreation Committee has requested soccer pitches

Trevor Aucoin: when park equipment installed?

Colleen Healey: by 50% of building permits being issued and not later

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Richard: can we look at three-way stop (at Denney & Murphy)?

Greg Murphy: send letter – will have to be investigated

Jennifer Armstrong: how high is chain link fence around stormwater pond and sewage facility? What about children climbing?

Discussion about fencing around infrastructure, height requirements; purpose for fence; (1.8 m around stormpond and 1.5m around the enclosed building containing the sewage treatment)

Trevor Aucoin: what about traffic impact study – was this done?

Ray Duhamel: Yes, July 2009

Trevor Aucoin: we want four way stop at Murphy Road and Denney Drive; can we appeal to County Council?

Greg Murphy: bring to our Council first and if our Council supports this request, it will be forwarded to the County for consideration

Trevor Aucoin: What about traffic lights?

Greg Murphy: the Traffic Study did not recommend that traffic signals be installed at this intersection

John Lackey: discussed traffic study; (residents unhappy with traffic study)

Suzanne Aucoin: if IPS warranted, then why not in front of school?

Greg Murphy: must look at traffic standards - warrants

Jennifer Armstrong: hard to cross the road now, after school; very busy

Greg Murphy: traffic has right-of-way

Question from public: What about crossing guard?

Greg Murphy: Township has investigated this, had crossing guard in Angus previously; need someone there continually, if someone not there, that is an obligation or liability on the Township; hard to find someone at the last minute if crossing guard calls in sick

Trevor Aucoin: want copy of TIS (Traffic Impact Study)

Jennifer Armstrong: want a separate review (unbiased)

Rick Groves: numerical exercise; we reviewed the Traffic Study and so did the County

Jennifer Armstrong: what times of day were studied?

John Lackey: am and pm; statistical analysis

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Trevor Aucoin: is the fire department large enough?

Greg Murphy: circulated to our Fire Chief; will be better upgrades and proper fire protection

Trevor Aucoin: is our water storage temporary?

Greg Murphy: yes, discussed water upgrades planned – those being a new storage and pumping facility

Trevor Aucoin: what about groundwater?

Greg Murphy: different “watershed”/storm pipes; will improve existing drainage as some water might be drawn to the new storm sewer bedding and lower the local water table; Baxter has a high ground water table

Jennifer Armstrong: will it get worse? What about basements leaking?

Greg Murphy: needs to be monitored

Jennifer Armstrong: what areas monitored?

Greg Murphy: various points throughout; Water Resources Act governs interference with anyone’s private water supply

John Lackey: new subdivision won’t affect existing ground water level

Jennifer Armstrong: you can’t answer a lot of our questions

Ray Duhamel: what are you talking about?

Jennifer Armstrong: want to know the system (sewage)

Ray Duhamel: you won’t know this by the time a hearing arrives

Jennifer Armstrong: we want time to think about this, we have new information; want answers in writing; want an expandable plant; want it developed for a larger plant; want developer to provide land not expansion; want options

Greg Murphy: talked about options for expansion. We cannot force the developer to provide more land than is required to accommodate a sewer treatment system for the new subdivision. We must pay fair market value for the land that will be needed in the future.

Rick Groves: can use parkland in the future if need be; can put tiles underneath parkland; Everett development using something like this

Trevor Aucoin: need to meet/talk

Jennifer Armstrong: want something to take to neighbours

Discussion on what happens next, OMB will want to know contacts and issues, also experts.

Questions about water – plan – Rick Groves answered

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Mandatory connect? Possible, depends on Council decision, Colleen explained Angus and Thornton experiences

Bob Span – 156 Denney Dr.: upgrades to Denney, how far north?

Colleen Healey: road upgrades to the north entrance

Deadline on development – can we impose one for completing the works?

Colleen Healey: None other than financial

Bob Span: When to start? Years? Fire flows?

Rick Groves: Yes for all of Baxter once a new water treatment facility including reservoir is constructed near the intersection of County Roads 10 and 21, as recommended in the Environmental Assessment process.

Minutes taken by Colleen Healey

Transcribed by Liz Linton June 10, 2010

4a

**PUBLIC MEETING MINUTES**  
**November 5, 2008**

**PROPOSED PLAN OF SUBDIVISION**  
**Part of Lots 16, Concessions 4 & 5**  
(Marshall Subdivision, Baxter)

The following individuals attended this meeting:

Mayor David Guergis, Deputy Mayor Terry Dowdall, Councillors Sandie Macdonald, Ron Henderson and Rick Newlove, Greg Murphy, CAO/Manager of Public Works, Colleen Healey, Manager of Planning and Development, Mike Galloway, Clerk, Ray Duhamel, Jones Consulting, Al Lees, Township Consultant – Engineering, Rick Perron, Jones Consulting, Peter Ruddy, Sepertech, Randy Marshall and Jeff Marshall, John Kurtov, Jennifer Armstrong, Jackie Baird, Bill Ezers, Mike Galezowski, June Hamelin, Mike Pearce, Brenda Pearce, Sherry Elliott, Karen Martin, Dave Curlette, Pierre Boiron, Mark Hill and Ellen Reid .

The Mayor described the outline for the meeting. The purpose of this Public Meeting is to review a submission for a draft Plan of Subdivision under The Planning Act.

The Mayor also stated that we are here as well, to invite comments and review written submissions from the public and other agencies. Further information will be sought out from the Developer and provided at a later date in order for the Municipality to assess the information to be received from the Developer and ensure that the concerns of the public are addressed.

The Planner described the proposal in the following way:

The proposed Marshall Subdivision lies north of Murphy Road and West of Denney Drive. The lands cover 33.26 hectares or 82 acres. Part of the plan to contain the sewage treatment area, the stormwater management pond or collection area, and open space block or park will lie on the east side of Denney Drive, closer to the Nottawasaga River which will serve to eventually receive the treated effluent and stormwater run off. This area will be referred to as the “service area”.

The residential lands themselves lie in Baxter, a settlement area which is identified in both the Essa Official Plan and the County of Simcoe Official Plan. The Province defines a settlement area as “an urban or rural area within a municipality (such as a town or village) where development is concentrated and which have a mix of land uses and lands which have been designated in an Official Plan for development over the long-term planning horizon provided for in policy”.

The lands to the north, west and east, are Agricultural and the lands to the south are Residential, for the most part. The lay of the land would lie so that, while the lands are generally flat, drainage would make its way from west to east towards the Nottawasaga River. The new development cannot be constructed whereby drainage would impact on any existing homeowners and must be engineered so that stormwater run off will continue to drain easterly with controls in place to ensure quantity and quality meet with Provincial standards. A complete Stormwater Management Report must still be submitted for review. It should be noted that as approval authority, the Township may require the developer to report on the impact the service area lands will have on the Agricultural lands should concerns for the Agricultural lands be received and it is deemed necessary to do so to ensure that the policies of the Township’s Official Plan are upheld. Of course, Agricultural lands are very important to the Township of Essa, as is evident through Essa’s Official Plan. 44

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It is proposed that the plan will contain a total of 250 lots for the purpose of the construction of 250 single, detached homes. There will be two road entrances to the plan, both on Denney Drive. The lots along the south edge abutting existing homes along Murphy Road and the east edge abutting existing homes along Denney Drive, all contain a frontage of 18 metres, or sixty feet. This is the minimum standard in the Township's Zoning By-Law. These lots contain an area of 810 square metres. Again, the minimum standard that has been established for lots connecting to both municipal water and sewer. The remainder of the lots within the proposed plan are all undersized according to the Township's Zoning By-Law, and as such, a Zoning By-Law Amendment must be applied for. This office will be requesting the Developer to provide a complete spreadsheet indicating the frontage and area of each lot proposed in order to determine where the deficiencies lay and to what extent. As a note for residents, Council, in the past has required developers to install six foot high privacy fencing between all existing homes and a new plan including alongside where new roads are to abut the sideyards of existing homes.

The lands subject to the plan of subdivision, for the most part, are designated as Residential. The Residential section of the Township's Official Plan states that single family detached dwellings should dominate these lands. As well, the Official Plan states that "development shall be designed to be in keeping with the character of the specific area and design characteristics shall be employed to avoid loss of view, privacy, sunlight, etc. to ensure development is compatible to the area.

The Township's Official Plan is intended to provide a framework which will provide direction to Council, Committees and Staff. It assists in assessing proposals such as this. The Official Plan states that "Urban development within the Township is to be directed primarily to the Angus area where it can be serviced by full water supply and sewage disposal facilities. Some additional lower density urban residential development may also be located in Thornton and Baxter where a municipal water system has been developed and can be expanded to some degree." In the case at hand, a municipal sewage treatment facility will be installed, at the cost of the developer, if the proposed system is acceptable, based on a soils study, to the Municipality.

The Township's Growth Management Strategy contained in our Official Plan (section 5) allows for growth up to 22,000 persons to the year 2016. This Growth Management Strategy was approved by the Township (1999), County (2000) and OMB (2001) with input by the current developer. At that time, this plan was proposed to contain 200 lots. The additional lots now proposed, and not contained within the existing Growth Management Strategy, may have to be justified and accepted by Council since Essa Township seems to have more than its fair share of development with only so much development to be spread out across the County and in the Nottawasaga catchment area (or watershed). This is not to say that this plan will be subject to the population projections and subsequent policy of the Places to Grow Act, however, as stated, there is the current Official Plan policy to comply with and, as well, the standards of the Zoning By-Law. In fact, in Official Plan Amendment 48, the Official Plan Amendment submission concerning these lands which was considered throughout the nineties (the first public meeting concerning this plan held June 27, 1990) the numbers proposed were only 76. As well, the service area was not envisioned. The developer may yet have to revisit the current Official Plan and our existing Growth Management Strategy to convince Council that 250 lots are justifiable.

