

THE CORPORATION OF THE TOWNSHIP OF ESSA
COMMITTEE OF THE WHOLE

WEDNESDAY, MAY 1, 2019
6:00 p.m.

AGENDA

1. OPENING OF MEETING BY THE MAYOR
2. DISCLOSURE OF PECUNIARY INTEREST
3. DELEGATIONS / PRESENTATIONS / PUBLIC MEETINGS

- p. 1 a. 6:00 p.m. **Delegation**
Re: Electric Vehicle Charging Stations
Baseload Power – Jonathan Sandler / Ashely Hamilton Kelly

STAFF REPORT

4. PLANNING AND DEVELOPMENT

- p. 7 a. **Staff Report PD027-19 submitted by the Chief Administrative Officer as prepared by Simon P. Ainley, Ainley Group, re: Township of Essa – Langford OPA and ZBA – Event Facility (Wedding Barn).**

Recommendation: *Be it resolved that the Staff Report PD027-19 be received; and*

- a) *That Council **does / does not** approve adopting an Official Plan Amendment (OPA) to re-designate 7511 9th Line, otherwise described as Part Lot 21, Concession 9, to permit an Event Facility, subject to Site Plan Control and the entering into of a Site Plan Agreement requiring adherence to the recommendations of the technical reports prepared as a basis for the amendment request and all other requirements that the Township may wish to impose,*
- b) *That Council **does / does not** authorize passing a Zoning By-law Amendment (ZBA) to re-zone 7511 9th Line, otherwise described as Part Lot 21, Concession 9, to permit an Event Facility, and*
- c) *That Council **does / does not** authorize the necessary updates to the Township's Business Licensing By-law, Noise By-law or any other by-law affecting the proposed use.*

5. PARKS AND RECREATION/ COMMUNITY SERVICES
6. FIRE AND EMERGENCY SERVICES

7. PUBLIC WORKS

- p. 50 a. **Staff Report PW013-19 submitted by the Manager of Public Works, re: Investing in Canada Infrastructure Program 5th Line Bridge (Structure No. 9).**

Recommendation: *Be it resolved that Staff Report PW010-19 be received; and That Council **does / does not** support the submission of a funding application through the Investing in Canada Infrastructure Program for the reconstruction of the 5th Line Bridge (Structure No. 9); and That Council **does / does not** authorize the Manager of Public Works to complete the necessary application form.*

- p. 53 b. **Staff Report PW015-19 submitted by the Engineering/Development Review Technician, re: Street Naming – Briarwood Development in Angus.**

Recommendation: *Be it resolved that Staff Report PW015-19 be received; and That Council **does / does not** approve renaming three of the four streets within the Briarwood (formerly Queensgate) Development in Angus as Wakefield Boulevard, Hilliard Lane and Turley Way, all reflecting the names of individuals who have made contributions to the community in the past.*

- p. 57 c. **Staff Report PW016-19 submitted by the Manager of Public Works, re: Award of Quotation – Granular “A”.**

Recommendation: *Be it resolved that Staff Report PW016-19 be received; and That the quotation as submitted by Darpak Inc. for the Supply, Loading, Spreading and Dumping of Granular Gravel in the amount of \$81,000.00 (plus H.S.T.) be accepted; and That the Manager of Public Works be authorized to arrange for the necessary works to be completed.*

8. FINANCE

9. CLERKS / BY-LAW ENFORCEMENT / IT

- p. 60 a. **Staff Report C019-19 submitted by the Clerk, re: Fees and Charges By-law 2013-28 – Amendments.**

Recommendation: *Be it resolved that Staff Report C019-19 be received; and That Council **does / does not** authorize staff to bring the appropriate By-law forward for Council's consideration, to amend the Township's Fees and Charges By-law 2013-28.*

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

p. 65 a. **Correspondence – Resignation of the Manager of Public Works.**

Recommendation: *Be it resolved that the correspondence dated April 23, 2019 from Dan Perreault, Manager of Public Works, with regard to his resignation effective May 21, 2019 be received with regret; and That the Chief Administrative Officer be authorized to commence recruitment.*

p. 66 b. **Staff Report CAO016-19 submitted by the Chief Administrative Officer, re: Request to Waive Diamond Rental Fee.**

Recommendation: *Be it resolved that Staff Report CAO016-19 be received; and That Council **does / does not** approve waiving a portion of the diamond rental booking fee of \$250.00 + HST for the one day charity tournament for the Warren's Mental Health Tournament in memory of Connor Warren, on a date to be set in 2019, such that the Warren family would pay \$100 + HST to cover the cost of booking and clean up.*

p. 70 c. **Staff Report CAO018-19 submitted by the Chief Administrative Officer, re: Donation to Parent Councils at Local Public Schools.**

Recommendation: *Be it resolved that Staff Report CAO018-19 be received; and That Council **does / does not** authorize donating public skating vouchers to the Parent Councils of local elementary and secondary schools, should requests for donations be received for fundraising initiatives.*

11. OTHER BUSINESS

a. **6th Line / 30th Sideroad Intersection**

Recommendation: *WHEREAS motorists are required to follow the "rules of the road" in order to ensure the safety of other motorists, pedestrians, and cyclists utilizing the municipal road system in the Township of Essa; and WHEREAS the Municipal Act, 2001, as amended, provides that the Council of a municipality may, by By-law, provide for the erection of stop signs at intersections on highways under its jurisdiction, and every sign shall comply with the regulations of the Ministry of Transportation; and WHEREAS the intersection at the 6th Line and the 30th Sideroad of Essa currently has a two-way stop on the 30th Sideroad for users travelling east and west of the 6th Line; and WHEREAS Council of the Township of Essa is desirous of erecting a four-way stop at the intersection of the 6th Line and the 30th Sideroad in the Township of Essa; NOW THEREFORE BE IT RESOLVED THAT Council directs staff to bring forward the appropriate By-law at its meeting of May 15, 2019 specific to the installation of a four-way stop at this intersection.*

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 15th day of May, 2019 at 6:00 p.m.*

5786 Simcoe County Rd. #21
Utopia , Essa Township, ON
L0M 1T0



Telephone: (705) 424-9770
Fax: (705) 424-2367
Web: www.essatownship.on.ca

**Request for Delegation before Council
at Committee of the Whole**

Person(s) to Appear: Jonathan Sandler and Ashley Hamilton Kelly

Preferred Date: May 1st **Alternate Date:** _____

Name	Title/Organization	Telephone Number
Jonathan Sandler	President - Baseload Power	
Ashley Hamilton Kelly	Director - Baseload Power	

Please provide a general outline of the subject matter:

We are proposing to install, pay for and maintain Level 3 Electric Vehicle Charging Stations on Municipal property (Thornton Arena) and provide Municipality with share of revenue.

**Note that 10 minutes is allotted for the delegation.*

Letter submitted with request: Yes No

Person(s) Requesting Appearance (if different from those appearing):

Name	Title/Organization	Telephone Number
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Mailing Address:

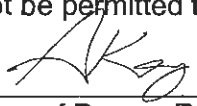
Name	Title/Organization	Telephone Number
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Mailing Address:

The following equipment is requested: Projector Laptop

** Note that those wishing to conduct a presentation must provide an electronic version of their presentation, in Microsoft PowerPoint, 48 hours in advance of the meeting to the Clerk's Office, otherwise the presentation will not be permitted to take place.

