

**THE CORPORATION OF THE TOWNSHIP OF ESSA  
VIRTUAL REGULAR COUNCIL MEETING**

**WEDNESDAY, MAY 5, 2021  
(To follow Committee of the Whole)**

To view our live stream visit the Township of [Essa's YouTube Channel](#)

**AGENDA**

- 1. OPENING OF MEETING BY THE MAYOR**
- 2. DISCLOSURE OF PECUNIARY INTEREST**
- 3. ADOPTION OF PREVIOUS MINUTES AND MOTIONS**

p. 1 Recommendation: *Be it resolved that the motions duly passed and approved at the Committee of the Whole meeting of this date be approved; and That the minutes of the Committee of the Whole and Regular Council meetings held on the 21<sup>st</sup> day of April, 2021 be adopted as circulated.*

- 4. CONSENT AGENDA**

Recommendation: *Be it resolved that the items listed in the Consent Agenda dated May 5, 2021 be received for information, and that the necessary actions be taken.*

- 5. COMMITTEE REPORTS**

- p. 9 **a. Essa Public Library Board**

Recommendation: *Be it resolved that the minutes of the Essa Public Library Board from their meeting of March 22, 2021 be received.*

- p. 11 **b. Healthy Community Committee**

Recommendation: *Be it resolved that the minutes of the Healthy Community Committee from their meeting of April 15, 2021 be received.*

- 6. PETITIONS**

- 7. MOTIONS AND NOTICES OF MOTIONS**

- p. 12 **a. Correspondence, re: Retirement of the Fire Chief.**

Recommendation: *Be it resolved that the correspondence dated March 23, 2021 from Cynthia Ross Tustin, Fire Chief, with regard to her retirement effective June 30, 2021 be received; and*

*That Council appreciates the dedication that she has provided to the municipality over the tenure of her employ and wishes her the best in her retirement; and That staff be directed to advertise for this position accordingly, seeking the interest of qualified candidates.*

**b. 2021 Census**

Recommendation: *Be it resolved that Council of the Township of Essa supports the 2021 Census, and encourages all residents to complete their census questionnaire online at [www.census.gc.ca](http://www.census.gc.ca). Accurate and complete census data support programs and services benefit our community.*

Addendum  
Item Added

**c. Highway 400-404 Freeway Link**

*WHEREAS the Highway 400 – 404 Freeway Link is a proposed 16.2 kilometre, four-lane controlled access highway that will provide a critical east-west connection between Highway 400 in Simcoe County and Highway 404 in York Region; and  
WHEREAS the Ministry of Transportation is carrying out detailed engineering and environmental studies as well as a public consultation program for the project in accordance with an approved Environmental Assessment; and  
WHEREAS the Highway 400 – 404 Freeway Link project team maintains [www.bradfordbypass.ca](http://www.bradfordbypass.ca) as a public resource for providing background information on the project and the status of work that is currently underway; and  
WHEREAS the new highway will offer considerable benefit to the south Simcoe region as it will reduce congestion, improve the movements of goods and materials, and strengthen economic prosperity of the region;  
NOW THEREFORE BE IT RESOLVED THAT the Council of the Corporation of the Township of Essa hereby advises the Ministry of Transportation that the township strongly supports the Hwy 400 – 404 Freeway Link and encourages the Ministry to proceed with the project following completion of the design and impact mitigation process.*

**8. UNFINISHED BUSINESS**

**9. BY-LAWS**

p. 13 **a. By-law 2021-15**

Recommendation: *Be it resolved that leave be granted to introduce By-law 2021-15, that being a By-law to authorize the issuance of the Certificate of Maintenance and Final Acceptance (Aboveground Works) Brownley Meadows Subdivision – Phase 2, Plan 51M-1102; and, that said By-law be read a first, and taken as read a second and third time and finally passed.*

p. 18 **b. By-law 2021-16**

Recommendation: *Be it resolved that leave be granted to introduce By-law 2021-16, that being a By-law to permit all-terrain, multi-purpose off highway utility and recreational off-highway vehicles (off-road vehicles) on the shoulder of all municipal roads; and, that said By-law be read a first, and taken as read a second and third time and finally passed.*

**10. QUESTIONS**

**11. CLOSED SESSION**

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Recommendation: *Be it resolved that Council proceed to a Closed Session in order to address matters pertaining to:*

- *Personal Matters about Identifiable Individual [Municipal Act 2001, s.239(2)(b)]*

**12. CONFIRMATION BY-LAW**

p. 24 **By-law 2021-17**

Recommendation: *Be it resolved that leave be granted to introduce By-law 2021-17, that being a By-law to confirm the proceedings of the Council and Committee of the Whole meetings held on this 5<sup>th</sup> day of May, 2021; and that said By-law be read a first, and taken as read a second and third time and finally passed.*

**13. 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 19<sup>th</sup> day of May, 2021 at 6:00 p.m.*

**THE CORPORATION OF THE TOWNSHIP OF ESSA  
VIRTUAL COMMITTEE OF THE WHOLE MEETING  
WEDNESDAY, APRIL 21, 2021**

**MINUTES**

A Committee of the Whole meeting was held virtually on Wednesday, April 21, 2021 and was livestreamed to the public on the Township of Essa's YouTube Channel.