The issues which would seem to be outstanding at this point, additional to what has been noted above, are: capacity at the neighbourhood public school; traffic control at the intersection of Murphy

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Road and Denney Drive; and the method of sewage treatment that will be accepted.

What should not be at issue or not debatable are those items which our CAO/Manager of Public Works have provided in relation to this file.

Following this public meeting, the Township will assess all of the information brought before it and determine if further information is required or, if a decision is able to be made with the information at hand.

The Township will be requesting further information following tonight's meeting and staff will continue to work and report on this file taking into consideration all comments from the public.

The Planner outlined a summary of comments from neighbours and agencies:

Nottawasaga Valley Conservation Authority; County of Simcoe, Transportation and Engineering Division; Simcoe Muskoka Catholic District School Board; Bell Canada; Ministry of the Environment; Simcoe County District School Board; County of Simcoe, Planning/Engineering Technician; Township of Essa, Parks & Recreation Committee; Township of Essa, Clerk's Department; Simcoe Muskoka Catholic District School Board, Planning Officer; Township of Essa, CAO/Manager of Public Works; Jones Consulting; Township of Essa, Public Works Department; Simcoe County District School Board, Planning Dept.; Township of Essa, Public Works Department; Various residents of Baxter.

The Mayor opened the meeting to comments from the public:

Speakers must state their name and address so that proper records may be kept and notice of future decisions be sent to those persons involved in the review process.

1. Jennifer Armstrong, 62 Marshall Crescent
  - drainage not being taken care of now - could become worse
  - swale with two inches of water in it – mosquitoes nesting
2. John Kurtov, 188 Murphy Road
  - slope to the north 1% grade – propose to fill so will lift up property
  - will change grading and how will this be handled?
3. Jackie Baird, 41 Marshall Crescent
  - live by CPR now, don't see a berm – any provision?
4. Bill Ezers, 23 Gillespie Trail
  - agricultural lands are east of Denney but these lands show sewage treatment and stormwater pond and park, how can this be?
5. Mike Galezowski, 81 Denney Drive
  - density - too dense
  - doesn't fit into aesthetics
  - what about parking, don't feel two cars will fit into a driveway
  - traffic all out to Denney, why not Murphy as well?
  - widening of Denney and sidewalks
  - park on the other side of the road and not on the same side, could be dangerous
  - school at capacity, where will kids go?

6. June Hamelin, 91 Denney Drive
- concerned with intersection, traffic study looks at east-west traffic flow, not north-south
  - few sidewalks
  - will Denney be upgraded?
  - stormwater – how will it flow?
  - concerned with grading, they will be an island with proposed grading
  - no grading detail provided for some lots
  - parkland – don't want lights for night-time activities
  - what is future road allowance for?
  - what type of sewage will be proposed?
  - number of units is too many
  - more access points should be considered
  - a lot of traffic onto one road
  - want topsoil piled away from their residence – construction access points furthest away from the settlement area ... could take a long time to build out

7. Mike Pearce, 7 Marshall Crescent
- high density; look at surrounding area
  - water, hydro were former concerns but not now (former p.m.)
  - now: density, don't want disruption to his lifestyle
  - spent \$11,000.00 last year on a new septic – don't want to have to connect to the sewage treatment system

Mayor David Guergis responded:

- the Province is pushing higher land use – dense now better – Smart Growth
- our hands are tied in some aspects
- this plan started a long time ago and a sewage treatment plant has been planned for a long time

8. Sherry Elliott, 24 Marshall Crescent
- only an increase of 52 students – how did the school board get this?
  - concerned with vandalism

Mayor David Guergis responded:

- there are lots of parks and facilities in Baxter, but if you have additional ideas you can let the Parks and Recreation Committee know

Sherry Elliott

- why a park next to a sewage treatment?

9. Karen Martin, 56 Marshall Crescent
- ditch full of water
  - stormwater concerns
  - will OCWA run water system?
  - cladding on homes?

Mayor David Guergis responded:

- water booster station built by developer and will be run by OCWA

Jackie Baird

- will we have to pay for sewage?

10. Dave Curlette, 57 Marshall Crescent
- will we have to pay for sewers running by our lots?
  - impact of the subdivision: our basements now are subject to water
  - water table is high
  - existing stream in Marshall subdivision- don't mess with the water table – what will

happen?

- come from the Toronto area and have never seen services on the east side across the road
- what about children crossing the road
- lived near a sewage treatment before – don't want the smell
- what kind of sewage?
- will a study be done on the impacts of the construction?

Mayor David Guergis responded:

- we know the impacts of construction/development – short time noisy
- we have learned of mitigation measures

11. Bill Ezers, 23 Gillespie Trail,

- stormwater pond and sewage treatment should be a buffer between the CPR and the homes

12. Jennifer Armstrong, 62 Marshall Crescent

- what about concerns re: sewage treatment, who should we take our concerns to?

Mayor David Guergis responded:

- keep in contact with our Planning Department, they can advise

Ray Duhamel of Jones Consulting introduced Peter Ruddy, Sepertech, Rick Perron, also of Jones Consulting and Pierre Boiron

Ray Duhamel indicated:

- lots on rail line are twice the depth
- will allow for a berm
- compact urban form
- original intent – private – Ministry of Environment has said full municipal services \*can't go on partial services now
- County proposing alternate targets for Places to Grow
- gives an indication of where we are heading
- this application was in before Places to Grow – one month prior

13. Sherry Elliott:

- can Denney Drive be expanded?

14. Brenda Pearce

- what about dropping off kids? Busy roads now in front of the school
- need to do something in front of school, what about a 40 kph speed zone? – look at southbound Denney – people drive to the school

15. June Hamelin

- can I get a copy of the CAO's memo?

16. Mark Hill, 191 Murphy Road

- present wells are surface level water
- concerned for water

17. Ellen Reid, 7790 5<sup>th</sup> Line

- 2 km North of CPR – need speed limit signs – want speed limit signs to curtail speeding
- can the County consider an alternate entrance? how did church get an entrance?
- existing parkette – no parking in old subdivision – no sidewalks in old
- \*provide for parking at new park
- will be new sidewalks on one side of the streets in the new plan

18. Brenda Pearce

- what about entrances ... what has changed?

Randy Marshall responded:

- now 2008 and there is a new County By-Law in place, the old church entrance was also removed at the request of the County

Denney Drive – surface well sandpoints

- Anyone with sandpoint will not have water
- How many people will it impact?
- If putting sewage treatment plant in, what about effluent?
- Can we test wells?

The Mayor stated:

If there are no further questions or submissions, Council wishes to thank all those in attendance for their participation. It is expected that the Manager of Planning and Development will bring forward a report to a future meeting.

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## TOWNSHIP OF ESSA STAFF REPORT

**STAFF REPORT NO.:** PW013-22

**DATE:** October 5<sup>th</sup>, 2022

**TO:** Committee of the Whole

**FROM:** Michael Mikael., Manager of Public Works

**SUBJECT:** Winter Sand Tender Results

### RECOMMENDATION

That Staff Report PW013-22 be received; and

That the tender received from **JOHN EEK & SON LTD** for the purchase, mixing and stacking of winter sand in the amount of **\$ 191,750** plus HST be accepted as per the Township specifications.

### BACKGROUND

The tender document for the Township's Winter Sand needs was posted on the Biddingo website on September 9<sup>th</sup>, 2022 and closed on September 23<sup>rd</sup>, 2022.

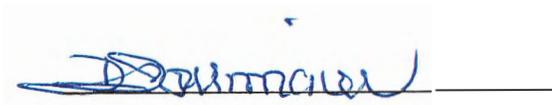
### COMMENTS AND CONSIDERATIONS

There were a total of 3 bids received. The 3 bids are summarized below:

Bidder	Total Tender excl HST
1. JAMES DICK CONSTRUCTION LIMITED	\$212,810
2. DUIVENVOORDEN HAULAGE LTD	\$196,300
3. JOHN EEK & SON LTD	\$191,750

### FINANCIAL IMPACT

Council approved **\$205,000.00** in the 2022 Roads Maintenance Operating Budget. There is approximately **\$130,433.00** remaining in this account.



Manager of Finance

## SUMMARY / OPTIONS

Council may

1. Take no action
2. Award the tender to **JOHN EEK & SON LTD** in the amount of **\$191,750** plus HST
3. Do not award the tender to **JOHN EEK & SON LTD** and select another bidder to complete the work based on reasons to be specified by Council

## CONCLUSION

Staff recommends that option 2 be approved given that this is the low bid and the Township has not had any previous problems with this supplier.

Respectfully submitted,



Michael Mikael, P.Eng  
Manager of Public Works

Reviewed by,



Colleen Healey-Dowdall  
Chief Administrative Officer



## TOWNSHIP OF ESSA STAFF REPORT

**STAFF REPORT NO.:** PW014-22

**DATE:** October 5<sup>th</sup>, 2022

**TO:** Committee of the Whole

**FROM:** Michael Mikael, Manager of Public Works

**SUBJECT:** **Suggested amendments to By-law 2005-96,  
Being a Consolidated By-law to Regulate Traffic and Parking,  
To Restrict Loading and Unloading by Private and Public  
Transportation along Centre Street in Angus**

### RECOMMENDATION

That Staff Report PW014-22 be received; and

That By-law 2005-26, being a Consolidated By-law to Regulate Traffic and Parking, be amended to include provisions, and in addition a new Schedule B, to restrict loading and unloading by private and public transportation along Centre Street in Angus; and

That Staff be directed to notify private and public transportation agencies of changes in Essa.

### BACKGROUND

On September 21, 2022, Council had requested that Staff investigate the safety concerns and traffic queuing and congestion resulting from parking and transportation activities (loading and unloading of private and public transportation means) on Centre Street within the urbanized limits of Angus (approximately 2.4 km from the 5<sup>th</sup> Line west to Elizabeth Street) as per Attachment no. 1.