04/23/2019
Date Submitted


Signature of Person Requesting Appearance

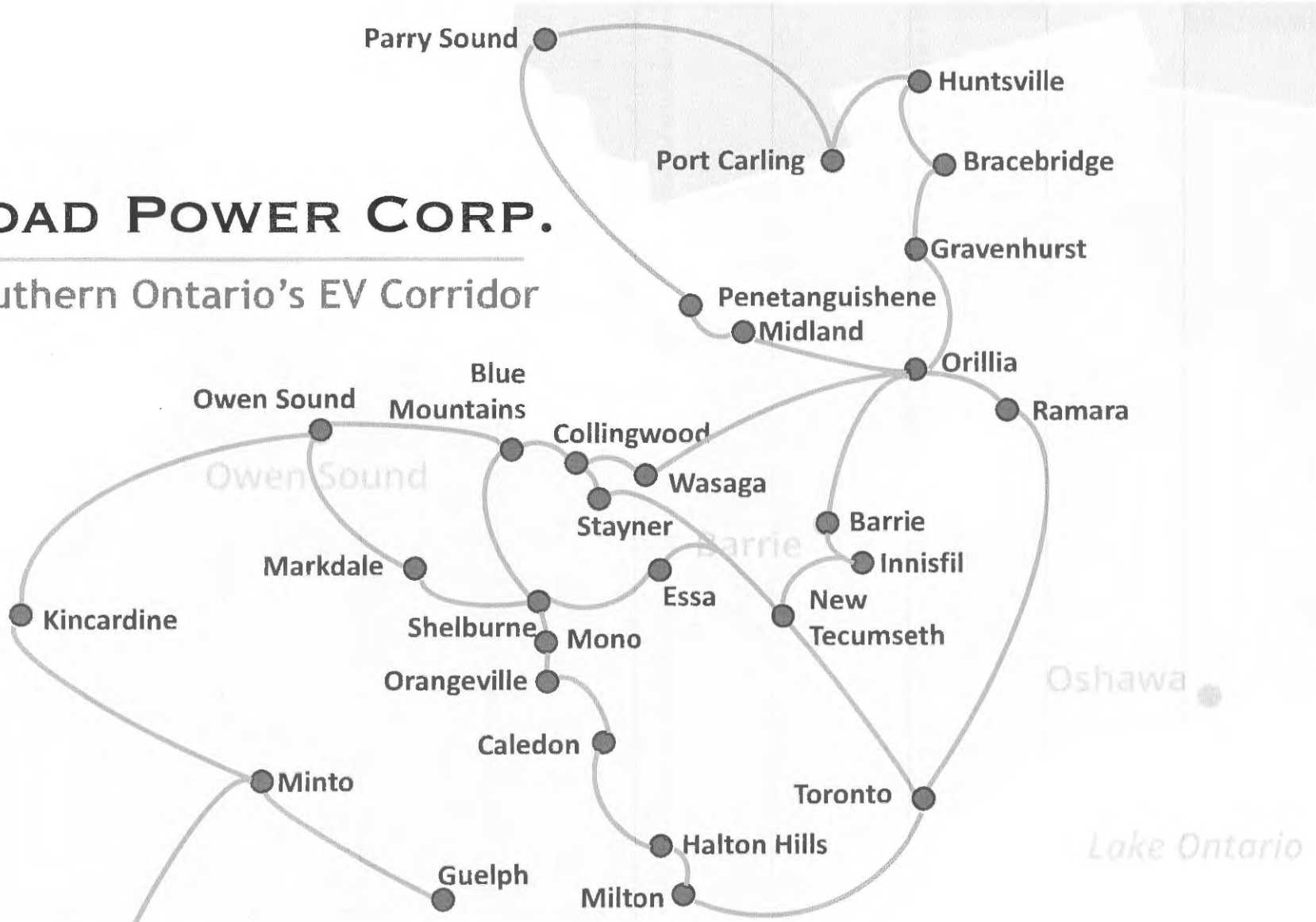
Reminder: A written and signed letter outlining the subject matter of the delegation must be provided to the Clerk's Office by 4:30 p.m. Wednesday the week prior to the meeting. Additional material may be circulated/presented at the time of the delegation. Scheduling will be at the discretion of the Clerk. There is no guarantee that by requesting a certain date(s) your delegation will be accepted.

Disclaimer: Please note that the submission of this form does not guarantee the approval of your request. All information submitted will be considered public information and therefore subject to full disclosure under the Municipal Freedom of Information and Protection of Privacy Act.

BASELOAD POWER CORP.

Creating Southern Ontario's EV Corridor

2



Our Proposal

0\$

COST

Baseload Power covers 100% of costs to install own and operate EV Stations

\$ \$

REVENUE

Municipality shares in revenue from all EV Stations



GREEN

EV Stations demonstrate commitment to green clean community

18-25

MINUTE CHARGE

EV Stations available multiple times/day for local and visiting EV drivers

Our Product



01

Universal Plug

Our EV Stations will work with any Electric Vehicle

02

Cellular Connection

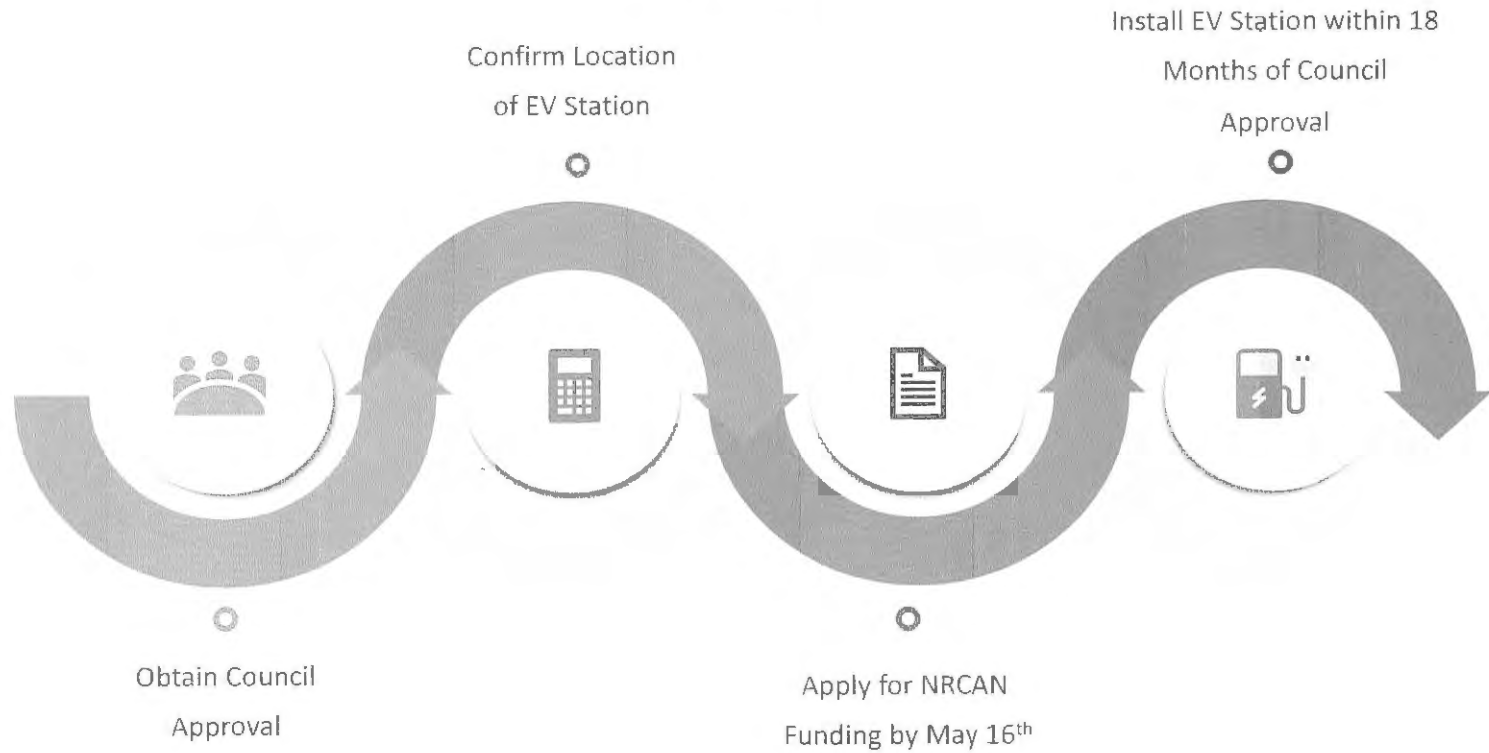
Our EV Stations transmit location and availability information to EV drivers and usage data to EV Station owners

03

24/7 Accesibility

Our EV Stations are for public use at market rates and include emergency top-up for EVs that arrive with a low battery state-of-charge

Our Process



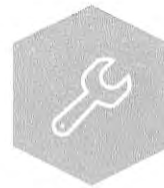
57

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BASELOAD POWER CORP.

A privately held, advanced energy infrastructure and renewable energy solutions provider. Our principals have over 20 years of experience and 600MW of renewable energy projects in operation.