In attendance: Mayor Sandie Macdonald (electronic)  
Deputy Mayor, Michael Smith (electronic)  
Councillor Keith White (electronic)  
Councillor Henry Sander (electronic)  
Councillor Ron Henderson (electronic)

Staff in attendance: C. Healey-Dowdall, Chief Administrative Officer (electronic)  
C. Traynor, Manager of Finance (electronic)  
R. Rosilius, Deputy Treasurer (electronic)  
M. Mikael, Manager of Public Works (electronic)  
A. Powell, Manager of Planning and Development (electronic)  
J. Sidhu, Planner (electronic)  
J. Coleman, Manager of Parks and Recreation (electronic)  
D. Burgin, Deputy Fire Chief (electronic)  
K. Pascoe, Deputy Clerk (electronic)  
L. Lehr, Manager of Legislative Services (electronic)

Guests in attendance: Richard Steinginga – Baker Tilly KDN LLP  
Eric Steele, Acting Staff Sergeant, Nottawasaga OPP  
Wayne Dusome, Dusome Insurance a division of McDougall Insurance

**1. OPENING OF MEETING BY THE MAYOR**

Mayor Macdonald opened the meeting at 6:00 p.m.

**2. DISCLOSURE OF PECUNIARY INTEREST**

None.

**3. DELEGATIONS / PRESENTATIONS / PUBLIC MEETINGS**

**a. Delegation - Janice Leach-Lynch and Paul Lynch**  
Re: Proposed Telecom Tower

Janice Leach-Lynch attended Council to state her opposition to a proposed telecommunications tower being located at 6004 Scotch Line, and implored Council to consider an alternative site at 6517 Scotch Line. She stated that the site at 6517 Scotch Line, which is in close proximity to the proposed location of 6004 Scotch Line, would be a better fit for the tower as that parcel of property already has hydro towers, a sole-ownership driveway, access for hydro, and commercial/industrial businesses located on the property. Additionally, she stated that there would be less of an impact to neighbouring properties (one property versus nine properties).

- b. Public Meeting**  
re: OPA 38 and ZBA Z2/21

See separate set of minutes.

- c. Delegation – Richard Steiginga – Baker Tilly KDN LLP**  
Re: Presentation of the 2019 Draft Financial Statements

The Township Auditor was in attendance to provide Council with a brief overview of the 2019 Draft Consolidated Financial Statements.

**Resolution No: CW054-2021 Moved by: Sander Seconded by: Henderson**

*Be it resolved that the 2019 Draft Financial Statements, as presented by Baker Tilly KDN LLP, be approved.*

----Carried----

## STAFF REPORTS

### 4. PLANNING AND DEVELOPMENT

- a. Staff Report PD011-21 submitted by the Manager of Planning and Development, re: Neighbourhood Meeting Parameters.**

**Resolution No: CW055-2021 Moved by: White Seconded by: Sander**

*Be it resolved that Staff Report PD011-21 be received; and  
That Council adopt the Neighbourhood Meetings Process as recommended by staff and amended by Council.*

----Carried----

### 5. PARKS AND RECREATION / COMMUNITY SERVICES

### 6. FIRE AND EMERGENCY SERVICES

### 7. PUBLIC WORKS

- a. Staff Report PW008-21 submitted by the Manager of Public Works, re: Off Road Vehicle Access on Municipal Road Allowance.**

#### MOTION AS AMENDED

**Resolution No: CW056-2021 Moved by: Henderson Seconded by: White**

*Be it resolved that Staff Report PW008-21 be received; and  
That Council direct Staff to prepare a report containing a draft by-law for Council's consideration at its next meeting, to repeal By-law 2005-24 and to represent the content of this report such that ATVs and ORVs will be allowed on all Essa Township roads on a trial basis effective until November 1, 2021.*

----Carried----

- b. **Staff Report PW015-21 submitted by the Manager of Public Works, re: Award of Tender – Margaret Street Reconstruction (Urbanization) Phase 1 & 2.**

**Resolution No: CW057-2021 Moved by: Henderson Seconded by: Smith**

*Be it resolved that Staff Report PW015-21 be received; and  
That the quotation as submitted by North Rock Group Ltd. for the Margaret Street Reconstruction (Urbanization) Phase 1 and 2 be accepted in the amount of \$2,506,000.00 (excluding H.S.T.)*

----Carried----

**8. FINANCE**

- a. **Staff Report TR007-21 submitted by the Manager of Finance, re: 2021 Property and Liability Insurance Renewal.**

**Resolution No: CW058-2021 Moved by: Smith Seconded by: Henderson**

*Be it resolved that Staff Report TR007-21 be received; and  
That a Municipal Property and Liability Proposal submitted by Frank Cowan Company for a total premium of \$424,146.00 plus applicable taxes, effective April 21, 2021 be accepted.*

----Carried----

**9. CLERKS / BY-LAW ENFORCEMENT / IT**

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

- a. **Staff Report CAO014-21 submitted by the Chief Administrative Officer, re: 58 Vernon Street.**

**Resolution No: CW059-2021 Moved by: Henderson Seconded by: Smith**

*Be it resolved that Staff Report CAO014-21 be received; and  
That Council declare a portion of lands located at 58 Vernon Street, Angus, as surplus, and direct staff to advertise the declaration appropriately and following, advertise a public tender process for the sale of land.*