Centre Street is under the jurisdiction of Essa Township, classified as a “rural collector road” with a posted speed limit of 50 km/hr with the following existing conditions:

- It is a two-lane, east-west, collector roadway
- It operates two-way traffic on a pavement width of approximately 9 m
- The daily two-way traffic volume is approximately 4,63 vehicles
- The posted regulatory speed limit is 50 km/h with seasonal traffic calming (speed humps)
- There are sidewalks located on only the south side of the street

### COMMENTS AND CONSIDERATIONS

Staff collected collision data (2017-2022) from the OPP along with speed data analysis before and after the installation of the seasonal traffic calming measures on Centre Street, while

keeping in mind that the current seasonal traffic calming measures are installed early summer and removed early October of every year in accordance with winter maintenance requirements.

Staff recommends prohibiting private and public transportation means from loading and unloading pedestrians on Centre Street within the urbanized corridor limits in Angus from the intersection of the 5<sup>th</sup> Line and Centre Street to Elizabeth Street and Centre Street based on the collision data and the speed data analysis completed on Centre Street to address safety concerns, potential congestion in this area and reduce potential liability exposure for the Township related to traffic movements and resulting from stopping or parking on Centre Street.

**Legal Implications/Legislative Requirements**

The current Consolidated “Parking” By-law, By-law 2005-96 as amended, doesn’t include provisions to regulate loading and unloading zones for private and public transportation means within the Township limits.

The Municipal Act, 2001, Chapter 25, Section 11 (3) provides that a lower-tier municipality may pass by-laws respecting matters within the spheres of its jurisdiction. Further, pursuant to the provisions of Section 11 of the Municipal Act, S.O. 2001, Ch. 25, the Council of the Corporation of the Township of Essa enacted By-law 2005-96, being a by-law to regulate vehicular parking within the limits of the Township of Essa on streets and within parking lots.

In addition, the Highway Traffic Act R.S.O. 1990, c.H.8 provides that a municipality may pass by-laws to regulate traffic;

It is suggested to introduce the following provisions as an amendment to the current “Parking” By-law, By-law 2005-96 as amended, to prohibit private and public transportation means from loading and unloading pedestrians and stopping on Centre Street from the intersection of the 5<sup>th</sup> Line to Elizabeth Street. In addition, a new schedule that outlines “Bus Loading and Unloading – Restricted Highways” (Schedule B).

*“Section 9.1 Bus Loading and Unloading Zones:*

*9.1.1 Where authorized signs have been erected, no person shall park or stop a bus, or permit a bus to remain parked or stopped for the purpose of loading and/or unloading pedestrians, on any highway as set out respectively in Schedule B of this By-law.*

*9.1.2 Schedule B “Bus Loading and Unloading Restrictions” shall form part of this By-law.*

**Schedule B**

<b>Column 1 (Highway)</b>	<b>Column 2 (Sides)</b>	<b>Column 3 (Limits)</b>	<b>Column 4 (Period)</b>
Centre Street	Both sides	From 5 <sup>th</sup> Line to Elizabeth Street	At anytime

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## FINANCIAL IMPACT

Minimal cost for purchasing and installing the custom signs and annual maintenance - approximate cost of \$1,000 to come from the Operating Budget, Roadside Maintenance. Public Works Staff should notify the school bus consortium; and Public Works and By-law Staff, and the OPP, may be needed to carry out enforcement of the amended by-law.



## SUMMARY/OPTIONS

Council may:

1. Take no further action;
2. Amend By-law 2005-26 to include provisions and a new Schedule B to regulate private and public transportation loading and unloading zones as set out in this Report;
3. Direct Staff to notify private and public transportation agencies;
4. Direct Staff in another course of action.

## CONCLUSION

Staff recommends that options 2 and 3 be approved in order to address safety concerns. More specifically, it is believed that the suggested amendments will serve as a means to prohibit private and public transportation from loading and unloading pedestrians and stopping on Centre Street where there are concerns for the safety of the public including children.

Respectfully submitted,

Reviewed by,



Michael Mikael, P.Eng.  
Manager of Public Works



Colleen Healey-Dowdall  
Chief Administrative Officer

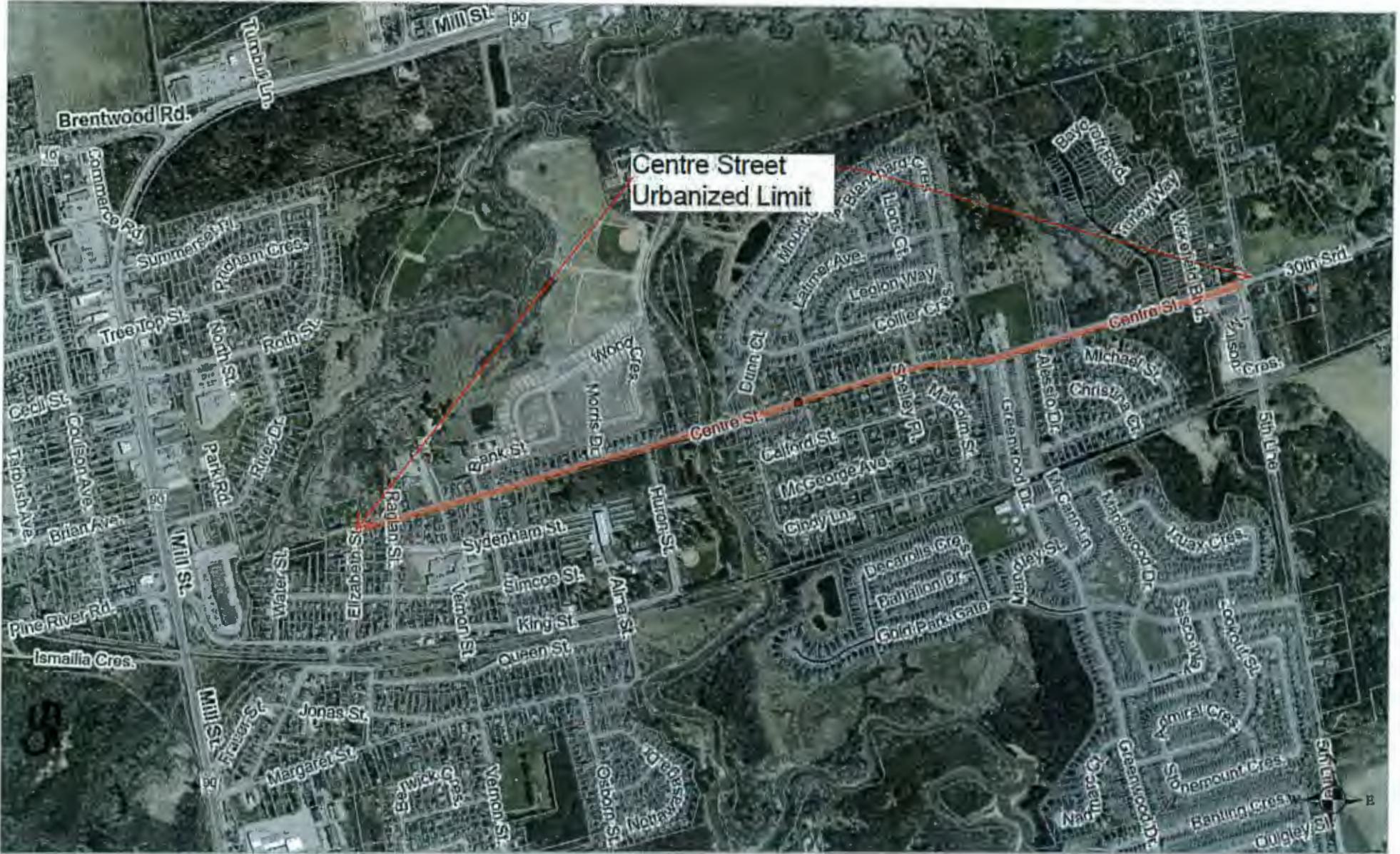
Attachments:

Attachment no.1: Centre Street Map

Attachment no.2: Parking By-law 2005-96 with proposed revisions to section 9 and a new Schedule B

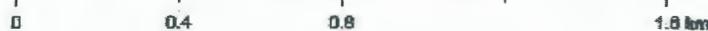
# Essa - Web Map

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1:18,056



September 26, 2022





# THE CORPORATION OF THE TOWNSHIP OF ESSA

## Parking By-law 2005-96 as amended

### OFFICE CONSOLIDATION

This Office Consolidation is for ease of reference only. Copies of Original and Amending By-laws can be obtained by contacting the Clerk's Office at 705-424-9917.

Amending By-laws:

2008-21, 2013-22, 2013-46, 2017-07, 2018-87, 2018-102 and 2021-38

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**THE CORPORATION OF THE TOWNSHIP OF ESSA**

**BY-LAW NO. 2005 – 96 (amended)**

**Being a By-law to provide for the regulating of vehicle parking, standing and stopping on highways or parts of highways under the jurisdiction of the Corporation of the Township of Essa, and to Repeal By-law 97-63.**

WHEREAS Section 11(2) of the *Municipal Act*, 2001, S.O. 2001, c.25 provides that lower tier municipalities have the power to pass by-laws under a sphere of jurisdiction as assigned to an upper tier non-exclusively; and

WHEREAS Section 27 (1) of the *Municipal Act* provides that a municipality may pass by-laws in respect to highways over which it has jurisdiction, including the authority to regulate parking on highways; and

WHEREAS Section 35 of the *Municipal Act* provides that a municipality may restrict the common law right of passage by the public over a highway; and

WHEREAS Sections 63(1) and 101 of the *Municipal Act* allow for the removal and impounding or restraining and immobilization of vehicles placed, stopped, standing or parking on a highway or on private land in contravention of a municipal by-law regulating vehicles;

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

**1 DEFINITIONS:**

1. The meaning ascribed to any term defined in subsection 1 of Section 1 of the *Highway Traffic Act*, R.S.O. 1990, Chapter H.8 as amended from time to time, are the meanings of that term as used in this By-law, unless that term is otherwise defined in subsection 1.2 of this Section.