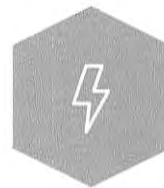
/ BASELOAD POWER CORP. /



We design, engineer, procure, build and operate energy infrastructure



Nimble, early movers that operate with a keen emphasis on the highest quality projects



Best-in-class development of leading electricity-focused technology with deep engineering expertise



TOWNSHIP OF ESSA STAFF REPORT

STAFF REPORT NO.: PD027-19

DATE: May 1, 2019

TO: Committee of the Whole

FROM: Colleen Healey-Dowdall, CAO, as prepared by
Simon P. Ainley, Ainley Group

SUBJECT: Township of Essa
Langford OPA & ZBA – Event Facility (Wedding Barn)

RECOMMENDATION

That Staff Report PD027-19 be received; and

- a) That Council consider adopting an Official Plan Amendment (OPA) to re-designate 7511 9th Line, otherwise described as Part Lot 21, Concession 9, to permit an Event Facility, subject to Site Plan Control and the entering into of a Site Plan Agreement requiring adherence to the recommendations of the technical reports prepared as a basis for the amendment request and all other requirements that the Township may wish to impose,
- b) That Council consider passing a Zoning By-law Amendment (ZBA) to re-zone 7511 9th Line, otherwise described as Part Lot 21, Concession 9, to permit an Event Facility, and
- c) That Council consider necessary updates to the Township’s Business Licensing By-law, Noise By-law or any other by-law affecting the proposed use.

BACKGROUND

Proposal

Applications for amendments to the Township of Essa Official Plan (OPA) and comprehensive Zoning By-law (ZBA) have been submitted by Michelle Langford seeking municipal planning approval to enable the conversion of an existing storage barn on her farm into a facility for hosting group gatherings and celebratory events, especially weddings. The OPA & ZBA applications specifically reference the barn’s future use for weddings/wedding receptions; however, as the review process has unfolded other attendance dependent events supportive of and/or able to co-exist with the farm’s primary agricultural use also have been mentioned as possibilities (e.g., engagement parties,

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anniversaries, birthdays, showers, family reunions, seminars, conferences, exhibitions, debate forums etc.). For this reason, for the purposes of this review the term “event facility” is used to describe the proposed use under consideration for the subject site.

The event facility (converted storage barn) will be able to accommodate up to a maximum of 250 people, with on-site parking provided for 128 vehicles. It is to be a seasonal, not a year-round use, operating between May and October and is expected to host 24 to 30 events annually.

The event facility (and existing storage barn) is proposed to be accessed via an existing privately maintained driveway extending from the 9th Line and to be serviced by private water and sanitary sewage disposal systems.

Requested Official Plan & Zoning By-law Amendments

The requested OPA & ZBA applications were submitted in August 2018 and are required because the Township’s Official Plan and implementing Zoning By-law currently limit secondary farm uses to uses “smaller in scale” than those proposed. To overcome this the applicant is requesting that the Official Plan be adjusted to incorporate policies that recognize and allow the proposed facility as an “On-farm Diversified Use”, as defined (and permitted) by the Provincial Policy Statement (PPS), supplementary Ontario Ministry of Agriculture & Food (OMFRA) “Guidelines on Permitted Uses in Ontario’s Prime Agricultural Areas” (S 2.3) and policies of the County of Simcoe Official Plan (S 3.6.6 & 3.8.15). Furthermore, the applicant is requesting that upon Council’s adoption of an OPA making provision for the proposed use, that a complementary, implementing Zoning By-law amendment be passed granting site-specific zoning permission for the event facility.

Site Description

Location

The subject lands are located in Part of Lot 21, Concession 9, otherwise described as 7511 9th Line, in the Township of Essa, just north of the 9th Line & 20th Sideroad intersection in the community of Ivy.

Site Characteristics

The actual area on the site to be devoted to the proposed event facility, including allocated parking, encompasses slightly less than 2,500 square metres and is located midway along the eastern edge of the applicant’s larger 57 hectare (141 acre) farm holding. With the exception of vegetated (mostly) lowlands located near and adjacent to an intermittent stream that bisects the property in a westerly direction, the farm is in active agricultural use as cropland, as are lands in the surrounding area. A string of residential properties is located along the 20th Sideroad in Ivy to the immediate south of the farm, together with a number of more interspersed rural-residential dwellings to the west on the 9th Line.

As the property is located in an NVCA regulated area, in August 2015 the NVCA issued a Development Permit (DP 2015-12423) to allow construction of an agricultural building

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and gravel laneway to afford access thereto, and in September 2016 the Township issued a Building Permit (BP 2016-0282) enabling construction of an agricultural storage barn. The gravel laneway and storage barn have since been completed, but further improvements to the barn, including the placement of a septic system and parking lot, will be required to facilitate its use as an event facility. The applicant also recently secured a second building permit for the construction of a new single-detached farm residence in proximity to the storage barn, which dwelling currently is under construction.

PUBLIC MEETING

A public meeting was held on March 20, 2019 to hear comments from the general public. Over the course of the meeting seven members of the public spoke on the applications with three, Jim McDermott (7497 9th Line), Violet Campbell (4945 20th Sideroad) and Doug Drysdale (6635 County Road 56) offering support, and the remainder, Caroline Kallo (5034 20th Sideroad), Heather Snyder (4992 25th Sideroad), Dr. Fabian (5117 20th Sideroad) and Kathy Holmes (5018 20th Sideroad) indicating a number of concerns. While certain of the issues raised were of a personal nature (e.g., potential impact on health), a majority dealt with traffic & noise and potential “quality of life” impacts. These concerns focussed on the expected number of events, number of vehicles, hours of operation and noise levels and their proposed manner of mitigation.

COMMENTS AND CONSIDERATIONS

In view of the interrelationship between provincial, county and municipal planning policy, in assessing the merits of a proposed amendment to the Township’s Official Plan consideration must be given to the requested amendment’s consistency/conformity with the planning priorities of all three levels of government. For the purposes of the current review these include the policies/criteria stipulated in the:

Upper Tier (Provincial & County):

- Provincial Policy Statement,
- Guidelines on Permitted Uses in Ontario’s Prime Agricultural Areas,
- Growth Plan for the Greater Golden Horseshoe,
- County of Simcoe Official Plan (Consolidated December 2016).

Lower Tier (Township of Essa):

- Essa Official Plan,
- Essa comprehensive Zoning By-law 2003-50,
- Essa Noise By-law 2005-66,
- Essa Municipal Business Licencing By-law 2011-20,
- Essa Sightline By-law 2015-11.

With the aforementioned criteria as a guide, to establish the appropriateness of the planning applications it is necessary:

- To determine whether extending the use permissions afforded by current Township of Essa Official Plan policy on the subject property to include “on-farm

diversified uses" is consistent with provincial policy,

- To determine whether the proposed "event facility" qualifies as an "on-farm diversified use", as defined by provincial policy, and
- To determine whether the proposed "event facility" is technically compliant with the requirements for such uses in the context of its method of servicing and potential traffic and noise impacts etc.

With regard to these three determinants, based on a review of pertinent provincial, county, and municipal planning policy and information provided by the applicant and obtained from interested review agencies and the general public, it is to be noted:

1. On-farm Diversified Uses Compliance with Provincial Policy

On-farm diversified uses, generally defined as uses that are compatible with, and (do) not hinder, surrounding agricultural operations", are permitted in prime agricultural areas by the PPS (S 2.3.3.1) and the Growth Plan. This being the case, it is within council's purview to add policies to the Township's OP to provide for such uses on farms within Essa, including the applicant's farm, subject to the inclusion of criteria necessitating that a proposed use be in accord with the "provincial" definition for such uses.

2. Event Facility Compliance with Provincial Policy

The applicant's Planning Report indicates that both provincial (OMAFRA) and County of Simcoe staff are satisfied that the proposed event facility qualifies as an on-farm diversified use provided it is shown to be in accord with the definition afforded by provincial policy for such uses, namely the PPS and OMFRA's "Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas". The provincial policy documents indicate that on-farm diversified uses must be compatible with, and...not hinder, surrounding agricultural operations" and must be,... "...secondary to the principle agricultural use of the property, and...limited in area" (S 2.3), with the guidelines going on to provide qualifying criteria that must be met for a particular use to be determined consistent with the PPS. The key tests provided in the two policy documents for determining whether an on-farm diversified use qualifies as such, necessitate establishing:

- Its compatibility with the property's principle agricultural use and surrounding agricultural operations,
- Its compatibility with the agricultural/rural character of the area,
- Its potential impact on natural heritage features,
- Its conformance with applicable environmental standards,
- The availability of appropriate rural services and infrastructure, and
- The adequacy of proposed water and sewage disposal systems.