----Carried----

- b. **Staff Report CAO015-21 submitted by the Chief Administrative Officer, re: Purchase of Vehicles, 2021.**

**Resolution No: CW060-2021 Moved by: Sander Seconded by: White**

*Be it resolved that Staff Report CAO015-21 be received for information.*

----Carried----

3

- c. **Staff Report CAO016-21 submitted by the Chief Administrative Officer, re: Proposed South Simcoe Streams Network Tree Planting at Stonemount Park, Gold Park Gate.**

**Resolution No: CW061-2021 Moved by: White Seconded by: Henderson**

*Be it resolved that Staff Report CAO016-21 be received; and That Council support a community tree planting event at Stonemount Park on May 30, 2021, as organized by the South Simcoe Streams Network in a COVID-compliant manner.*

----Carried----

11. **OTHER BUSINESS**

- a. **“Grow-a-Row Share-a-Row” Gardening Competition**

Mayor Macdonald informed those in attendance that registration has now opened. Applications are available on the Township’s website or by contacting Mayor Macdonald and Councillor Sander. She also advised that free seeds are available for those that register.

- b. **Request for Staff Report**

Council requested a report to be brought forward from the Finance Department in respect of a breakdown of the \$268,000.00 carry-forward as is noted on the reserve account.

12. **ADJOURNMENT**

**Resolution No: CW062-2021 Moved by: Smith Seconded by: Henderson**

*Be it resolved that this meeting of Committee of the Whole of the Township of Essa adjourn at 7:52 p.m., to meet again on the 5<sup>th</sup> day of May, 2021 at 6:00 p.m.*

----Carried-----

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Sandie Macdonald, Mayor

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Lisa Lehr, Manager of Legislative Services

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THE CORPORATION OF THE TOWNSHIP OF ESSA  
VIRTUAL REGULAR COUNCIL MEETING  
WEDNESDAY, APRIL 21, 2021

MINUTES

A Meeting of Council was held virtually on Wednesday, April 21, 2021 following Committee of the Whole and was livestreamed for viewing to the public on the Township of Essa's YouTube Channel.

In attendance: Mayor Sandie Macdonald (electronic)  
Deputy Mayor, Michael Smith (electronic)  
Councillor Keith White (electronic)  
Councillor Henry Sander (electronic)  
Councillor Ron Henderson (electronic)

Staff in attendance: C. Healey-Dowdall, Chief Administrative Officer (electronic)  
C. Traynor, Manager of Finance (electronic)  
R. Rosilius, Deputy Treasurer (electronic)  
M. Mikael, Manager of Public Works (electronic)  
A. Powell, Manager of Planning and Development (electronic)  
J. Coleman, Manager of Parks and Recreation (electronic)  
D. Burgin, Deputy Fire Chief (electronic)  
K. Pascoe, Deputy Clerk (electronic)  
L. Lehr, Manager of Legislative Services (electronic)

**1. OPENING OF MEETING BY THE MAYOR**

Mayor Macdonald opened the meeting at 7:52 p.m.

**2. DISCLOSURE OF PECUNIARY INTEREST**

None.

**3. ADOPTION OF PREVIOUS MINUTES AND MOTIONS**

**Resolution No: CR082-2021 Moved by: Sander Seconded by: White**

*Be it resolved that the motions duly passed and approved at the Committee of the Whole meeting of this date be approved; and  
That the minutes of the Committee of the Whole and Regular Council meetings held on the 7<sup>th</sup> day of April, 2021 be adopted as circulated.*

----Carried-----

**4. CONSENT AGENDA**

**Resolution No: CR083-2021 Moved by: Smith Seconded by: White**

*Be it resolved that the items listed in the Consent Agenda dated April 21, 2021 be received for information; and*



*That Consent Items A3 and A4 be moved to section B for letters of support to be drafted.*

----Carried-----

**5. COMMITTEE REPORTS**

**a. Parks and Recreation Committee**

**Resolution No: CR084-2021 Moved by: White Seconded by: Henderson**

*Be it resolved that the minutes of the Parks and Recreation Committee from their meeting of March 17, 2021 be received.*

----Carried-----

**6. PETITIONS**

**7. MOTIONS AND NOTICES OF MOTIONS**

**a. Thornton Union Cemetery Board**

**Resolution No: CR085-2021 Moved by: Henderson Seconded by: Sander**

*WHEREAS the Thornton Union Cemetery Board adopted a resolution to voluntarily abandon and terminate the operation of the cemetery, dated March 19, 2021, and the municipality accepted the resolution of the Thornton Union Cemetery Board on March 24, 2021; and*

*WHEREAS the municipality accepted responsibility for the operation of the Thornton Union Cemetery effective March 24, 2021 in accordance with the instructions of the Bereavement Authority of Ontario and the Funeral, Burial and Cremation Services Act; and*

*WHEREAS the Bereavement Authority of Ontario has stated, on April 16, 2021, that the past Thornton Union Cemetery Board is prohibited from offering to sell or selling cemetery supplies or services to the public; and*