For the purposes of this By-law:

- a. "Authorized Sign" means a sign or other device placed or erected on a highway or elsewhere pursuant to the provisions of this By-law and approved by the Ministry;
- b. "Boulevard" means all parts of the highway save and except any roadway, shoulder or sidewalk;
- c. "Bus Stop" means that part of a highway designated by a sign where buses will stop to take on or let off passengers;
- d. "Collector Road" means a road that serves to collect and distribute traffic between local streets and arterial roads, with typical daily motor vehicle traffic volume between 2,500 to 8,000 vehicles per day, with lower speeds (40-50 km/h);
- e. "Corner" means the point of intersection of curbs or edges of the portion of the highway used for vehicular traffic;
- f. "Council" means the Council of the Corporation of the Township of Essa;

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- g. “Curb” shall include the edge of the roadway and gutters;
- h. “Driveway” means improved land on a highway which provides vehicular access from the roadway to a laneway or a parking area on adjacent lands;
- i. “Fire Route” means a private roadway designated as a fire route by one or more signs erected by or on behalf of the owner or occupant of the private roadway;
- j. “Highway” includes a common and public highway, street, avenue, parkway, square, place, bridge, viaduct or trestle, designed and intended for, or used by the general public for the passage of vehicles, including unopened and unassumed highways;
- k. “Highway, one way” means a highway upon which the movement of vehicular traffic is limited to one direction;
- l. “Inner Boulevard” means that part of the highway lying between the property line and the edge of the sidewalk nearest to the property line and where there is no sidewalk, it means that part of the highway lying between the property line and the edge of the shoulder furthest from the roadway or where a shoulder does not exist from the edge of the roadway;
- m. “Laneway” means improved land adjacent to the highway which provides access from the highway to a parking area on adjacent land;
- n. “Leave or Left when prohibited” means the parking of a motor vehicle:
- i. in excess of any time limit so posted; or,
  - ii. where a time limit is not posted, in excess of two hours; or,
  - iii. for any use other than the normal use intended for the property;
- p. “Local Board” means a local board as defined in the *Ontario Municipal Act, 2001*;
- q. “Local Road” means a road that serves primarily to provide access to properties and serve a relatively minor role in carrying motorized traffic, with typical motor vehicle traffic volume of less than 2,500 vehicles per day, with lower speeds (40-50 km/h);
- r. “Municipality” means the Corporation of the Township of Essa;
- s. “Municipal Property” means property of the Township of Essa or any local board thereof;
- t. “Officer” means a Municipal Law Enforcement Officer appointed by the Township of Essa for the purpose of carrying out the enforcement of this By-law;
- u. “OPP Commander” means the Detachment Commander of the Ontario Provincial Police having authority in the Township, or designate;
- v. “Outer Boulevard” means that part of the highway lying between any sidewalk and the edge of the shoulder furthest from the roadway where a shoulder does not exist from the edge of the roadway;
- w. “Owner” when used in relation to property means the registered owner of the

property;

- x. "Owner" when used in relation to a vehicle means the last registered name on file with the Ministry of Transportation;
- y. "Park" or "Parking", when prohibited, means the standing of a vehicle, whether occupied or not, except when standing temporarily for the purpose of and while actually engaged in loading or unloading merchandise or passengers;
- z. "Parking Infraction Notice" means a notice of an infraction of this By-law given by an Officer or Constable;
- aa. "Parking Space" means that part of the surface of a roadway designated for the purpose of parking a vehicle;
- bb. "Pedestrian" means a person or child, on foot or in a wheelchair, motorized accessibility scooter, or baby carriage;
- cc. "Person" means an individual human being, his/her personal representative and their heirs, executors and assigns and shall also include a corporation with or without share capital and for the purpose of this By-law includes the owner or driver of a vehicle;
- dd. "Private Road" means a highway, road or laneway on private property and one which is not assumed by, or under the jurisdiction of the municipality;
- ee. "Road Right-of-Way" means a type of easement granted or reserved by the municipality on all roads within the municipality including the driving surface (paved and/or gravel) and beyond the driving surface over the land for transportation purposes;
- ff. "Roadway" means that part of the highway that is improved, designed or ordinarily used for vehicular traffic, but does not include the shoulder and, where a highway includes two or more separate roadways, and the term Roadway refers to any one roadway separately and not to all of the roadways collectively;
- gg. "Shoulder" means that part of the highway immediately adjacent to the roadway and having a surface which has been improved with asphalt, concrete or gravel for the use of vehicles;
- hh. "Sidewalk/footpaths" means that portion of a highway as is set aside by the Township for the use of pedestrians;
- ii. "Stand" or "Standing", when prohibited, means the halting of a vehicle, whether occupied or not, except for the purpose of and while actually engaged in receiving or discharging passengers (immobilization);
- jj. "Stop" or "Stopping", when prohibited, means the halting of a vehicle, even momentarily, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a Police Officer or of a traffic control sign or signal;
- kk. "Township" means the Corporation of The Township of Essa;

- ii. "Vehicle" includes a motor vehicle, trailer, commercial motor vehicle, an automobile, motorcycle, motor assisted bicycle, a motorized snow vehicle, traction engine, farm tractor, self-propelled implement of husbandry road building machine and any other vehicle propelled or driven otherwise than by muscular power.

**2. GENERAL REGULATIONS**

- 1. Where any expression of time occurs or where any hour or other period of time is stated, the time referred to shall be standard time, provided however, if what is known as "daylight savings time" has been generally adopted in the Township for any period of the year, under any statute, order-in-council, By-law, resolution or proclamation, whether the same is effective in law or not, such time shall be the time referred to during such period in any reference to time in this By-law.
- 2. The Roads Supervisor for the Township, or designate, shall have authority to place or erect and to maintain such authorized signs as are required to give effect to the provisions of this By-law;
- 3. No person shall place, maintain or display on any highway, any sign, marking or device which purports to be, or is an imitation of, or resembles an authorized sign or which conceals from view or interferes with the effectiveness of an authorized sign.
- 4. The Detachment Commander and the Township Roads Supervisor are hereby authorized to place or erect and maintain temporary "No Parking" signs and "No Stopping" signs on any highway.
- 5. The Schedule to this By-law shall form part of this By-law and each entry in a column of such a schedule shall be read in conjunction with the entry or entries across therefrom and not otherwise.
- 6. "Severability" - If any Court of competent jurisdiction finds that any of the provisions of this By-law are ultra vires of the jurisdiction of the Council to pass or are invalid for any other reason, such provision shall be deemed to be severable and shall not invalidate any of the other provisions of the By-law which shall remain in full force and effect.
- 7. A word interpreted in the singular number has a corresponding meaning when used in the plural.
- 8. "May" shall be construed as permissive.
- 9. "Shall" shall be construed as imperative.
- 10. "Distances" - Where a distance is used in this By-law as part of a prohibition of parking or stopping within a specified distance of an object, structure, land or part of a highway, such distance shall be measured:
  - (a) Along the curb or edge of the roadway from a point in such curb or edge of roadway opposite such object, structure, land or part of a highway, unless the context otherwise requires, and;
  - (b) from such object, structure, land, or part of a highway in all directions.

11. This By-law applies only to highways forming part of the road system under the jurisdiction of the Municipality.
12. If compliance therewith be impractical, the provisions of this By-law shall not apply to:
  - (a) ambulances, police, fire department, or public utility emergency vehicles; or,
  - (b) vehicles actually engaged in works undertaken for, or on behalf of the Municipality.

### 3. GENERAL STOPPING OR PARKING REGULATIONS

1. No person shall park or stop any vehicle on any highway or portion thereof except as follows:
  - (a) where there is a raised curb or a rolled curb on the right side of the roadway having regard to the direction such vehicle was proceeding with its right front and rear wheels parallel to and not more than 15 centimetres (5.9 inches) from such curb; or,
  - (b) where there is no curb or a rolled curb, with the right front and rear wheels parallel to and as near the right-hand limit of the highway as is practical without parking or stopping over a sidewalk or footpath or over any part of a highway where grass is grown or which is not intended for the use of vehicles.
2. Notwithstanding the provisions of subsection 4.1, on designated one-way highways where parking or stopping is permitted on the left side of a highway, no person shall park or stop any vehicle on any highway or portion thereof except as follows:
  - (a) where there is a raised curb or rolled curb on the left side of the roadway having regard to the direction in which the vehicle was traveling, with its left front and rear wheels parallel to, and no more than 15 cm (5.9 inches) away from such curb; or,
  - (b) where there is no curb or rolled curb, on the left side of the roadway having regard to the direction in which the vehicle was traveling with the left front and rear wheels parallel to and as near to the left hand limit of the highway as is practical without parking or over a sidewalk or footpath or over any part of a highway where grass is grown or which is not intended for use of vehicles.
3. Where parallel parking spaces are designated by lines painted on a roadway, no person shall park or stop any vehicle other than within the designated spaces.
4. Where angle parking is permitted, no person shall:
  - (a) park any vehicle other than within the designated spaces where parking spaces are designated by painted lines on the roadway; or,
  - (b) park or stop any vehicle except at an angle of 45 degrees to the curb or

boundary of the roadway where parking spaces are not designated by lines painted on the roadway.