These six criteria, some of which also are reflected in the County and Township Official Plans, all are addressed in the applicant's Planning Report, which in summary indicates:

- That the applicant's holding is a functioning farm with 85% of its approximately 57 hectares actively cropped, in accord with S 2.3.1.1 of the guidelines that on-farm diversified uses be located on an active farm,
- That the event facility will be secondary to the farm's principle agricultural use by virtue of its separation from the property's active farmland (i.e., it is located on a low-lying unproductive part of the site), distance from the property's entrance off the 9th Line (thereby reducing potential farm vehicle conflicts) and limited hours of operation (weekends only), in accord with S 2.3.1.2 of the guidelines that on-farm diversified uses' be secondary to the principle agricultural use,
- That consistent with the intent that on-farm diversified uses be limited in area (S 2.2.1.3), the total area to be devoted to the event facility, including the barn, parking area and access driveway, at 2,422 sq. m., is well within the guideline's recommended 2% of the total farm area (i.e., 11,400 sq. m.), and the barn's total footprint, at 303 sq. m., well within the guideline's recommended 20% of the maximum 1.0 hectare that is permitted to be devoted to an on-farm diversified use, in this case the proposed event facility (i.e., 2,000 sq. m.) (S 2.3.1.3),
- That as a reasonably scaled, countrified use in a pastoral agricultural setting the proposed event facility meets the definition of an agri-tourism type use by offering a distinct alternative to similar, more conventional uses common to urban locations, in general accord with S 2.3.1.4 of the guidelines, and
- That on the basis of the findings of the technical analyses completed in support of the amendment applications (discussed more below) and the event facility being out of sight of the travelling public and visually consistent with the surrounding rural landscape, it is compatible with and will not hinder surrounding agricultural operations and, with suitable attention to noise mitigation, also compatible with other uses in the surrounding area, all in accord with S 2.3.1.5 of the guidelines stipulating the need for compatibility with the surrounding area.

3. Technical Compliance

The PPS, OMFRA's supplementary guidelines for uses in prime agricultural areas and the County of Simcoe & Township of Essa Official Plans require secondary/on-farm diversified uses and hence, the proposed "event facility" to be "compatible" with surrounding agricultural operations, and to this end collectively provide a series of policy tests, as per item 2 above, for determining a particular use's suitability. At the March 20, 2018 public meeting held to consider the OPA & ZBA applications, a number of these same "compatibility" tests were flagged for consideration by the general public. In response to the criteria, the applicant completed a series of technical reports, namely:

- **Traffic Opinion Letter** (Crozier Consulting Engineers, June 2018),
- **Environmental Noise Feasibility Study** (Valcoustics Canada Limited, June 2018),
- **Environmental Impact Assessment** (SAAR Environmental Ltd, August 2018),
- **Langford Review Response** (SAAR Environmental Limited, December 2018),

- **Servicing Review** (C.C. Tatham & Associates Limited, October 2018),
- **Agricultural Evaluation** (Stovel and Associates Inc., January 2019),
- **MDS Calculations** (Cuesta Planning Consultants, January 2019),
- **Planning Report** (Cuesta Planning Consultants, January 2019).

These reports produced a number of conclusions and recommendations regarding the proposed event facility's compatibility with the property's principle agricultural use as well as surrounding agricultural & residential uses, and with regard to on-site natural heritage features, the proposed method of servicing and the capacity of area roads to absorb additional traffic. The following summarizes the main findings of the applicant's technical works under the six key areas of review flagged for specific consideration by provincial, county and municipal planning policy.

Agricultural

- a) The **Minimum Distance Separation (MDS)** calculation, completed by Cuesta Planning, confirms the event facility's conformance with required minimum separation distances,
- b) Based on its completed **Agricultural Evaluation** and noted confidence in the independent findings of the applicant's traffic & noise assessments, Stovel and Associates has concluded, (1), that since no further disturbance is contemplated to the farm's agricultural areas the event facility will not result in the loss of any agricultural resources or impact the surrounding agricultural community, and this being the case, (2), that the facility meets the provincial definition of an on-farm diversified use.

Natural Heritage System

- c) Based on its **Environmental Impact Assessment (EIA)**, SAAR Environmental Limited has concluded, (1), that subject to the implementation of certain mitigation techniques, the event facility can be accommodated without significant negative impact to natural features and functions, and thus (2), that with adherence to recommended mitigation the event facility can be located in accord with the PPS, Greenbelt Plan and County & Township Official Plans. In drawing these conclusions, SAAR identifies the means of mitigation to include, enhancement plantings, lowering noise levels by providing timing windows for the operation of machines to avoid bird breeding peak times and providing downward direction lighting to maintain the night sky character,

Servicing

- d) Based on the findings of its **Servicing Review**, C.C. Tatham has concluded that the proposed conversion of the existing storage barn to accommodate the event facility is viable, at the same time recognizing that the project's detailed engineering will comprise part of the site plan approval phase. C.C. Tatham's project specific conclusions are:

- That the Waterloo Biofilter Septic Treatment System proposed to service the event facility is adequate, recognizing that its final design is still dependent on Township approval as a component of the site plan review process,
- That the site's existing, already connected private well is adequate to service the event facility, recognizing that the method of water treatment is to be upgraded and the overall system still dependent on Township approval as a component of the site plan review process,
- That the engineering characteristics of the existing storage barn, property entrance and access driveway (located along the south side of the intermittent creek) are adequate, having been constructed on the basis of previous work permits issued by the NVCA (development permit) & Township (building permit), which were granted on the basis of an earlier hazard study prepared by C.C. Tatham and approved by the NVCA,
- That pre-development drainage patterns associated with the existing storage barn generally have been maintained and that stormwater infiltration and conveyance controls are sufficient, recognizing that the detailed engineering design for the facility, including its future parking area, will be subject to NVCA & Township approval as a component of the site plan review process,
- That the existing electrical system servicing the storage barn, which is to be supplemented by a back-up generator, is considered adequate for the event facility, recognizing that final sign-off by the Township will comprise part of the site plan review process,
- That because the event facility is to be serviced by propane and not natural gas, further disruption to the site will be minimized,
- That the preferred method(s) of telecommunications (telephone, internet, cable) will be determined during the site plan review process, and
- That provision for appropriate fire suppression and fighting will be determined in consultation with the Fire Chief as part of the site plan review process.

Traffic

e) In its **Traffic Opinion Letter**, Crozier Consulting has concluded:

- That because sight distances are in excess of the minimum requirements of Essa Sightline By-law 2015-11 and the Transportation Association of Canada – Geometric Design Guide for Canadian Roads (TAC GDGCR),

the proposal is not expected to create a traffic hazard due to vehicle ingress or egress at the site entrance, and, as such, that no improvements are required at the entrance, save for the trimming of some branches in its vicinity which is recommended,

- That intersection operations at the 9th Line & 20th Sideroad intersection (in Ivy) are excellent (Service Level A) and that traffic generated by the proposed event facility is not expected to materially affect its future operation,
- That the event facility can be supported from a traffic safety and operations standpoint with the existing geometry of the roadway, and
- That the location of any wayfinding signage to the event facility at the Ivy intersection will be dependent on discussion between the applicant and Township.

Noise

- f) Based on the findings of its ***Environmental Noise Feasibility Study***, Valcoustics Canada has concluded:
- That MOE noise guideline limits can be met (for all adjacent residential uses) with appropriate sound level restrictions limiting sound emissions from the event facility (barn) to a maximum of 70 dBa at a distance of 10 metres from an open south door,
 - That because the sound level within the event facility is expected to only be in the range of 81 dBa, the outside sound level is expected to be well within the maximum noise guidelines limit (i.e., 70 dBa at 10 m distance),
 - That if considered appropriate sound level limits can be achieved through the use of a “sound level feedback system”, which can be configured to cut power to sound amplifiers if the target level is exceeded, and
 - That the conclusions of the Valcoustics study can be validated going forward by measuring noise levels during an actual event and adjusting mitigation techniques if found necessary.