*WHEREAS the municipality has accepted the possession of the books and records from the Thornton Union Cemetery Board on April 19, 2021;*

*NOW THEREFORE BE IT RESOLVED that the Thornton Union Cemetery Board shall be disbanded and have no further powers or authority to operate the cemetery, nor shall they have any authority to incur expenses or access to cemetery accounts or funds without the express permission of the municipality and further, that the Board members are no longer appointed by the municipality as Thornton Union Cemetery Board members as of April 16, 2021.*

----Carried-----

**8. UNFINISHED BUSINESS**

**9. BY-LAWS**

10. **QUESTIONS**

11. **CLOSED SESSION**

**Resolution No: CR086-2021 Moved by: Sander Seconded by: White**

*Be it resolved that Council proceed to a Closed Session in order to address matters pertaining to:*

- *Personal Matters about Identifiable Individual [Municipal Act 2001, s.239(2)(b)]*

**----Carried-----**

Council proceeded into Closed Session Deliberations at 8:01 p.m.

Council rose from Closed Session Deliberations and passed the following in the public forum:

**Motion to Rise and Report from Closed Session Meeting of April 7, 2021.**

**Resolution No: CR087-2021 Moved by: Sander Seconded by: White**

*Be it resolved that Council rise and report from the Closed Session Meeting at 8:14 p.m.*

**----Carried-----**

- a. **PERSONAL MATTERS ABOUT IDENTIFIABLE INDIVIDUAL [s. 239(2)(b)]**  
**Confidential Staff Report CAO017-21 submitted by the Chief**  
**Administrative Officer, re: Staff Matters.**

**Resolution No: CR088-2021 Moved by: Sander Seconded by: White**

*Be it resolved that Confidential Staff Report CAO017-21 be received; and That Council authorize the Chief Administrative Officer to proceed with Option No. 2 as outlined in this Confidential Report.*

**----Carried-----**

12. **CONFIRMATION BY-LAW**

**By-law 2021-14**

**Resolution No: CR089-2021 Moved by: Henderson Seconded by: White**

*Be it resolved that leave be granted to introduce By-law 2021-14, that being a By-law to confirm the proceedings of the Council and Committee of the Whole meetings held on this 21<sup>st</sup> day of April, 2021; and that said By-law be read a first, and taken as read a second and third time and finally passed.*

**----Carried-----**

13. **ADJOURNMENT**

**Resolution No: CR090-2021    Moved by: Smith                      Seconded by: Henderson**

*Be it resolved that this meeting of Committee of the Whole of the Township of Essa adjourn at 8:15 p.m. to meet again on the 5<sup>th</sup> day of May, 2021 at 6:00 p.m.*

**----Carried----**

\_\_\_\_\_  
Sandie Macdonald, Mayor

\_\_\_\_\_  
Lisa Lehr, Manager of Legislative Services





**HCC Meeting Minutes**  
**April 15, 2021**

**Attendees:** Anne Learn-Sharpe, Angelica Tang, Paula Hughes, Shannon Stevens, Judith Hunter,

**Regrets:** Susan Antler

**Staff:** Elizabeth Davis, Aimee Powell

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**Introduction of new member – Judith Hunter**

**Summary and comments of the webinar**

- A lot of positive feedback from the webinar
- Many thanks to Shannon for her preparation and delivery of the webinar
- 137 streams from YouTube on the Township's website to date

**LeClair Park Eco Plant Project Status**

- Plants to be delivered on May 25th for the garden
- Look into logs (10 inches in diameter) as edging
- Require soil/mulch
- Last week of May would be ideal to have soil/mulch dropped off and have volunteers (2 – 4 people) put down the cardboard and the soil
- Further discussion of details

**Select Date for Phase 1 of Garden**

- Friday June 4<sup>th</sup> – 9:00 am to 12:00 pm
- Contingency date (thunderstorm rain date)– June 7<sup>th</sup> – 1:00 pm – 4:00 pm
- We will have to be in the Red Zone or better, in accordance with Provincial Regulations for the event to take place

**Future Project Planning**

- Look into projects with the potential to attract birds
- Design habitat features for the EcoPark
- Bat boxes
- Walking Challenge on Strava – how other people engage in physical activity, create a sense of community increase physical health. HCC could promote this initiative to keep up with branding and messaging of healthy community
- Create an email chain of initiatives we can work on in the future

Next Meeting May 20<sup>th</sup>, 2021

Meeting adjourned at 6:30 pm

**From:** Cynthia Ross Tustin <[crosstustin@essatownship.on.ca](mailto:crosstustin@essatownship.on.ca)>  
**Sent:** March 23, 2021 10:22 AM  
**To:** Colleen Healey <[chealey@essatownship.on.ca](mailto:chealey@essatownship.on.ca)>  
**Cc:** Carol Traynor <[ctraynor@essatownship.on.ca](mailto:ctraynor@essatownship.on.ca)>; Doug Burgin <[dburgin@essatownship.on.ca](mailto:dburgin@essatownship.on.ca)>  
**Subject:** Retirement

Good Morning,

There comes a time in every working person’s life when we must take a leap of faith and move on to the next phase – retirement. I have thoroughly enjoyed my seven plus years leading the men and women of the Essa Fire Department. I am tremendously proud of each and every one of them and the work that they do. When I started here in November 2013, I was handed the reins from a chief who was equally proud and who had worked very hard for the community. And because of that, I envisioned my role, not as being a boss, but more akin to being a good steward. My job was to care for the department, its people, and the people we serve.