5. The provisions of subsections 4.1 and 4.2 do not apply on highways where angle parking is permitted.

#### 4. **PARKING PROHIBITED WITH SIGNS**

When authorized signs have been erected, no person shall park a vehicle or permit a vehicle to remain parked on any highway:

1. In front of, or within 9 metres (29.5 feet) of a lot on which there is a fire hall or on the side of the highway on which the fire hall is located;
2. On the opposite side of a highway from a fire hall and within 30 metres (98.4 feet) of the projected lot lines of the lot on which such fire hall is located;
3. Within 20 metres (65.6 feet) of an intersection;
4. Within 30 metres (98.4 feet) of an intersection controlled by traffic signals;
5. In front of the main entrance to, or any emergency exit from any church, hotel, hospital, nursing home, theatre, auditorium or other building or enclosed space in which persons may be expected to congregate in large numbers;
6. Within 30 metres (98.4 feet) of the approach side of a crosswalk that is not located at an intersection;
7. Within 15 metres (49.2 feet) of the departure side of a crosswalk that is not located at an intersection; or,
8. So as to interfere with the formation of a funeral procession.

#### 5. **PARKING PROHIBITED REGARDLESS OF SIGNAGE**

No person shall park a vehicle or permit a vehicle to remain parked on any highway;

1. Within 9 metres (29.5 feet) of an intersection;
2. Within 9 metres (29.5 feet) of a fire hydrant;
3. For 30 metres (98 feet) of the roadway fronting a Cenotaph at any time;
4. In front of or within 1.5 metres (4.9 feet) of a laneway or driveway;
5. So as to obstruct a vehicle in the use of any laneway or driveway;
6. In such a position that will prevent the convenient removal of any other vehicle previously parked;
7. For the purpose of displaying the vehicle for sale;
8. For the purpose of greasing or repairing the vehicle except for such repairs necessitated by an emergency;

9. On the roadway where the width of the roadway is 6 metres (19.6) feet or less;
10. On a driveway within 1 metre (3.2 feet) of a sidewalk or footpath, or if there is no sidewalk or footpath within 3 metres (9.8 feet) of the roadway;
11. So as to impede or obstruct the flow of other traffic during its lawful use of the highway;
12. On a boulevard; or,
13. Between the hours of 2:00 a.m. and 8:00 a.m. from the first day of November to the first day of May in any calendar year for the purposes of snow removal.

#### 6. STOPPING PROHIBITED REGARDLESS OF SIGNAGE

No person shall stop a vehicle or permit a vehicle to remain stopped on any highway:

1. On, partly on, or over a sidewalk or footpath;
2. Within an intersection or crosswalk;
3. Within 30 metres (98.4 feet) of the approach side of a crosswalk that is not located at an intersection;
4. Within 15 metres (49.2 feet) of the departure side of a crosswalk that is not located at an intersection;
5. Adjacent to, or across from, an excavation or obstruction in the roadway, when the free flow of traffic would be obstructed;
6. On the roadway side of any stopped or parked vehicle;
7. Upon any bridge or elevated structure except where parking is otherwise permitted in this By-law;
8. Within 30 metres (98.4 feet) of either end of a bridge or elevated structure;
9. Within 30 metres (98.4 feet) of the approach side of the nearest rail of any level crossing of a railway; or,
10. Within 15 metres (49.2 feet) of the departure side of the nearest rail or any level crossing of a railway.

#### 7. PARKING OR STOPPING PROHIBITED, WITH SIGNS

When authorized signs have been erected, no person shall stop or park a vehicle or permit a vehicle to remain stopped or parked:

1. On either side of a highway adjacent to a school, park or playground between the hours of 7:30 a.m. and 7:00 p.m.; or,
2. Within the turning basis of a cul-de-sac.

**8. PARKING REGULATIONS - HIGHWAY CLEARING, CLEANING, SNOW REMOVAL AND SNOW PLOUGHING**

When authorized signs have been erected, no person shall park a vehicle or permit a vehicle to remain parked on a highway:

1. So as to interfere in any manner with the work of clearing/or removing snow or ice therefrom; or,
2. In such a manner so as to interfere with highway cleaning operations.
3. Despite other provisions, in accordance with Section 170 (12) of the *Highway Traffic Act*, R.S.O. 1990, c. H.8, no person shall park or stand a vehicle on a highway in such a manner as to interfere with the movement of traffic or the clearing of snow from the highway.

**9. PARKING PROHIBITED - SPECIFIED TIMES AND PLACES WITH SIGNS - SCHEDULE "A"**

When authorized signs have been erected, no person shall park a vehicle, or permit a vehicle to remain parked on any highway at the side and between the limits set out respectively in columns 1, 2 and 3 of Schedule "A" of this By-law during the times or days set out in column 4 of Schedule "A".

**9.1 BUS LOADING / UNLOADING ZONES:**

- 9.1.1 *Where authorized signs have been erected, no person shall park or stop a bus, or permit a bus to remain parked or stopped for the purpose of loading and/or unloading pedestrians, on any highway as set out respectively in Schedule "B" of this By-law.*
- 9.1.2 *Schedule B "Bus Loading and Unloading Restrictions" shall form part of this By-law.*

PROPOSED AMENDMENT

**10. PARKING OR STOPPING PROHIBITED - VENDING VEHICLES**

No person:

1. Who is selling or offering goods or produce for sale from a stationary vehicle on a highway, shall park the vehicle or permit the vehicle to remain parked in such a manner as to obstruct traffic;
2. Shall offer for sale or sell goods or produce from a vehicle on a highway, except from the side of such vehicle facing an inner or outer boulevard;
3. Who is selling or offering goods or produce for sale from a vehicle, for the purpose of carrying on business, shall stop the vehicle on any part of a highway for a period of time in excess of ten (10) minutes at any one location.

**11. PARKING PROHIBITED - PRIVATE PROPERTY AND MUNICIPAL PROPERTY**

- 
1. For the purpose of this section, the following definitions shall apply:
- (a) “Municipal Property” means all property owned or occupied by the Township of Essa or any local board thereof except municipal roads controlled under the *Highway Traffic Act* or a municipal Traffic Control By-law;
  - (b) “Occupant” when used in relation to property means:
    - i. the lawful tenant or lessee of the property;
    - ii. the registered tenant or lessees of a condominium unit, whose consent shall extend only to the control of the unit of which he is tenant or lessee and any parking spaces allotted to him by the condominium corporation or reserved for his exclusive use in the declaration or description of the property;
    - iii. the spouse of a person described in the 11.1 (b) i. or 11.1 (b) ii;
    - iv. the board of directors of a condominium corporation;
    - v. a person authorized, in writing, by the property owner as defined in 11.1 (b)i., 11.1 (b)ii., 11.1 (b)iii. or 11.1 (b)iv. to act on the owner=s behalf for requesting the enforcement of a By-law passed under this paragraph;
  - (c) “Owner” when used in relation to property means:
    - ii. the registered owner of the property;
    - ii. the registered owner of a condominium unit, whose consent shall extend only to the control of the unit of which he is owner and any parking spaces allotted to him by the condominium corporation or reserved for his exclusive use in the declaration or description of the property;
    - iii. the spouse of a person described in 11.1 (c)i. or 11.1 (c)ii.;
    - iv. the board of directors of the condominium corporation where the property is included in a description registered under the Condominium Act.
  - (d) “Private Property” means all property except the property described in Section 1.2 xviii.
2. Where an owner or occupant of property has posted signs:
- (a) stating conditions on which a vehicle may be parked or left on the property;  
or,
  - (b) prohibiting the parking or leaving of a vehicle on the property.

Any vehicle left in contravention of the conditions posted shall be deemed to be left

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without consent.

3. No person shall park or leave a vehicle:
  - (a) on private property without first having obtained written permission from the owner or occupant of the property;
  - (b) on property owned or occupied by the Township or any local board thereof without first having obtained written consent from the Township or the local board.
4. No person shall be charged under Section 12.3(a) of this By-law except where a signed request from the property owner or occupant has been received.
5. No person shall park or leave a vehicle on private property without consent of an owner, occupant or any adult resident of the property.
6. Where a driver of a vehicle who is not the owner has been charged under Section 12.3 of this By-law and is liable to a penalty, the owner of the vehicle is also liable to such penalty unless, at the time of the offence, the vehicle was being used without the owner's consent.
7. No person shall park a vehicle or permit a vehicle to remain parked on property owned by the Township or any local board thereof:
  - (a) in or at an area that is designated by sign as reserved, unless the area is reserved for such person; and,
  - (b) in or at an area designated by sign as an area where parking is prohibited.
8. The provisions in Section 12.3(b) shall not apply where authorized signs have been posted indicating parking is permitted.

## 12. DISABLED PARKING SPACES - PROHIBITED PARKING WITH SIGNS

1. In accordance with Township of Essa By-law 2004-22, no person or organization shall park a vehicle in a designated disabled parking space unless a currently valid permit has been issued to such person or organization, or to a passenger being picked up or transported in such vehicle, and such permit is displayed on or in such vehicle in accordance with the requirements of the *Highway Traffic Act*, the regulations therein.
2. Upon discovery of any vehicle parked or left in contravention of By-law 2004-22, a Police Officer, Municipal By-law Enforcement Officer or an officer appointed for carrying out provisions of the *Highway Traffic Act*, may cause it to be moved or taken to and placed or stored in a suitable place, and all costs and charges for removal, care and storage thereof, if any, shall be at the expense of the owner.
3. When authorized signs have been erected no person shall park or stop a vehicle or allow a vehicle to remain parked or stopped in a public parking area in a parking space reserved for physically disabled persons unless a valid permit is openly displayed on the dashboard of the vehicle or license plates issued for the physically disabled are properly attached to the front and rear of the vehicle.

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4. Enforcement of this Section on property other than municipal property will only be carried out upon written consent by the owner.