PLANNING CONCLUSIONS

Based on a review of pertinent provincial, county, municipal planning policy and information provided by the applicant (e.g., technical reports) and obtained from interested review agencies and the general public, it can be concluded that

OPA Compliance - On-farm Diversified Uses

1. The applicant's requested OPA is consistent with provincial (and county) planning

policy insofar as it relates to affording general permission to permit “on-farm diversified uses” on the applicant’s farm and on farms within prime agricultural areas in general,

OPA Compliance – Proposed Event Facility

- 2. Given its location on a viable farm, limited site area, status as a secondary use to the principle agricultural use and compatibility with surrounding agricultural operations, the “event facility” meets the PPS’ definition of an on-farm diversified use and, hence, also provincial (OMAFRA) and county staffs’ qualification expectations tying it to the provincial definition. In addition, insofar as the requested OPA will serve to conditionally (i.e., conditional on a rezoning) afford permission to site-specifically locate this particular on-farm diversified use on the subject property it too is consistent with provincial planning policy,

Event Facility - Technical Compliance

- 3. The event facility will not result in the loss of any agricultural resources or impact the surrounding agricultural community and, therefore, is consistent with the provincial definition of an on-farm diversified use,
- 4. With appropriate mitigation the event facility can be accommodated without significant negative impact to natural features and functions and, hence, can be located in accord with the PPS, Greenbelt Plan and County & Township Official Plans,
- 5. The event facility is viable in the context of its known engineering and servicing design prerequisites (i.e., septic system, driveway access, drainage, SWM, utilities etc.) recognizing that this will be confirmed at the time of the site’s detailed engineering as part of and basis for site plan approval,
- 6. The event facility, with appropriate mitigation (i.e., removal of branches on 9th Line to improve sightlines) can be supported from a traffic safety and operations standpoint on the basis of the existing roadway geometry,
- 7. With appropriate sound level restrictions limiting sound emissions from the event facility (barn) to a maximum of 70 dBA at a distance of 10 metres from the its open south door, MOE noise guideline limits can be met (for adjacent residential uses),
- 8. While the applicant’s technical analysis has established the general functional viability of the event facility, because its final approval is still dependent on more detailed engineering analysis and municipal departmental approvals, criteria should be incorporated into a proposed OPA making the passage of an implementing Zoning By-law conditional on the applicant entering into a Site Plan Agreement addressing all matters highlighted by the technical studies completed to date, and which otherwise might be deemed appropriate by the Township (e.g., hours of operation),

General

- 9. It having been demonstrated that provincial, county and municipal planning policy

does provide for the selective location of “on-farm diversified uses” in prime agricultural areas and that the proposed “event facility”, subject to appropriate mitigation, also is permitted by provincial, county and municipal policy, it, therefore, is within municipal council’s purview to add policies to the Township’s Official Plan to provide for the establishment of such uses on farms within Essa, including the applicant’s farm, conditional on compliance with the PPS, “Guidelines on Permitted Uses in Ontario’s Prime Agricultural Areas” and County Plan, as well as any and all special provisions that might be included in the Township’s Official Plan,

10. Finally, based on the conclusions above, it is further concluded that locating the proposed use in the subject location in the general manner proposed represents good planning and would be in the public interest.

FINANCIAL IMPACT

None. Any planning approvals will be to the benefit of the applicant/landowner and, as such, all costs that may be associated with the event facility will be borne by the applicant/landowner.

SUMMARY/OPTIONS

Council may:

1. Take no further action.
2. Consider adopting an Official Plan Amendment (OPA) to re-designate 7511 9th Line to permit an Event Facility, subject to Site Plan Control and the entering into of a Site Plan Agreement.
3. Direct staff to proceed in another manner as Council may wish to direct.

CONCLUSION

Option #2 is recommended.

Respectfully submitted:



Colleen Healey-Dowdall, MCIP, RPP
CAO

Attachments:

Planning Report of Ainley Group, prepared by Simon P. Ainley, MCIP, RPP
OPA No. 30

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April 24, 2019

File No. 119035

“BY EMAIL”

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

Attn: **Ms. Colleen Healey-Dowdall**
Chief Administrative Officer

Ref: **Langford OPA & ZBA Applications - Planning Review**
Township of Essa, Part Lot 21, Concession 9 (7511 9th Line)

Dear Ms. Healey-Dowdall:

Pursuant to your request, we have reviewed the Official Plan and Zoning By-law amendment applications submitted by Michelle Langford relating to the above noted property. Our findings are documented below under two main headings, “Planning Opinion”, which explains the conclusions drawn with regard to the propriety of the two applications, and “Background Research”, which documents the background information considered in reviewing the amendment requests. Our recommendation regarding the applications is provided in item 1.6 below.

1.0 PLANNING OPINION

1.1 Applicant’s Proposal

Applications for amendments to the Township of Essa Official Plan (OPA) and comprehensive Zoning By-law (ZBA) have been submitted by Michelle Langford seeking municipal planning approval to enable the conversion of an existing storage barn on her farm into a facility for hosting group gatherings and celebratory events, especially weddings. The OPA & ZBA applications specifically reference the barn’s future use for weddings/wedding receptions; however, as the review process has unfolded other attendance dependent events supportive of and/or able to co-exist with the farm’s primary agricultural use also have been mentioned as possibilities (e.g., engagement parties, anniversaries, birthdays, showers, family reunions, seminars, conferences, exhibitions, debate forums etc.). For this reason, for the purposes of this review the term “event facility” is used to describe the proposed use under consideration for the subject site.

The event facility (converted storage barn) will be able to accommodate up to a maximum of 250 people, with on-site parking provided for 128 vehicles. It is to be a seasonal, not a year-round use, operating between May and October and is expected to host 24 to 30 events annually.

The event facility (and existing storage barn) is proposed to be accessed via an existing

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privately maintained driveway extending from the 9th Line and to be serviced by private water and sanitary sewage disposal systems.

1.2 Requested Official Plan & Zoning By-law Amendments

The requested OPA & ZBA applications were submitted in August 2018 and are required because the Township's Official Plan and implementing Zoning By-law currently limit secondary farm uses to uses "smaller in scale" than those proposed. To overcome this the applicant is requesting that the Official Plan be adjusted to incorporate policies that recognize and allow the proposed facility as a "On-farm Diversified Use", as defined (and permitted) by the Provincial Policy Statement (PPS), supplementary Ontario Ministry of Agriculture & Food (OMFRA) "Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas" (S 2.3) and policies of the County of Simcoe Official Plan (S 3.6.6 & 3.8.15). Furthermore, the applicant is requesting that upon Council's adoption of an OPA making provision for the proposed use that a complementary, implementing Zoning By-law amendment be passed granting site-specific zoning permission for the event facility.

1.3 Site Description

1.3.1 Location

The subject lands are located in Part of Lot 21, Concession 9, otherwise described as 7511 9th Line, in the Township of Essa, just north of the 9th Line & 20th Sideroad intersection in the community of Ivy.

1.3.2 Site Characteristics

The actual area on the site to be devoted to the proposed event facility, including allocated parking, encompasses slightly less than 2,500 square metres and is located midway along the eastern edge of the applicant's larger 57 hectare (141 acre) farm holding. With the exception of vegetated (mostly) lowlands located near and adjacent to an intermittent stream that bisects the property in a westerly direction, the farm is in active agricultural use as cropland, as are lands in the surrounding area. A string of residential properties is located along the 20th Sideroad in Ivy to the immediate south of the farm, together with a number of more interspersed rural-residential dwellings to the west on the 9th Line.

As the property is located in an NVCA regulated area, in August 2015 the NVCA issued a Development Permit (DP 2015-12423) to allow construction of an agricultural building and gravel laneway to afford access thereto, and in September 2016 the Township issued a Building Permit (BP 2016-0282) enabling construction of the agricultural storage barn. The gravel laneway and storage barn have since been completed, but it is to be noted that further improvements to the barn, including the placement of a septic system, will be required to facilitate its use as an event facility. The applicant also recently secured a second building permit for the construction of a new single-detached farm residence in proximity to the storage barn, which dwelling is currently under construction.