I believe, as part of our team, I have done that. I take both pride and comfort in knowing that I have contributed in small ways to a larger community good and that I have moved the yard stick forward for our firefighters. It’s my turn to hand over the reins; it’s my turn to retire. I will be taking the month of April off, as approved; and then return for two weeks in May to close out some files and projects. After that, I will use up my remaining vacation time and set my final day with the Township as Wednesday, June 30<sup>th</sup>, 2021.

Thank you for everything.

Respectfully,

Chief CRT

**Cynthia Ross Tustin**  
Fire Chief/CEMC  
Essa Fire Department  
5786 County Rd 21, Utopia, ON  
LOM 1T0  
705-424-5828 work/705-623-3192 cell  
[fire@essatownship.on.ca](mailto:fire@essatownship.on.ca)  
follow us on Twitter, Facebook & Instagram

**Please note:** In an effort to do our part to flatten the curve of COVID-19, the Administration Centre is currently closed to members of the public. If you need assistance from Administration Staff, please call the office at 705-424-9917 or send an email to the intended recipient.

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**THE CORPORATION OF THE TOWNSHIP OF ESSA**

**BY-LAW NO. 2021 - 15**

**A By-law to Authorize the Issuance of the Certificate of Maintenance and Final Acceptance (Aboveground Works) Brownley Meadows Subdivision – Phase 2, Plan 51M-1102**

WHEREAS Section 51, Subsection (26) of the *Planning Act*, R.S.O. 1990; Chapter P. 13, as amended, provides that municipalities may enter into agreements imposed as a condition to the approval of a plan of subdivision and such agreements may be registered against the land to which the subdivision plan applies; and

WHEREAS Council for the Corporation of the Township of Essa entered into a Subdivision Agreement with Brookvalley Angus South Inc. on December 22, 2016 to construct a residential development known as Brownley Meadows Phase 2; and

WHEREAS the requirements of this Subdivision Agreement with respect to the underground and aboveground services have now been met;

NOW THEREFORE BE IT RESOLVED THAT Council of the Corporation of the Township of Essa hereby enacts as follows:

1. That the Certificate of Maintenance and Final Acceptance (Aboveground Works) for Brownley Meadows – Phase 2, may now be issued by the Township Engineers (AECOM) in compliance with the Subdivision Agreement between the Corporation of the Township of Essa and Stonemount Developments Inc.
2. That the attached Schedule “A”, Certificate of Maintenance and Final Acceptance (Aboveground Works) shall form part of this By-law.
3. This By-law comes into force and effect on the day it is finally passed.

READ A FIRST, AND TAKEN AS READ A SECOND AND THIRD TIME AND FINALLY PASSED on this the 5<sup>th</sup> day of May, 2021.

\_\_\_\_\_  
Sandie Macdonald, Mayor

\_\_\_\_\_  
Lisa Lehr, Manager of Legislative Services



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SCHEDULE "A"



AECOM  
55 Cedar Pointe Drive, Suite 620  
Barrie, ON, Canada L4N 5R7  
www.aecom.com

705 721 9222 tel  
705 734 0764 fax

TOWNSHIP ENGINEERS

CERTIFICATE OF MAINTENANCE AND FINAL ACCEPTANCE  
(ABOVEGROUND WORKS)

MUNICIPALITY Township of Essa

PROJECT Brownley Meadows Phase 2 Subdivision  
Plan 51M – 1102

DEVELOPER BROOKVALLEY ANGUS SOUTH INC.

FILE NO. 60118248.030 [E-T-0701]

Description of the Works:

Roadways in the Brownley Meadows Phase 2 Subdivision consisting of:

- Greenwood Drive from Elphick Street to Willoughby Road; a distance of 254 metres (833 feet);
- Wagner Crescent from West Leg of Stevenson Street to East Leg of Stevenson Street; a distance of 670 metres (2,198 feet);
- Hutton Crescent from West Leg at Wagner Crescent to East Leg of Wagner Crescent; a distance of 238 metres (781 feet);
- Brownley Lane from West Leg of Elphick Street to East Leg of Elphick Street; a distance of 475 metres (1,558 feet).

We, AECOM, notify the Municipality that the above mentioned works were inspected on December 17, 2020, and to the best of our knowledge and judgement are complete in accordance with the Subdivision Agreement, except for the deficiencies below:

- Deficiencies listed in the attached "Construction Status Report" dated April 15, 2021.
- The outstanding deficiencies will be completed within the month upon availability of sod and a few replacement trees. No security reduction will be recommended until this work is addressed.

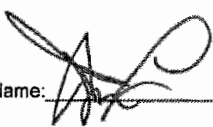
We, AECOM, notify the Municipality that to the best of our knowledge and judgment:


1. The Developer named herein has completed the required maintenance work, has rectified known deficiencies and has fulfilled the other terms of the Subdivision Agreement.
2. The period of maintenance of this Subdivision Agreement expires on the issuance of this Certificate.