**13. COMMERCIAL, LARGE MOTOR VEHICLE, HEAVY MOTOR VEHICLE AND TRAILERS – PARKING PROHIBITED WITHIN ROAD RIGHT-OF-WAY, LOCAL AND COLLECTOR ROADS REGARDLESS OF SIGNAGE**

- 13.1 For the purposes of this section, the following definitions apply:

- a. *“Commercial Motor Vehicle” means a motor vehicle, **used or intended to be used for commercial purposes**, having permanently attached thereto a truck or delivery body licensed as such by the Ministry of Transportation and without limiting the generality of the foregoing includes ambulance, hearses, casket wagons, fire apparatus, police patrols, motor buses, and tractors used for hauling purposes on the highways. Includes the following even if it does not have a truck or delivery body attached to it:*
- i. a motor vehicle commonly known as a tow truck;
  - ii. a mobile equipment vehicle (ie: Road Building Machines as outlined in O. Regulation 398/16); and
  - iii. a vehicle built on a truck chassis.
- b. *“Heavy Motor Vehicle” means a commercial vehicle having a weight when unloaded of 3 tonnes or more, or a weight when loaded of 4.5 tonnes, but does not include an ambulance, police, fire, emergency or utility vehicle.*
- c. *“Large Motor Vehicle” means any motor vehicle having an overall height greater than 3.2 metres or overall length greater than 7.5 metres, and includes recreational vehicles such as RVs, campers, trailers, etc.*
- d. *“Trailer” shall mean any a vehicle that is, at any time, drawn upon a highway by a motor vehicle, except an implement of husbandry, mobile home, another motor vehicle or any device or apparatus not designated to transport persons or property, temporarily drawn, propelled or moved upon such highway, and except a side car attached to a motorcycle, and shall be considered a separate vehicle and not part of the motor vehicle by which it is drawn, regardless of being loaded or unloaded.*

- 13.2 No person shall park or stop, or permit to remain parked or stopped, any commercial motor vehicle, large motor vehicle or heavy motor vehicle on any local road or collector road as outlined in Schedule B of By-law 2005-96.

**13.2.1 EXCEPTIONS**

Section 13.2 does not apply where:

- a. a Road Occupancy Permit has been applied for and obtained from the municipality.
- b. The commercial, large or heavy vehicle is engaged in works undertaken for, or on behalf of the municipality, with permission having been granted by the municipality.
- c. the commercial, large or heavy motor vehicle or trailer is engaged in making a delivery to, or a collection from, a premises which cannot be

reached except by way of a highway or a portion of highway referred to in the said section, or to prohibit the use of such vehicles for such purpose, provided that in making such delivery or collection, the said highway or portion of a highway is travelled only insofar as is unavoidable in getting to and from such premises. Not to exceed five (5) hours on any road.

13.3 No person shall park or stop, or permit to remain parked or stopped, any trailer on any local road or collector road, at any time, as outlined in Schedule B of By-law 2005-96.

**13.3.1 EXCEPTIONS**

Section 13.3 does not apply where:

- a. A Road Occupancy Permit has been applied for and obtained from the municipality.
- b. The trailer is engaged in works undertaken for, or on behalf of the municipality, with permission having been granted by the municipality.

**14. DEFACING SIGNS - TRAFFIC SIGNALS**

No person shall move, remove, deface or in any manner interfere with any sign, traffic control signal, marking, or other traffic control device placed, erected or maintained under this By-law.

**15. FRESHLY PAINTED LINES ON ROADWAY**

No person shall drive any vehicle over any marking on the roadway where markers are in place to indicate that the marking material has been freshly painted.

**16. PARKING & STOPPING PROHIBITED IN A FIRE ROUTE WITH SIGNS**

When authorized signs have been erected, no person shall park or stop a vehicle or permit a vehicle to be stopped or parked in a designated fire route.

**17. DEPOSIT OF ICE OR SNOW**

- 1. No person shall deposit any snow or ice on any roadway or sidewalk situated on a highway.
- 2. No person shall obstruct any roadway or sidewalk situated on a highway with any snow or ice.
- 3. No person shall deposit or cause to be deposited any amount of snow or ice on private property without the consent of the owner.

**18. ENFORCEMENT AND ADMINISTRATION**

This By-law shall be enforced and administered by:

- (a) Municipal Law Enforcement Officers of the Township; and,

- (b) The Ontario Provincial Police; and,
- (c) Enforcement Officers of the Nottawasaga Valley Conservation Authority (NVCA), only on properties owned and/or leased by the NVCA; and
- (d) The Roads Supervisor, Assistant Roads Supervisor, Winter Night Patrol Person and Weekend Patrol Person.
- (e) the Building Inspector and Chief Building Official

**19. PENALTIES**

Any person who contravenes any provision of this By-law is guilty of an offence and **upon conviction** is subject to a penalty pursuant to the Provincial Offences Act, R.S.O. 1990.

**20. VOLUNTARY PAYMENT**

Notwithstanding the provisions of Section 20 of this By-law, any person may, upon presentation of a Certificate of Parking Infraction indicating the commission of an offence as set out in Sections 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 17 and 18 of this By-law and, showing a set fine as set out in the attached schedule, may make early payment in the manner shown on the reverse side of the Certificate of Parking Infraction.

**21. TOWING AND IMPOUNDING**

- 1. Notwithstanding any other penalty imposed by this By-law, the Officer or Constable issuing the Certificate of Parking Infraction may have the vehicle towed and impounded at the owner's expense.
- 2. All towing and impounding charges incurred under Section 22 shall become a lien against the vehicle and are collectable under the *Mechanic's Lien Act*, R.S.O. 1990, as amended.

**22. EFFECT**

This By-law shall take effect on the day of passing and upon approval of the Set Fine Schedule.

READ A FIRST, AND TAKEN AS READ A SECOND AND THIRD TIME AND FINALLY PASSED on this the Twenty First day of December, 2005.

*Original signature on file*

\_\_\_\_\_  
David Guergis, Mayor

*Original signature on file*

\_\_\_\_\_  
Carol O. Trainor, Clerk / Deputy Treasurer

**SCHEDULE “A” Consolidated  
 As amended by: 2008-21,**

<b>Column 1 (Highway)</b>	<b>Column 2 (Side[s])</b>	<b>Column 3 (Limits)</b>	<b>Column 4 (Period)</b>
8 <sup>th</sup> Line (Road Allowance between Concessions 7 and 8)	Both sides	From the North Limit of Lot 26, to a point 468 metres north thereof	At any time
9 <sup>th</sup> Line (Road Allowance between Concessions 8 and 9)	Both sides	From a point 170 metres north of the south boundary of Lot 11 to a point 445 metres north of this boundary	At any time
6 <sup>th</sup> Line (Road Allowance between Concessions 5 & 6)	Both sides	From the south boundary of Lot 6 to the North limit of Lot 6	At any time
6 <sup>th</sup> Line (Road Allowance between Concessions 5 & 6)	Both sides	From North limit of Lot 30 to South limit of Lot 29	At any time
6 <sup>th</sup> Line	Both sides	300 m north of the northern boundary of the 19 <sup>th</sup> Sideroad, to a point 350 m north of the said boundary	At any time
Fraser Street, Plan 160A	Both sides	From Curtis Street, a distance of 133 metres West on Fraser Street	At any time
Jonas Street, Plan 160A	Both sides	From Elm Street, a distance of 81 metres West on Jonas Street	At any time
10 <sup>th</sup> Line (Road Allowance between Concessions 9 & 10)	Both sides	From the south limit of Lot 16 to a point 300 metres north thereof	At any time
Curtis Street, Plan 160A	Both sides	From Queen Street to Jonas Street	no more than 30 minutes
Roth Street	North side	From Highway #90 (Mill Street) easterly to North Street	At any time
Cecil Street	North side	From Highway #90 (Mill Street) westerly to Mansonic Way	At any time
McCarthy Crescent Plan 51M-428	South side	From Darren Drive easterly to Mansonic Way	At any time

Column 1 (Highway)	Column 2 (Side[s])	Column 3 (Limits)	Column 4 (Period)
Summerset Place	Both sides	From Mill Street (County Road 90) easterly a distance of 100 metres	At any time
5 <sup>th</sup> Line	West side	From driveway at 5122 - 5 <sup>th</sup> Line southerly a distance of 75 metres	At any time
Centre Street	South side	From Duckworth Street west to the west limits of 196 Centre Street	At any time
5 <sup>th</sup> Line	Both sides	From the single lane bridge over the Nottawasaga River located at Part Lot 3, southerly to a distance of 750 metres	At any time
Brian Avenue	South Side	From Coulson Avenue to Lee Avenue	At any time
Bushey Avenue	West Side	From Brian Avenue to Cecil Street	At any time
Tarbush Avenue	East Side	From Brian Avenue to Cecil Street	At any time
Sydenham Street	North Side	From Auburn Street to Raglan Street	At any time
Vernon Street	Both Sides	From Sydenham Street to Centre Street	At any time
Raglan Street	West Side	From Simcoe Street to Centre Street	At any time
Auburn Street	East Side	From Simcoe Street to Centre Street	At any time
Simcoe Street	South Side	From Raglan Street to Auburn Street	At any time

**PROPOSED  
SCHEDULE  
TO BE  
ADDED**

**Schedule "B" of By-law 2005-96**

**Bus Loading and Unloading – Restricted Highways**

<i>Column 1 (Highway)</i>	<i>Column 2 (Sides)</i>	<i>Column 3 (Limits)</i>	<i>Column 4 (Period)</i>
<i>Centre Street</i>	<i>Both sides</i>	<i>From 5<sup>th</sup> Line to Elizabeth Street</i>	<i>At anytime</i>

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Township of Essa  
By-law No. 2005 – 96 as amended  
Title: Vehicle Parking, Standing & Stopping By-law  
Part II Provincial Offences Act