1.4 Planning Comment

To summarize, the applicant is requesting site specific amendments to the Township's Official Plan (OP) and Zoning By-law (ZB) to provide for the location of an "on-farm diversified use" in the form of an "event facility" (described as a 'wedding barn') in a converted storage building on

her family's agriculturally active 57 hectare farm. The amendments are necessary because the Township's OP & ZB presently limit secondary farm uses to uses "smaller in scale" than those proposed, and, at present, do not contain criteria for assessing/permitting a range of secondary farm uses currently allowed and to a point encouraged by provincial (and county) policy as a means of bolstering "agri-tourism" and enabling farm operators to diversify and supplement their farm income.

In view of the interrelationship between provincial, county and municipal planning policy, in assessing the merits of a proposed amendment to the Township's Official Plan consideration must be given to the requested amendment's consistency/conformity with the planning priorities of all three levels of government. For the purposes of the current review these include the policies/criteria stipulated in the:

Upper Tier (Provincial & County):

- Provincial Policy Statement,
- Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas,
- Growth Plan for the Greater Golden Horseshoe,
- County of Simcoe Official Plan (Consolidated December 2016).

Lower Tier (Township of Essa):

- Essa Official Plan,
- Essa comprehensive Zoning By-law 2003-50,
- Essa Noise By-law 2005-66,
- Essa Municipal Business Licencing By-law 2011-20,
- Essa Sightline By-law 2015-11.

With the aforementioned planning criteria as a guide the central aim of this planning review is threefold:

- To determine the appropriateness of extending the use permissions afforded by current Township of Essa Official Plan policy to include "on-farm diversified uses" (as defined by provincial policy) on the subject property,
- To determine whether the proposed "event facility" qualifies as an "on-farm diversified use", as defined by provincial policy, and
- To determine whether the proposed use is technically compliant with the requirements for such uses in the context of its method of servicing and potential traffic and noise impacts etc.

With regard to these three determinants, based on our review of pertinent provincial, county, and municipal planning policy and information provided by the applicant and obtained from interested review agencies and the general public, we respectfully would advise:

1.4.1 On-farm Diversified Uses Compliance with Provincial Policy

On-farm diversified uses, generally defined as uses that are compatible with, and (do) not hinder, surrounding agricultural operations", are permitted in prime agricultural areas by the PPS (S 2.3.3.1) and the Growth Plan, which in the case of on-farm diversified uses defaults to the use permissions afforded by the PPS. As such, it is within council's purview to add policies

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to the Township's OP to provide for such uses on farms within Essa, including the applicant's farm, subject to the inclusion of additional criteria necessitating that a proposed use be in accord with the definition for such a use in the PPS and supplementary "Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas".

1.4.2 Event Facility Compliance with Provincial Policy

The applicant's Planning Report indicates that both provincial (OMAFRA) and County of Simcoe staff are satisfied that the proposed event facility qualifies as an on-farm diversified use, provided it is shown to be in accord with the definition afforded by provincial policy for such uses, namely the PPS and OMFRA's "Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas". In this regard, OMFRA's guidelines expand on the PPS expectation that on-farm diversified uses be compatible with, and ... not hinder, surrounding agricultural operations" by indicating that such uses also must be, "... secondary to the principle agricultural use of the property, and ... limited in area" (S 2.3). The guidelines go on to provide qualifying criteria that must be met for a particular use to be determined consistent with the PPS. The key tests provided in these two policy documents for determining whether a particular on-farm diversified use qualifies as such require assessing and establishing:

- Its compatibility with the property's principle agricultural use and surrounding agricultural operations,
- Its compatibility with the agricultural/rural character of the area,
- Its potential impact on natural heritage features,
- Its conformance with applicable environmental standards,
- The availability of appropriate rural services and infrastructure, and
- The adequacy of proposed water and sewage disposal systems.

These six criteria, some of which also are reflected in the County and Township Official Plans, are addressed in the applicant's (Cuesta's) Planning Report, which in summary indicates:

- That the applicant's holding is a functioning farm with 85% of its approximately 57 hectares actively cropped, in accord with S 2.3.1.1 of the guidelines that on-farm diversified uses be located on an active farm,
- That the event facility will be secondary to the farm's 's principle agricultural use by virtue of its separation from the property's active farmland (i.e., it is located on a low-lying unproductive part of the site), distance from the property's entrance off the 9th Line (thereby reducing potential farm vehicle conflicts) and limited hours of operation (weekends only), in accord with S 2.3.1.2 of the guidelines that on-farm diversified uses' be secondary to the principle agricultural use,
- That consistent with the intent that on-farm diversified uses be limited in area (S 2.2.1.3), the total area to be devoted to the event facility, including the barn, parking area and access driveway, at 2,422 sq. m., is well within the guideline's recommended 2% of the total farm (i.e., 11,400 sq. m.), and the barn's total footprint, at 303 sq. m., well within the guideline's recommended 20% of the maximum 1.0 hectare that is permitted to be devoted to an on-farm diversified use, in this case the proposed a proposed event facility use (i.e., 2,000 sq. m.) (S 2.3.1.3),
- That as a reasonably scaled, countrified use in a pastoral agricultural setting the

proposed event facility meets the definition of an agri-tourism type use by offering a distinct alternative to similar, more conventional uses common to urban locations, in general accord with S 2.3.1.4 of the guidelines, and

- That on the basis of the findings of the technical analyses completed in support of the amendment applications (discussed more below) and the event facility being out of sight of the travelling public and visually consistent with the surrounding rural landscape, it is compatible with and will not hinder surrounding agricultural operations and, with suitable attention to noise mitigation, also compatible with other uses in the surrounding area, all in accord with S 2.3.1.5 of the guidelines, stipulating the need for compatibility with the surrounding area.

1.4.3 Technical Compliance

The PPS, OMFRA's supplementary guidelines for uses in prime agricultural areas and the County of Simcoe & Township of Essa Official Plans require secondary/on-farm diversified uses and hence, the proposed "event facility" to be "compatible" with surrounding agricultural operations, and to this end collectively provide a series of policy tests, as per item 1.4.2 above, for determining a particular use's suitability. At the March 20, 2018 public meeting held to consider the OPA & ZBA applications a number of these same "compatibility" tests also were flagged for consideration by the **general public**, a majority dealing with traffic & noise and potential "quality of life" impacts. These included concerns regarding the:

- Number of events,
- Number of vehicles,
- Event facility's hours of operation, and
- Expected noise levels and proposed manner of mitigation.

Responding to the study expectations of the province, county and municipality, and anticipated concerns of area residents, the applicant completed a series of technical reports, namely:

- **Traffic Opinion Letter** (Crozier Consulting Engineers, June 2018),
- **Environmental Noise Feasibility Study** (Valcoustics Canada Limited, June 2018),
- **Environmental Impact Assessment (EIA)** (SAAR Environmental Ltd, August 2018),
- **Langford Review Response** (SAAR Environmental Limited, December 2018),
- **Servicing Review** (C.C. Tatham & Associates Limited, October 2018),
- **Agricultural Evaluation** (Stovel and Associates Inc., January 2019),
- **MDS Calculations** (Cuesta Planning Consultants Inc., January 2019),
- **Planning Report** (Cuesta Planning Consultants, January 2019).