The date of Maintenance and Final Acceptance (Aboveground Works) for Brownley Meadows Phase 2 Subdivision is established by the Certificate as of April 15, 2021.

Date: April 15, 2021      Signature: [Handwritten Signature]

<b>AECOM</b>		<b>Township of Essa</b>	
<b>Construction Status Report</b>			
<b>Subdivision: Brownley Meadows Phase 2 Subdivision</b>		<b>File Number: 60118248.0030</b>	
<b>Engineer: CC Tatham &amp; Associates (705) 733-9037</b>		<b>Contractor: JB Enterprises Ltd [John Bravakis]</b>	
<b>Engineer Contact: David Reid / Jolie Cunanan</b>		<b>Owner Contact: Mario Baggieri [647-355-8847]</b>	
<b>Date:</b>	<b>April 15, 2021</b>	<b>Registered Plan: 51M-1102</b>	
<b>START OF UNDERGROUND WORKS</b>			
	<b>Yes</b>	<b>No</b>	<b>Date Completed and Comments</b>
<b>Siltation Controls</b>			
1) silt fence installed and maintained	✓		
2) rock check dams installed and maintained	✓		
<b>SWM Pond</b>			
1) pond earth works completed			
2) storm outfall works completed			
3) access road constructed			
4) pond topsoil / seeding			
5) pond fencing completed with gate			
6) landscaping completed			
7) pond access road			
8) pond survey submitted			
9) pond volume calculations submitted			
10) pond certification by Engineer			
<b>Sanitary Sewer</b>			
1) pipe installed	✓		July/Aug. 2016
2) sanitary sewers tested	✓		Aug. 18th, 2016
3) pipe bedding summary/acceptance report	✓		Soil Eng. Letter Sept. 20, 2016
4) backfill testing summary/acceptance report	✓		Soil Eng. Letter Sept. 20, 2016
5) maintenance holes inspected/approved	✓		Sept. 23, 2016
6) benching inspected	✓		Sept. 23, 2016
7) top of precast 0.3m below finish grade	✓		Sept. 23, 2016
8) video inspection submitted for review	✓		AECOM received in Sept. 2016
9) video inspection reviewed/approved	✓		AECOM received in Sept. 2016
10) flushing of sewers	✓		Sept. 2016
<b>Storm Sewer</b>			
1) pipe installed	✓		June/July 2016
2) storm sewers tested	✓		Sept. 2016
3) pipe bedding summary/acceptance report	✓		Soil Eng. Letter Sept. 20, 2016
4) backfill testing summary/acceptance report	✓		Soil Eng. Letter Sept. 20, 2016
5) maintenance holes inspected	✓		Sept. 2016
6) benching inspected	✓		Sept. 2016
7) top of precast 0.3m below finish grade	✓		Sept. 2016
8) video inspection submitted for review	✓		AECOM received in Sept. 2016
9) video inspection reviewed/approved	✓		AECOM Sept, 2016
10) flushing of sewers	✓		Sept. 2016

Inspectors Name: 

Project Manager: 

9a

**AECOM**

**Township of Essa  
Construction Status Report**

Subdivision: Brownley Meadows Phase 2 Subdivision  
 Engineer: CC Tatham & Associates (705) 733-9037

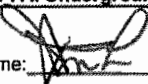
File Number: 60118248.0030  
 Contractor: JB Enterprises Ltd (John Bravakis)

**START OF UNDERGROUND WORKS**

	Yes	No	Date Completed and Comments
<b>Waterman</b>			
1) pipe installed	<input checked="" type="checkbox"/>		July/Aug. 2016
2) pipe bedding summary/acceptance report	<input checked="" type="checkbox"/>		Letter from Soil Eng. Dated September 20th, 2016
3) backfill testing summary/acceptance report	<input checked="" type="checkbox"/>		Letter from Soil Eng. Dated September 20th, 2016
4) by-pass installed and inspected	<input checked="" type="checkbox"/>		16-Aug
5) pressure testing confirmed by AECOM	<input checked="" type="checkbox"/>		Aug. 10-16, 2016
6) system chlorinated	<input checked="" type="checkbox"/>		Aug. 17 - 18, 2016
7) water samples received by AECOM	<input checked="" type="checkbox"/>		Oct. 24, 2016
8) by-pass removed	<input checked="" type="checkbox"/>		Aug-16
9) tracer wire - attached to hydrant flange	<input checked="" type="checkbox"/>		Aug. 2016
- continuity test	<input checked="" type="checkbox"/>		Oct. 13-17, 2016
10) hydrant -water flow charts submitted	<input checked="" type="checkbox"/>		Completed 11/22/2016; AECOM received copy on December 12, 2018
-end caps painted	<input checked="" type="checkbox"/>		
- barrels painted to Twp spec.	<input checked="" type="checkbox"/>		
- markers installed	<input checked="" type="checkbox"/>		
11) sample stations inspection completed	<input checked="" type="checkbox"/>		CC Tatham submission November 22, 2016
12) Engineer's letter for curb box inspection	<input checked="" type="checkbox"/>		CC Tatham submission November 22, 2016 ; and December 17, 2018
13) Engineer's letter for valve/hydrant inspection.	<input checked="" type="checkbox"/>		CC Tatham submission November 22, 2016; and December 17, 2018
<b>Utilities</b>			
1) hydro crossings installed	<input checked="" type="checkbox"/>		Letter dated November 18, 2016
2) bell works completed	<input checked="" type="checkbox"/>		Nov-16
3) hydro works completed	<input checked="" type="checkbox"/>		Nov-16
4) streetlights installed	<input checked="" type="checkbox"/>		Dec. 22, 2016
5) streetlights energized	<input checked="" type="checkbox"/>		
6) certification from electrical consultant (ESA)	<input checked="" type="checkbox"/>		Copy of ESA submitted
7) gas works completed	<input checked="" type="checkbox"/>		Nov-16
8) as-constructed information submitted	<input checked="" type="checkbox"/>		
<b>General</b>			
1) service record sheets (stage 1)	<input checked="" type="checkbox"/>		November, 2016
2) as-constructed (underground) submitted	<input checked="" type="checkbox"/>		
3) Certificate of Publication by Contractor	<input checked="" type="checkbox"/>		Received November 22, 2016
<b>Certificate of S. C. &amp; A. Underground Issued</b>	<input checked="" type="checkbox"/>		Submitted on Dec. 13, 2016; <u>By-Law 2017-05</u> Issued on January 18, 2017 by Council

