

**THE CORPORATION OF THE TOWNSHIP OF ESSA
COMMITTEE OF THE WHOLE MEETING
WEDNESDAY, MARCH 6, 2024
6:00 p.m.**

AGENDA

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

1. OPENING OF MEETING BY THE MAYOR

The Township of Essa acknowledges that we are situated on land within the area of Treaty 18, also known as the Lake Simcoe-Nottawasaga Treaty, signed on October 17, 1818 between the Government of Upper Canada and the Anishinaabe Indigenous peoples. The Anishinaabe include the Ojibwe, Odawa and Pottawatomi Nations collectively known as the Three Fires Confederacy. We are dedicated to honouring Indigenous history and culture and committed to moving forward in the spirit of reconciliation and respect with all First nation, Metis and Inuit People.

2. DISCLOSURE OF PECUNIARY INTEREST

3. DELEGATIONS / PRESENTATIONS / PUBLIC MEETINGS

STAFF REPORTS

4. PLANNING AND DEVELOPMENT

5. PARKS AND RECREATION / COMMUNITY SERVICES

- p. 1 a. **Staff Report PR004-24 submitted by the Manager of Parks and Recreation re: Ivy Minor Baseball Request**

Recommendation: **BE IT RESOLVED THAT RESOLVED** that Staff Report PR004-24 be received; and **THAT** Council approve the request of Ivy Minor Baseball to waive the applicable fees in respect to Challenger baseball rentals for the 2024 season for Ivy Minor Baseball.

6. FIRE AND EMERGENCY SERVICES

7. PUBLIC WORKS

8. FINANCE

- a. **Release of Lot Grading Deposits – San Diego Homes – Phase 1 Subdivision (Plan 51M-1129).**

Recommendation: **BE IT RESOLVED THAT RESOLVED** that Council approve the release of Lot Grading Deposits relating to San Diego Homes – Phase 1 Angus Subdivision, as recommended by AECOM as follows:

Current Lot Grading Deposits Held by the Township of Essa:	\$132,500.00
Reduction as Recommended by AECOM:	\$122,500.00
Deposits to be Retained by Township of Essa:	\$10,000.00

And,

THAT this approval is conditional upon the Developer providing the municipality with a Statutory Declaration indicating that all accounts have been paid in full, including all of the Township's legal and engineering costs.

- p. 3 b. **Correspondence from Township Engineer AECOM, re: Reduction in Securities – San Diego Homes – Phases 1 and 2 Angus Subdivision (Plans 51M-1129 and 51M-1130).**

Recommendation: **BE IT RESOLVED THAT** Council approve a reduction in securities relating to San Diego Homes – Phases 1 & 2 Angus Subdivision, as recommended by AECOM as follows:

Current Securities Held by Township of Essa:	\$1,634,714.51
Reduction as Recommended by AECOM:	\$654,815.74
Securities to be Retained by Township of Essa:	\$979,898.77

And,

THAT this approval is conditional upon the Developer providing the municipality with a Statutory Declaration indicating that all accounts have been paid in full, including all of the Township's legal and engineering costs.

- 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.p.m., to meet again on the 20th day of March, 2024 at 6:00 p.m.



TOWNSHIP OF ESSA STAFF REPORT

STAFF REPORT NO.: PR004-24
DATE: March 6th, 2024
TO: Committee of the Whole
FROM: Chris Rankin, Manager of Parks and Recreation
SUBJECT: Ivy Minor Baseball Request

RECOMMENDATION

That Staff Report PR004-24 be received; and

That Council approve the request of Ivy Minor Baseball to waive the applicable fees in respect to Challenger baseball rentals for the 2024 season for Ivy Minor Baseball.

BACKGROUND

Each season, Ivy Minor Baseball brings forward a request to have fees waived and exempted from the Township for Challenger Baseball. The industry standard best practice along with consistency with other municipalities and organizations is to charge the corresponding field rates set out in the Township's fee schedule. There is a cost to the Township to provide amenities and operate services. Grass cutting, diamond grooming, tree limb removal, fence repairs, electrical/lighting, line trimming, and water irrigation are some of the expenses that are considered with use of municipal diamonds.

COMMENTS AND CONSIDERATIONS

The baseball season typically operates from May 15th to September 15th of each year. As per the website 'Challenger baseball is an adaptive program that provides an opportunity for children, youth and adults with cognitive and/or physical disabilities to enjoy the full benefits of participating in organized baseball at a level structured to their abilities.' The Challenger baseball team are estimated to utilize the diamonds for 8 Saturdays for 2 hours each totaling 16 hours for the 2024 season.

It should be noted that if the Township decides to make fee exceptions for requests from an organization, there is a strong possibility that other groups and organizations within the community may approach the Township and request for similar fee reductions. Other groups who rent outdoor amenities from the Township currently in addition to Ivy Minor Baseball are Angus Minor Baseball, Angus United Soccer, Barrie Masters Lacrosse and Essa Hockey.

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FINANCIAL IMPACT

If Council chooses to waive the Challenger fees, the total cost waived is \$160 for the 2024 season.



Manager of Finance

SUMMARY/OPTIONS


Council may:

1. Take no further action, thereby not approving the request of Ivy Minor Baseball.
2. **Approve the request of Ivy Minor Baseball to waive the applicable fees in respect of Challenger baseball rental for the 2024 season for Ivy Minor Baseball.**
3. Direct staff in another course of action.

CONCLUSION


Staff recommends **Options # 2** be approved at this time based on past precedent and value to the community.