These reports produced a number of conclusions and recommendations regarding the proposed event facility's compatibility with the property's principle agricultural use as well as surrounding agricultural & residential uses, and with regard to on-site natural heritage features, the proposed method of servicing and the capacity of area roads to absorb additional traffic. The following summarizes the main findings of the applicant's technical works under the six key areas of review flagged for specific consideration by provincial, county and municipal planning policy:

Agricultural

- a) The **Minimum Distance Separation (MDS)** calculation, completed by Cuesta Planning, confirms the event facility's conformance with required minimum separation distances,
- b) Based on its completed **Agricultural Evaluation** and noted confidence in the independent findings of the applicant's traffic & noise assessments, Stovel and Associates' has concluded, (1), that since no further disturbance is contemplated to the farm's agricultural areas the event facility will not result in the loss of any agricultural resources or impact the surrounding agricultural community, and this being the case, (2), that the facility meets the provincial definition of an on-farm diversified use,

Natural Heritage System

- c) Based on its completed **Environmental Impact Assessment (EIA)**, SAAR Environmental Limited has concluded, (1), that subject to the implementation of certain mitigation techniques, the event facility can be accommodated without significant negative impact to natural features and functions, and thus (2), that with adherence to recommended mitigation the event facility can be located in accord with the PPS, Greenbelt Plan and County & Township Official Plans. In drawing these conclusions, SAAR identifies the means of mitigation to include, enhancement plantings, lowering noise levels by providing timing windows for the operation of machines to avoid bird breeding peak times and providing downward direction lighting to maintain the night sky character,

Servicing

- d) Based on the findings of its **Servicing Review**, C.C. Tatham has concluded that the proposed conversion of the existing storage barn to accommodate the event facility is viable, at the same time recognizing that the project's detailed engineering will comprise part of the site plan approval phase. C.C. Tatham's project specific conclusions are:
 - That the Waterloo Biofilter Septic Treatment System proposed to service the event facility is adequate, recognizing that its final design still is dependent on Township approval as a component of the site plan review process,
 - That the site's existing, already connected private well is adequate to service the event facility, recognizing that the method of water treatment is to be upgraded and the overall system still dependent on Township approval as a component of the site plan review process,
 - That the engineering characteristics of the existing storage barn, property entrance and access driveway (located along the south side of the intermittent creek) are adequate, having been constructed on the basis of previous work permits issued by the NVCA (development permit) & Township (building permit), which were granted on the basis of an earlier hazard study prepared by C.C. Tatham and approved by the NVCA,
 - That pre-development drainage patterns associated with the existing storage barn generally have been maintained and that stormwater infiltration and

conveyance controls are sufficient, recognizing that the detailed engineering design for the facility, including its future parking area, will be subject to NVCA & Township approval as a component of the site plan review process,

- That the existing electrical system servicing the storage barn, which is to be supplemented by a back-up generator, is considered adequate for the event facility, recognizing that final sign-off by the Township will comprise part of the site plan review process,
- That because the event facility is to be serviced by propane and not natural gas, further disruption to the site will be minimized,
- That the preferred method(s) of telecommunications (telephone, internet, cable) can and will be determined during the site plan review process, and
- That provision for appropriate fire suppression and fighting will be determined in consultation with the Fire Chief as part of the site plan review process.

Traffic

e) In its **Traffic Opinion Letter**, Crozier Consulting has concluded:

- That because sight distances are in excess of the minimum requirements of Essa Sightline By-law 2015-11 and the Transportation Association of Canada – Geometric Design Guide for Canadian Roads (TAC GDGCR), the proposal is not expected to create a traffic hazard due to vehicle ingress or egress at the site entrance, and, as such, that no improvements are required at the entrance, save for the trimming of some branches in its vicinity which is recommended,
- That intersection operations at the 9th Line & 20th Sideroad intersection (in Ivy) are excellent (Service Level A) and that traffic generated by the proposed event facility is not expected to materially affect its future operation,
- That the event facility can be supported from a traffic safety and operations standpoint with the existing geometry of the roadway, and
- That the location of any wayfinding signage to the event facility at the Ivy intersection will be dependent on discussion between the applicant and Township.

Noise

f) Based on the findings of its **Environmental Noise Feasibility Study**, Valcoustics Canada has concluded:

- That MOE noise guideline limits can be met (for all adjacent residential uses) with appropriate sound level restrictions limiting sound emissions from the event facility (barn) to a maximum of 70 dBA at a distance of 10 metres from an open south door,

- That because the sound level within the event facility is expected to only be in the range of 81 dBa, the outside sound level is expected to be well within the maximum noise guidelines limit (i.e., 70 dBa at 10 m distance),
- That if considered appropriate sound level limits can be achieved through the use of a “sound level feedback system”, which can be configured to cut power to sound amplifiers if the target level is exceeded, and
- That the conclusions of the Valcoustics study can be validated going forward by measuring noise levels during an actual event and adjusting mitigation techniques if found necessary.

1.5 Planning Conclusions

This planning review had three primary objectives, namely to determine:

- The appropriateness of extending the use permissions afforded by the Township’s Official Plan to include permission for “on-farm diversified uses” on the subject property,
- To determine whether the proposed event facility qualifies as “on-farm diversified use” as defined by provincial policy, and
- To determine whether the proposed event facility meets the technical provincial, county and municipal prerequisites for locating such a use (e.g., servicing, traffic, noise etc.).

Based on our review of pertinent provincial, county, municipal planning policy and information provided by the applicant (e.g., technical reports) and obtained from interested review agencies and the general public, we have concluded that:

OPA Compliance - On-farm Diversified Uses

1. The applicant’s requested OPA is consistent with provincial (and county) planning policy insofar as it relates to affording general permission to permit “on-farm diversified uses” on the applicant’s farm and on farms within prime agricultural areas in general.

OPA Compliance – Proposed Event Facility

2. Given its location on a viable farm, limited site area, status as a secondary use to the principle agricultural use and compatibility with surrounding agricultural operations, the “event facility” meets the PPS’ definition of an on-farm diversified use and, hence, also provincial (OMAFRA) and county staffs’ qualification expectations tying it to the provincial definition. In addition, insofar as the requested OPA will serve to conditionally (i.e., conditional on a rezoning) afford permission to site-specifically locate this particular on-farm diversified use on the subject property it too is consistent with provincial planning policy.

Event Facility - Technical Compliance

3. The event facility will not result in the loss of any agricultural resources or impact the surrounding agricultural community and, therefore, is consistent with the provincial definition of an on-farm diversified use.
4. With appropriate mitigation the event facility can be accommodated without significant negative impact to natural features and functions and, hence, can be located in accord with the PPS, Greenbelt Plan and County & Township Official Plans.
5. The event facility is viable in the context of its known engineering and servicing design prerequisites (i.e., septic system, driveway access, drainage, SWM, utilities etc.) recognizing that this will be confirmed at the time of the site's detailed engineering as part of and basis for site plan approval.
6. The event facility, with appropriate mitigation (i.e., removal of branches on 9th Line to improve sightlines) can be supported from a traffic safety and operations standpoint on the basis of the existing geometry of the roadway.
7. With appropriate sound level restrictions limiting sound emissions from the event facility (barn) to a maximum of 70 dBA at a distance of 10 metres from the its open south door, MOE noise guideline limits can be met (for adjacent residential uses).
8. While the applicant's technical analysis has established the general functional viability of the event facility, because its final approval is still dependent on detailed engineering analysis and municipal departmental approvals, criteria should be incorporated into a proposed OPA making the passage of an implementing Zoning By-law conditional on the applicant entering into a Site Plan Agreement addressing all matters highlighted by the technical studies that have been completed, and which otherwise might be deemed appropriate by the Township (e.g., hours of operation).

General

9. It having been demonstrated that provincial, county and municipal planning policy does provide for the selective location of "on-farm diversified uses" in prime agricultural areas and that the proposed "event facility", subject to appropriate mitigation, also is permitted by provincial, county and municipal policy, it, therefore, is within municipal council's purview to add policies to the Township's OP to provide for the establishment of such uses on farms within Essa, including the applicant's farm, conditional on compliance with PPS, "Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas" and County Plan, as well as any and all special provisions that might be included in the Township's Official Plan.
10. Since any planning approvals will be to the benefit of the applicant/landowner all costs that may be associated with the event facility will be borne by the applicant/landowner, in this way ensuring there will be no financial impact on the Township as a result of the requested OPA and ZBA approvals.
11. Finally, based on the conclusions above, we have concluded that locating the proposed use in the subject location in the general manner proposed represents good planning and would be in the public interest.