**END OF MAINTENANCE PERIOD CHECK FOR UNDERGROUND WORKS**

	Yes	No	Date Completed and Comments
<b>SWM Pond</b>			
1) clean out prior to end of maintenance	<input checked="" type="checkbox"/>		<b>SWM POND in Adjacent Brownley Meadows Phase 1 (Sarjeant) Subdivision</b>
2) pond survey submitted	<input checked="" type="checkbox"/>		
3) pond volume calculations submitted	<input checked="" type="checkbox"/>		
4) pond certification by Engineer	<input checked="" type="checkbox"/>		
<b>Sanitary Sewer</b>			
1) flushing of sewer for final acceptance	<input checked="" type="checkbox"/>		CCTA confirmed flushing prior to Videos on Dec 21/18 to AECOM
2) video inspection submitted for review	<input checked="" type="checkbox"/>		CCTA submitted WinCam CCTV Video/Report on Dec 21/18 to AECOM
3) video inspection reviewed/approved	<input checked="" type="checkbox"/>		AECOM Approved- JAN 21, 2019
<b>Storm Sewer</b>			
1) flushing of sewer for final acceptance	<input checked="" type="checkbox"/>		CCTA confirmed flushing prior to Videos on Dec 21/18 to AECOM
2) video inspection submitted for review	<input checked="" type="checkbox"/>		CCTA submitted WinCam CCTV Video/Report on Dec 21/18 to AECOM
3) video inspection reviewed/approved	<input checked="" type="checkbox"/>		AECOM Approved- JAN 21, 2019
<b>Watermain</b>			
1) Engineer's letter for curb box inspection	<input checked="" type="checkbox"/>		CCTA submission Nov 22/16;with follow-up on Dec 21/18 after Construction of Dwellings
2) Engineer's letter for valve/hydrant inspection.	<input checked="" type="checkbox"/>		CCTA submission Nov 22/16;with follow-up on Dec 21/18 after Construction of Dwellings
3) curb box inspection by AECOM	<input checked="" type="checkbox"/>		CCTA Certified Dec 21/18
4) valve & hydrant inspection by AECOM	<input checked="" type="checkbox"/>		CCTA Certified Dec 21/18
5) Hydrant Markers	<input checked="" type="checkbox"/>		Adjust Hydrant markers as Needed
<b>General</b>			
1) as-constructed (underground) approved	<input checked="" type="checkbox"/>		
<b>Certificate of M. &amp; F. A. Underground Issued</b>	<input checked="" type="checkbox"/>		Submitted on Jan. 30, 2019; <u>By-Law 2019-06</u> Issued on February 6, 2019 by Council

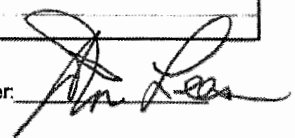
Inspectors Name: 



Project Manager: 