Item	Column 1 Short Form Wording	Column 2 Provision Creating or Defining Offence	Column 3 Early Voluntary Payment payable within 7 days	Column 4 Set Fine
1.	Improperly parked or stopped on the right side of a roadway with its right wheels parallel to and not more than 15 cm from a raised or rolled curb	Section 3 1(a)	\$25.00	\$35.00
2.	Improperly parked or stopped with the right wheels parallel to the right hand limit of the highway, where there is no curb, without stopping on any portion not intended for vehicles	Section 3 1(b)	\$25.00	\$35.00
3.	Improperly parked, with signs, within 9m of a lot containing a fire hall	Section 4.1	\$25.00	\$35.00
4.	Improperly parked, with signs, opposite a fire hall and within 30m of the fire hall lot lines	Section 4.2	\$25.00	\$35.00
5.	Improperly parked, with signs, within 20m of an intersection	Section 4.3	\$25.00	\$35.00
6.	Improperly parked, with signs, within 30m of an intersection controlled by traffic signals	Section 4.4	\$25.00	\$35.00
7.	Improperly parked, with signs, in front of any building or enclosed space where persons may congregate in large numbers	Section 4.5	\$25.00	\$35.00
8.	Improperly parked, with signs, within 30m of the approach of a crosswalk not at an intersection	Section 4.6	\$25.00	\$35.00
9.	Improperly parked, with signs, within 15m of the departure side of a crosswalk not at an intersection	Section 4.7	\$25.00	\$35.00
10.	Improperly parked, with signs, interfering with the formation of a funeral procession	Section 4.8	\$25.00	\$35.00
11.	Parked within 9 metres of an intersection	Section 5.1	\$25.00	\$35.00
12.	Parked within 9 metres of a fire hydrant	Section 5.2	\$25.00	\$35.00
13.	Parked within 30 metres fronting a Cenotaph	Section 5.3	\$25.00	\$35.00
14.	Parked within 1.5 metres of a driveway or laneway	Section 5.4	\$25.00	\$35.00
15.	Parked so as to obstruct a driveway or laneway	Section 5.5	\$25.00	\$35.00
16.	Parked so as to prevent removal of any other parked vehicle	Section 5.6	\$25.00	\$35.00
17.	Parked for the purposes of display or sale	Section 5.7	\$25.00	\$35.00
18.	Parked for the purposes of repair.	Section 5.8	\$25.00	\$35.00
19.	Parked on a roadway less than 6 metres wide.	Section 5.9	\$25.00	\$35.00
20.	Parked on a driveway within 1 meter of a sidewalk	Section 5.10	\$25.00	\$35.00
21.	Parked on a driveway within 3 meters of a roadway with no sidewalk	Section 5.10	\$25.00	\$35.00
22.	Parked so as to impede the flow of traffic	Section 5.11	\$25.00	\$35.00
23.	Parked on a boulevard	Section 5.12	\$25.00	\$35.00
24.	Parked on a highway between 2:00 a.m. and 8:00 a.m. from November 1 to May 1	Section 5.13	\$25.00	\$35.00
25.	Stopped on a sidewalk/footpath	Section 6.1	\$25.00	\$35.00
26.	Stopped within an intersection or crosswalk	Section 6.2	\$25.00	\$35.00
27.	Stopped within 30 m of the approach of a sidewalk	Section 6.3	\$25.00	\$35.00

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<b>Item</b>	<b>Column 1</b> Short Form Wording	<b>Column 2</b> Provision Creating or Defining Offence	<b>Column 3</b> Early Voluntary Payment payable within 7 days	<b>Column 4</b> Set Fine
28.	Being the owner of a vehicle stopped within 15 m of the departure of a crosswalk	Section 6.4	\$25.00	\$35.00
29.	Stopped proximate to road excavation so as to obstruct traffic flow	Section 6.5	\$25.00	\$35.00
30.	Stopped on the road side of a parked vehicle	Section 6.6	\$25.00	\$35.00
31.	Stopped upon a bridge or elevated structure	Section 6.7	\$25.00	\$35.00
32.	Stopped within 30 m of a bridge	Section 6.8	\$25.00	\$35.00
33.	Stopped within 30 m of the approach to a level crossing	Section 6.9	\$25.00	\$35.00
34.	Stopped within 15 m of the departure from a level crossing	Section 6.10	\$25.00	\$35.00
35.	Stopped in an area prohibited by signs adjacent to a school, park or playground between 7:30 a.m. and 7:00 p.m.	Section 7.1	\$25.00	\$35.00
36.	Parked in an area prohibited by signs adjacent to a school, park or playground between 7:30 a.m. and 7:00 p.m.	Section 7.1	\$25.00	\$35.00
37.	Stopped or parked in an area prohibited by signs in a cul-de-sac	Section 7.2	\$25.00	\$35.00
38.	Parked on a highway so as to interfere with the clearing or removing of snow	Section 8.1	\$25.00	\$35.00
39.	Vending vehicle parked or stopped so as to obstruct traffic	Section 10.1	\$30.00	\$40.00
40.	Vending vehicle stopped on a highway and carrying on business in excess of 10 minutes	Section 10.3	\$30.00	\$40.00
41.	Parked on private property without permission	Section 11.3(a)	\$30.00	\$40.00
42.	Parked on municipal property without permission	Section 11.3(b)	\$30.00	\$40.00
43.	Parked in a physically disabled parking space prohibited with signs	Section 12.1	N/A	\$300.00
44.	Parked commercial, large or heavy vehicle on a local or collector road	Section 13.2	\$30.00	\$40.00
45.	Parked trailer on a local or collector road	Section 13.3	\$30.00	\$40.00
46.	Parked in a designated fire route with signs	Section 16	\$50.00	\$75.00

The penalty provision for offences indicated above is Clause 19 of By-law 2005-96, as amended, a certified copy of which has been filed.

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Township of Essa  
 By-law No. 2005 – 96 as amended  
 Title: Vehicle Parking, Standing & Stopping By-law  
**Part I Provincial Offences Act**

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Item	Column 1 Short Form Wording	Column 2 Provision Creating or Defining Offence	Column 3 Set Fine
1.	Interfere with traffic control device	Section 14	\$50.00
2.	Deposit of snow on roadway	Section 17(1)	\$50.00
3.	Deposit of snow on sidewalk	Section 17(1)	\$50.00
4.	Obstruction of roadway with snow	Section 17(2)	\$50.00
5.	Obstruction of sidewalk with snow	Section 17(2)	\$50.00
6.	Deposit of snow or ice on private property	Section 17(3)	\$50.00
7.	Vending Vehicle from which goods are sold other than from the boulevard side	Section 10(2)	\$50.00

The penalty provision for offences indicated above is Clause 19 of By-law 2005-96, as amended, a certified copy of which has been filed.



## TOWNSHIP OF ESSA STAFF REPORT

**STAFF REPORT NO.:** PW015-22

**DATE:** October 5<sup>th</sup> , 2022

**TO:** Committee of the Whole

**FROM:** Michael Mikael, P.Eng – Manager of Public Works

**SUBJECT:** **Automated Speed Enforcement (ASE) Pilot Project**

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### RECOMMENDATION

That Staff Report PW015-22 be received; and

That Council authorize the Mayor and Clerk to enter into a Service Agreement with Global Traffic Group Ltd to implement a one year Automated Speed Enforcement (ASE) Pilot Project in Essa Township in 2023 based on Scenario 1 of the financial proposal presented, since the program will have zero impact on the taxpayer in 2023.

### BACKGROUND

Essa contains three main settlement areas being Angus, Thornton, and Baxter, as well as smaller hamlets such as Utopia, Colwell, and Ivy. In 2021, Essa was home to over 22,000 people, accounting for approximately a 9% increase since the 2016 Census Report (82.1 population density per km<sup>2</sup>). This rapid growth has led to several traffic movement issues, especially excessive speeding on the municipal highways.

Staff has implemented several traffic calming measures within the Township limits with respect to the available budget/funding sources and road geometry including;

- Seasonal speed humps at selected locations based on speed data analysis
- Traffic calming pavement markings
- Rectangular Rapid Flashing Beacon – a pedestrian-activated warning system for uncontrolled, marked crosswalks

Staff has been exploring several options and technology, to propose to Council, with respect to Automated Speed Enforcement (ASE) as an added measure to further enforce speed limits, assist OPP and the Township, for continuous provision of a safe and efficient roads network within the Township.

The use of photo radar was discontinued in Ontario back in 1994, however the provincial government has enacted provisions in the Highway Traffic Act (HTA Part XIV.1 Clause 205.1 ASE) to permit the use of ASE in the following two areas:

1. **In a Community Safety Zone** designated by a by-law passed by Council under subsection 214.1 (1) of the HTA where the prescribed rate of speed is less than 80 km/hr. There is already an existing by-law relating to this.

2. **In a School Zone** designated by by-law passed by Council under clause 128(5)(a) of the HTA.

Global Traffic Group Ltd (Global) has prepared a sole source proposal after several discussions with the OPP and Township Staff. This proposal was also presented to the Traffic Advisory Committee during its last meeting on September 20, 2022.

Global is a Canadian-owned and operated company and has been operating for nineteen years and has provided services to twenty-two municipalities across Canada, including working with a provincial government to develop ASE projects. Global also helps police services with amber alerts and tracking vehicles.

Global will provide a full turn-key solution to operate an ASE program enforcing speed limits in Essa Township for 12 months (excluding 3 month set up requirement and 3 month provincial requirement for public awareness before program launch). The pilot program would therefore run 2023 and possibly into 2024. The process will include an initial evaluation in conjunction with the Township and the OPP to determine in which zones ASE can effect change. Global and Essa Township will decide on the number of zones, operating hours and commencement date. Global will follow the Township and OPP's directions and comply with provincial legislation, regulations and guidelines.