Respectfully submitted,



Chris Rankin
Manager of Parks and Recreation

Reviewed by,



Michael Mikael
CAO (Interim)

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

705 721 9222 tel
705 734 0764 fax

January 10, 2024

By Email & Mail

Mrs. C. Healey-Dowdall
Chief Administrative Officer
Township of Essa
5786 County Road 21
Utopia ON L0M 1T0

Dear Mrs. Healey-Dowdall:

Project No: 60118290

**Regarding: Township of Essa
San Diego Homes Subdivision -Phases 1 & 2
Security Reduction # 1 for San Diego Homes**

Further to the request of the Developer's Engineer, we herein provide our recommendation for the reduction in Securities for San Diego Homes Subdivision – Phases 1 & 2.

• **Security Reduction San Diego Homes**
[PHASE 1 (51M-1129) and PHASE 2 (51M-1130)]

The total value of work for San Diego Homes is \$3,262,070.14. The current securities posted for the San Diego Homes Subdivision are \$1,634,714.51 [\$1,160,221.49 for PHASE 1, and \$474,493.02 for PHASE 2]. Based on our review, in accordance with Section 2.7, Reduction of Securities; we herein provide a breakdown of our recommendations for the securities to be retained by the Township.

PHASE 1

2.7.2.1	Installed works to date	\$2,298,523.43
	Less the sum of:	
2.7.2.2.1	10% of total estimated Cost of Underground Works as Maintenance Holdback	\$149,369.19
2.7.2.2.2	10% of total estimated Cost of Aboveground Works as Maintenance Holdback	\$94,775.09
2.7.2.2.3	05% of total installed Underground Works to date as Security Holdback	\$73,805.90
2.7.2.2.4	15% of total installed Aboveground Works to date as Security Holdback	\$123,360.83
2.7.2.2.5	Sum of Previous Reduction in Securities	\$0.00
2.7.2.2.6	Any Increase in Estimated Cost to Complete Works	\$0.00
	Amount of Discharge from Total Value of Work	<u>\$1,857,212.44</u>
	Security to be Retained	\$584,230.30

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PHASE 2

2.7.2.1	Installed works to date	\$596,496.09
	Less the sum of:	
2.7.2.2.1	10% of total estimated Cost of Underground Works as Maintenance Holdback	\$41,187.12
2.7.2.2.2	10% of total estimated Cost of Aboveground Works as Maintenance Holdback	\$40,875.62
2.7.2.2.3	05% of total installed Underground Works to date as Security Holdback	\$61,780.68
2.7.2.2.4	15% of total installed Aboveground Works to date as Security Holdback	\$27,693.73
2.7.2.2.5	Sum of Previous Reduction in Securities	\$0.00
2.7.2.2.6	Any Increase in Estimated Cost to Complete Works	\$0.00
	Amount of Discharge from Total Value of Work	<u>\$424,958.93</u>
	Security to be Retained	\$395,668.47

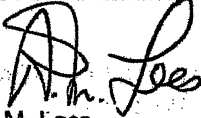
We have attached a copy of our Summary Sheet and Detailed Breakdown Sheets, which provides a breakdown of the Completed and Uncompleted Works for San Diego Homes – PHASE1 and 2.

In our opinion, the Developer is entitled to a reduction and therefore the Township should retain **\$584,230.30** for PHASE 1, and **\$395,668.47** for PHASE 2.

Reductions require the receipt of a Statutory Declaration, and that all legal and engineering invoices are paid as per Section 2.7.3. The Developer has provided the attached **STATUTORY DECLARATION** for San Diego Homes.

We trust that you will find the above in order. We would appreciate confirmation of the reduction in securities for our records.

Sincerely,
AECOM Canada Ltd.


A. M. Lees

AML: wh

Encl.(3)

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Province of Ontario
TOWNSHIP OF ESSA

) IN THE MATTER OF PT LT 31 CON 3
) ESSA, PT LT 32 CON 3 ESSA AS IN
) R01406610 EXCEPT PT 1 ON PL
) 51R33704, T/W R01406610; ESSA
)

) IN THE MATTER OF Works pursuant to
) the Agreement between the Township of
) Essa and SANDIEGO HOMES INC.
)

AND IN THE MATTER OF the release
of securities.


1. I, Sandra Rizzardo, of the Town of Innisfil, in the County of Simcoe, in the Province of Ontario, SOLEMNLY DECLARE THAT:
2. I am the President of SANDIEGO HOMES INC. and as such have knowledge of the matters hereinafter deposed to.
3. All works required to be installed and completed on public property pursuant to the above- noted agreement in connection with the development at Phase 1 for PLAN 51M-1129 have been completed and fully paid for and no one is entitled to a claim or lien in respect of labour or materials supplied in respect of such work.
4. That there are no judgments or executions filed against SANDIEGO HOMES INC.
5. All monies, assessments and withholdings required pursuant to the provisions of the Income Tax Act of Canada, the Employment Insurance Act of Canada and the Workplace Safety and Insurance Act of Ontario or any other applicable statues, or any other regulations there under, have been properly deducted and remitted as required by law.
6. That SANDIEGO HOMES INC. has not made any assignment for the benefit of creditors, nor has any receiving order been made against it under The Bankruptcy Act, nor has any petition for such an order been serviced upon.

AND I make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath.

DECLARED BEFORE ME

at the Town of Innisfil,
in the County of Simcoe,
this 13th day of November, 2023.

Marvin Gaisl Professional Corporation
Barrister and Solicitor
3300 HWY NO. 7, Suite 800
Vaughan, Ontario L4K 4M3


Sandra Rizzardo