<b>AECOM</b>		<b>Township of Essa</b>	
		<b>Construction Status Report</b>	
Subdivision: <b>Brownley Meadows Phase 2 Subdivision</b>		File Number: 60118248.0030	
Engineer: <b>CC Tatham &amp; Associates (705) 733-9037</b>		Contractor: <b>JB Enterprises Ltd [John Bravakis]</b>	
<b>START OF ABOVEGROUND WORKS</b>			
		<b>Yes</b>	<b>No</b>
		<b>Date Completed and Comments</b>	
<b>Road Works</b>			
1)	subgrade proof rolled witnessed by AECOM	v	Proof roll with Soil Eng. August 10, 2016
2)	subgrade elevations confirmed by Eng.	v	18-Nov-16
	sub-drains installed - sub-grade	v	Sept. , 2016
	- under curb	v	Aug-16
3)	granular tested by Soils Consultant	v	Received by AECOM on November 22, 2016
4)	granular "B" compaction reports to AECOM	v	Received by AECOM on November 22, 2016
5)	granular "A" compaction reports to AECOM	v	Received by AECOM on November 22, 2016
6)	concrete curbs completed (1st Stage)	v	August/September 2016
7)	concrete tested by Soils Consultant	v	August/September 2016 - By Soil Eng.
8)	base asphalt placed	v	Beamish Paving Sept. 6, 2016
9)	signage - street identification	v	Oct. 2016
	- stop signs	v	Oct. 2016
	- road not assumed	v	Oct. 2016
	- no exit	v	
10)	dead-end barricades and signage	v	
11)	concrete curbs completed (2nd Stage)	v	
12)	driveway aprons paved	v	
13)	sidewalks completed	v	
14)	boulevard topsoiled and sodded	v	X
			Block 156 [Wagner & Greenwood]. FINAL SOD-Spring 2021
15)	Boulevard Tree Planting	v	
16)	curbs inspected prior to top lift asphalt	v	
17)	base asphalt inspected by AECOM	v	
18)	top lift asphalt completed	v	
19)	Top lift Asphalt Testing Results	v	
<b>Miscellanies Works</b>			
1)	walkways completed	v	
2)	Parkettes at Blocks 157 & 158 completed	v	
3)	3.1) 1.8m Wood Privacy Fencing on:	v	
	3.1.1) south and east limits of Subdivision	v	
	3.1.2) Blocks 156, 157 & 158	v	
	3.2) 1.25m CLF at rear of Lots 1 to 11	v	Property Being Developed under Site Plan.
4)	Commercial Block 156 Restoration	v	
<b>General</b>			
1)	service record sheets (stage 2)	v	AECOM Approved- JAN 28, 2019
2)	as-constructed (aboveground) submitted	v	AECOM Approved- March 8, 2021
3)	Certificate of Publication by Contractor	v	
<b>Certificate of S. C. &amp; A. Aboveground Issued</b>		v	Submitted on Jan. 30, 2019; <b>By-Law 2019-07 Issued on February 6, 2019</b> by Council
<b>CHECK FOR ABOVEGROUND WORKS</b>			
		<b>Yes</b>	<b>No</b>
		<b>Date Completed and Comments</b>	
<b>General</b>			
1)	tree planting in boulevard	v	X
			Replace trees at 71/73 Wagner, 177/179 Wagner, flankage of 116 Wagner on Hutton, 463 Greenwood, flankage of 209 Brownley & 178 Brownley in Spring 2021.
2)	pond landscaping inspected by AECOM	v	No Inspection as Pond in Adjacent Development
3)	fencing inspected by AECOM	v	
4)	final lot grading certification	v	
5)	OLS certification for monuments	v	
6)	AECOM curb box inspection	v	
7)	AECOM valve & hydrant inspection	v	
8)	Final inspection - light standards	v	
	- transformers/Utility Boxes	v	
	- Street name/Regulatory Signs	v	
9)	top lift asphalt inspected by AECOM	v	
10)	curb inspected by AECOM	v	
11)	sidewalks inspected by AECOM	v	
12)	boulevards topsoil and sodded	v	
13)	Service Records & As-Constructed information	v	
	<b>Approved by AECOM</b>	v	
<b>Certificate of M. &amp; F. A. Aboveground Issued</b>			Recommended April 15, 2021.

Inspectors Name: 

Project Manager: 

THE CORPORATION OF THE TOWNSHIP OF ESSA

BY-LAW 2021 – 16

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

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

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

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

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

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

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

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

I. DEFINITIONS

In this By-law,

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

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

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

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

"*Municipality*" shall mean the Township of Essa

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

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

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

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

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

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

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

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

## **II. REGULATION OF OFF-ROAD VEHICLES ON HIGHWAYS**

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

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

### III. ENFORCEMENT

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

### IV. GENERAL

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



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

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

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Sandie Macdonald  
Mayor

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Lisa Lehr  
Manager of Legislative Services

**PART I PROVINCIAL OFFENCES ACT**

**TOWNSHIP OF ESSA**

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

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

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

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

**THE CORPORATION OF THE TOWNSHIP OF ESSA**

**BY-LAW 2021 – 17**

**Being a By-law to confirm the proceedings of the Council meeting held on the 5<sup>th</sup> day of May, 2021.**

THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF ESSA HEREBY ENACTS AS FOLLOWS:

THAT the action of the Council at its meeting held on the 5<sup>th</sup> day of May, 2021 and, in respect of each recommendation contained in the Minutes of the Regular Council meeting held on the 21<sup>st</sup> day of April, 2021 and the Committee of the Whole meeting held on the 21<sup>st</sup> day of April, 2021; and, in respect of each motion, resolution and other action passed and taken by Council at the said meetings, is, except where prior approval of the Ontario Municipal Board is required, hereby adopted, ratified and confirmed.

THAT the Mayor and the proper officials of the Township of Essa are hereby authorized and directed to do all things necessary to give effect to the said actions or to obtain approvals where required, and to execute all documents as may be necessary in that behalf and the Clerk is hereby authorized and directed to affix the Corporate Seal to all such documents.

READ A FIRST, AND TAKEN AS READ A SECOND AND THIRD TIME AND FINALLY PASSED on this the 5<sup>th</sup> day of May, 2021.

\_\_\_\_\_  
Sandie Macdonald, Mayor

\_\_\_\_\_  
Lisa Lehr, Manager of Legislative Services