For this pilot project, Global is proposing to deploy Global's G2 automated speed camera system. It is remote, battery-operated, about one cubic foot in size and weighs fifteen lbs. This ultra-portable system can be operated out of various types of roadside boxes or temporarily mounted on an existing post or pole. The G2 can have multiple acquisition units and be fully automated. Location sites for ASE are data-driven and supported by Global's Three-in-One G3ta Traffic Analyzer, which offers traffic counts, vehicle speeds, and stop data, simultaneously and in real time. It gives detailed insight into driver behaviour – when, where, how many, how fast, and shows stopping behaviour at schools, playgrounds, and intersections. The system's data generates Risk Analysis Reports in easy-to-read formats, which can be customized for internal and public display. The reports showcase the number of vehicles driving at speeds that have resulted in a traffic violation ticket. They will support data-driven enforcement by ASE and the OPP. These reports are compared yearly to measure program success (see Attachment no.1, Sample "Heat" Map).

## COMMENTS AND CONSIDERATIONS

The following requirements/steps will need to be addressed/implemented in order for the ASE pilot project to commence in 2023:

1. Review Community Safety Zones currently in place with respect to the Highway Traffic Act ***to be completed by Township (PW) Staff/Representatives***
2. Propose a by-law to address School Zones across the Township with respect to the Highway Traffic Act ***to be completed by Township (PW) Staff/Representatives***
3. ***Work with the County of Simcoe*** to further expand the County's Community Safety Zone By-law to include sections of highways identified by OPP/ Staff/Representatives
4. Set up an Administrative Monetary Penalty System (AMPS) Program as outlined by the Ministry of Transportation (MTO) - ***Global will assist Essa Township in setting the program at no cost – Staff of PW, Clerks and IT***

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5. Enter into an agreement with the Ministry of Transportation and the Ministry of the Attorney General to access the plate registrant information – licence plate denial requests to MTO - **Global will assist Essa Township with contracts at no cost**
6. Recruiting a local Provincial Offences Officer (POOs) in accordance with the province of Ontario guidelines working under the direction of the Township - **Global will be responsible for all training and payment as required**
7. A Screening - Hearing Officer; Staff is currently discussing this staffing matter with Global

**Summary of Steps above, Required to Conduct ASE**

<u>Steps for ASE</u>	<u>Who to do What/Who to take the Lead Role?</u>
Review Community Safety Zones	Public Works Staff with input from others (Oct-Nov)
Propose a by-law to address School Zones	Public Works Staff with input from others (Oct-Dec)
Work with the County on their Community Safety Zone BL	Public Works Staff (Oct-Nov)
Set up an Administrative Monetary Penalty System (AMPS)	Public Works, Clerks and IT Staff – Global to assist (Oct-Dec)
Enter into an agreement with the Ministry of Transportation and the Ministry of the Attorney General	Global will assist Essa Township with a contract to be reviewed by Essa legal counsel (Oct-Nov)
Hire a local Provincial Offences Officer	CAO and HR Coord'r, Clerks and Public Works (Nov-Dec)
Recruit/appoint a Screening - Hearing Officer	CAO and HR Coord'r and Clerks (Nov-Dec)

It is important to note that a **90 day public awareness period** is required to be carried out before starting the 12 month ASE Pilot Project as per the provincial requirement for notice.

Global will support the enforcement program with education, including weekly newspaper advertisements highlighting locations and safety tips, speed boards on request, traffic data in all enforcement locations, call centre questions/inquiries, (including directing inquiries to the Province's ASE guidelines, traffic service requests, penalty payments, etc.). Global will also work with Essa's communications staff including, if appropriate, the possibility of collaborating with the Honda Safety Officer to put the pilot project in Honda's Staff Newsletter as part of the education program. In addition, the OPP has identified Community Safety Zones near the plant as sites for ASE.

**Financial Scenarios/ Impact**

Global has proposed the following two options:

Scenario 1

Global provides one mobile G2 ASE (camera) system and one Provincial Offences Officer and rotates the camera across the locations during the one year pilot project on a schedule agreed upon with the Township.

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In this option, Essa does not incur any upfront costs (either operational or capital expenditures) but gets a percentage of ticket revenue negotiated by Essa Township and Global dependent on factors including the number of zones and operational hours. If zero tickets are issued during a month, then Global does not issue an invoice for that month.

**In Scenario 1, the program is not a budget item (expense), and therefore, ratepayers are not paying for the photo-enforcement, ASE program.**

Scenario 2

Global permanently deploys cameras at various sites. Each camera will have a monthly cost yet to be determined. Recouping the cost will depend on the number of tickets issued. The cost per site/camera will be negotiated.

**In Option 2, the program would be a budget item (expense) with revenue depending on the collected revenues.**

In both options, Global incurs the cost of developing the processing centre, including its database and software. There would be an expense in 2022 for legal counsel to review the agreement to be assigned to the Roads Operating Budget, Legal line item.

***Staff recommends proceeding with the first scenario for the one year pilot project since it will have zero impact on taxpayers.***

**SUMMARY/OPTIONS**

Council may:

1. Take no further action.
2. Direct that the Mayor and Clerk enter into a Service Agreement with Global Traffic Group Ltd to implement a one year Automated Speed Enforcement (ASE) Pilot Project in Essa Township in 2023 based on Scenario 1 of the financial proposal presented, since the program will have zero impact on the taxpayer in 2023.
3. Direct Staff in another course of action.

**CONCLUSION**

Staff recommends that **Option 2** be approved.

Respectfully submitted,

Reviewed by,

Michael Mikael, P.Eng  
Manager of Public Works

Colleen Healey-Dowdall,  
Chief Administrative Officer

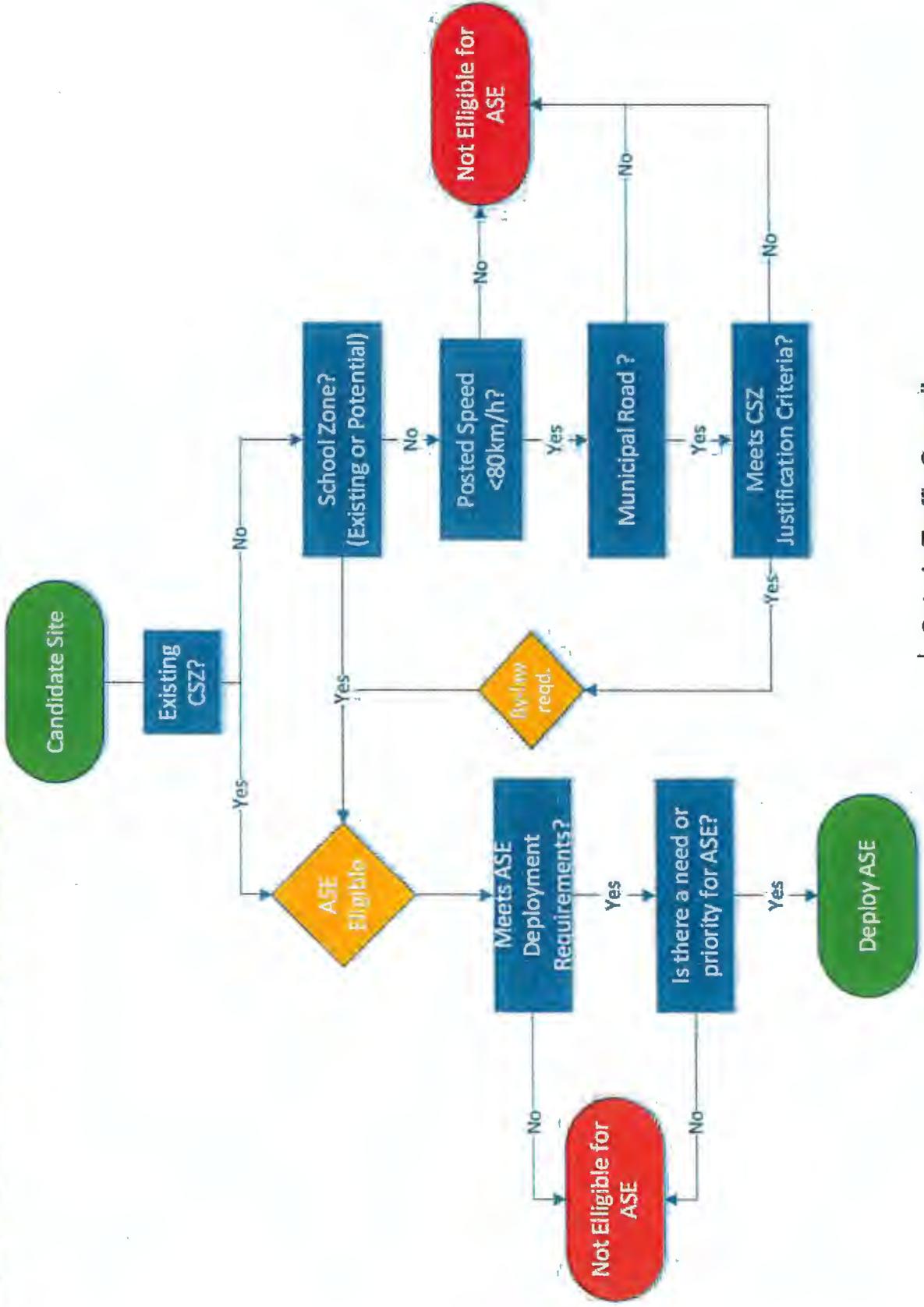
Attachment no.1: Sample "Heat" Map  
Attachment no.2: Ontario Traffic Council ASE Site Selection Process

# “Sample Community” Zone Map with Traffic Analysis Report - Speed Issues



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# ASE Site Selection Process



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