1.6 Planning Recommendation

It having been determined that provincial, county and municipal planning policy does provide for the selective location of “on-farm diversified uses” in prime agricultural areas, and that the proposed “event facility” meets the provincial definition for an on-farm diversified use and with appropriate mitigation, the technical requirements of the province, county, NVCA and township for such development, we would recommend:

- That Council consider adopting an Official Plan Amendment (OPA) to re-designate 7511 9th Line, otherwise described as Part Lot 21, Concession 9, to permit the proposed event facility, subject to Site Plan Control and the entering into of a Site Plan Agreement requiring adherence to the recommendations of the technical reports prepared as a basis for the amendment request and all other requirements that the Township may wish to impose (e.g., hours of operation),
- That upon approval of the aforementioned OPA and the entering into of a Site Plan Control Agreement, Council consider passing a Zoning By-law Amendment (ZBA) to re-zone 7511 9th Line, otherwise described as Part Lot 21, Concession 9, to permit the proposed event facility, and
- That in conjunction with and/or as a prelude to the passage of an implementing ZBA, Council consider necessary updates to the Township’s Business Licensing By-law, Noise By-law or any other by-law affecting the proposed use.

2.0 BACKGROUND RESEARCH

The planning comment, conclusions & recommendations provided in item 1.0, Planning Opinion above derive from a number of sources. These sources, together with descriptions of the base information they provide, are documented below.

2.1 Planning Review Database

The information relied on in completing this review includes the following:

2.1.2 Provincial, County, Municipal Planning Policy

- *Official Plan of the Township of Essa (OMB approved, July 2001),*
- *Township of Essa comprehensive Zoning By-law 2003-50 (August 2003),*
- *Township of Essa Noise By-law 2005-66 (September 2005),*
- *Township of Essa Municipal Business Licencing By-law (April 2011),*
- *Provincial Policy Statement (April 2014),*
- *Township of Essa Sightline By-law 2015-11 (February 2015),*
- *Guidelines on Permitted Uses in Ontario’s Prime Agricultural Areas (2016),*
- *County of Simcoe Official Plan (Consolidated December 2016),*
- *Growth Plan for the Greater Golden Horseshoe (July 2017).*

2.1.2 Applicant’s Support Documentation

- *Traffic Opinion Letter - Crozier Consulting Engineer (June 2018),*
- *Environmental Noise Feasibility Study - Valcoustics Canada Limited (June 2018),*

- *Environmental Impact Assessment (EIA)* - SAAR Environmental Limited (August 2018),
- *Langford Review Response* - SAAR Environmental Limited (December 2018),
- *Servicing Review* - C.C. Tatham & Associates Limited (October 2018),
- *Agricultural Evaluation* - Stovel and Associates Inc. (January 2019),
- *MDS Calculations* - Cuesta Planning Consultants Inc. (January 2019),
- *Planning Report* – Cuesta Planning Consultants (January 2019).

2.1.3 Departmental/Agency Input

Background information provided by Township of Essa staff and the applicant with regard to internal departmental (e.g., planning, public works, engineering) and agency (e.g., County, NVCA) comment/input and the municipal and public review process completed to date.

2.1.4 General Public

Comments provided at the formal public meeting held on March 20, 2019, notice for which was given on February 11, 2019.

2.1.5 Site Visit

A site visit conducted on April 4, 2019.

2.2 **Municipal & Agency Consultation**

2.2.1 Pre-submission Consultation

A number of steps preceded formal submission of the two planning applications. These included:

- The Nottawasaga Valley Conservation Authority's (NVCA) issuance of a Development Permit (DP 2015-12423) (August 7, 2015) to facilitate construction, in an NVCA regulated area, of a storage barn and access driveway thereto from the 9th Line, both now existing,
- The Township's approval of the site's entrance off the 9th Line and issuance of a Building Permit (BP 2016-0282) (September 9, 2016) for the construction of the (now existing) storage barn. (The issuance of Agricultural Building & Occupancy Permits for the storage barn are still pending),
- A pre-consultation meeting between the applicant and the Township's Manager of Planning & Development (April 5, 2018) at which meeting it was determined that to enable the establishment of the proposed event facility OPA, ZBA & Site Plan Control applications would be required, together with the submission of appropriate support

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documentation to include traffic and noise assessments and possibly an Agricultural Impact Assessment.

The development/building permits to permit construction of the storage barn and access driveway from the 9th Line were issued on the basis of the property's understood to be existing Rural (RL) zoning, as was the Township's later issuance of a building permit for the construction of the applicant's/farm-owner's new single-detached residence. However, because the existing (RL) zoning does not permit an "event facility" and the Official Plan, at present, has no policy framework for enabling passage of a ZBA to enable it to do so, an OPA incorporating criteria to allow it as an "on-farm diversified use", pursuant to the use permissions afforded by provincial planning policy, together with passage of an implementing ZBA, is required in order to allow the storage barn's conversion for the proposed use.

2.2.2 Post-submission Consultation

The applicant's Planning Report notes that discussion with the municipality and interested agencies continued after the submission of the formal OPA & ZBA applications and that at a meeting, arranged on September 20, 2018, between the applicant and municipal, county and NVCA staff, and in follow-up comments from the NVCA, dated November 2, 2018, and a telephone conversation between NVCA staff and the applicant's ecologist on November 21, 2018, it was determined:

- That the submitted planning application forms and Planning Report would be adjusted to provide additional detail,
- That additional analysis with respect to the site's agricultural and environmental characteristics, and the event facility's proposed method of servicing would be provided including, an Agrologist Report, scoped Environmental Impact Assessment (EIA) and Servicing Review.

During this period the applicant also advises that direction was received from provincial staff with respect to the Growth Plan.

2.2.3 Departmental/Agency Comment

Based on input from municipal staff and the applicant it is understood that all municipal departments and review agencies with an interest in the application (e.g., County of Simcoe, NVCA, OMAFRA, Township Public Works) have been consulted regarding the OPA & ZBA applications and have had an opportunity for input into the review process in the manner presented in the applicant's Planning Report and above. It is further understood that subject to the applicant's satisfactory response to identified issues/concerns, the responsible review departments/agencies are content to allow the application's final consideration by the municipality to proceed, with the understanding that there will be an opportunity for further input during consideration of the pending application for site plan approval.

2.3 **Public Meeting**

Notice for a public meeting was given on February 11, 2019 and a formal public meeting held on March 20, 2019 to hear comments from the general public regarding the OPA & ZBA applications. Over the course of the meeting seven members of the public spoke on the applications with three, Jim McDermott (7497 9th Line), Violet Campbell (4945 20th Sideroad)

and Doug Drysdale (6635 County Road 56) offering support, and the remainder, Caroline Kallo (5034 20th Sideroad), Heather Snyder (4992 25th Sideroad), Dr. Fabian (5117 20th Sideroad), and Kathy Holmes (5018 20th Sideroad) indicating a number of concerns. While certain of the issues raised were of a personal nature (e.g., potential impact on health), a majority dealt with traffic & noise and potential “quality of life” impacts. These included concerns about the:

- Number of events,
- Number of vehicles,
- Hours of operation,
- Expected noise level and proposed manner of mitigation.

Concerns raised regarding lifestyle disruptions by residents that have chosen to reside in a rural setting are understandable and are addressed in Section 1.0, Planning Opinion above as well as in the sections that follow.

2.4 Planning Considerations

2.4.1 Policy Context

The interrelationship between provincial, county and municipal planning policy necessitates ensuring a requested OPA’s and ZBA’s consistency with the planning priorities of all three levels of government. The Planning Act sets out the responsibilities of municipal council in this regard requiring that Official Plans (S 26(1)) and decisions taken by council with respect to any planning matter (S 3(5)) conform or not conflict with matters of provincial interest, as documented in the Provincial Policy Statement (PPS). In short, the Planning Act intends for provincial planning policy, as principally expressed in the Provincial Policy Statement (PPS) to be implemented through the inclusion of complementary policies in upper (county) and lower (municipal) tier Official Plans and for local decision-making on planning matters to similarly be in consistent with identified matters of provincial interest. As such, any proposed amendments to a local Official Plan, including any site-specific amendments, must be in accord with the policies of the PPS.

2.4.1.1 Provincial Policy Statement

a) On-Farm Diversified Uses

The planning applications under consideration are seeking an amendment to Essa’s Official Plan (and Zoning By-law) to permit the establishment of a site-specific “on-farm diversified use” in the form of an “Event Facility”. On-farm diversified uses are permitted in prime agricultural areas by the PPS and generally defined as uses that are, “.... compatible with, and (do) not hinder, surrounding agricultural operations” (S 2.3.3.1). A series of supplementary guidelines to help interpret the PPS’s intent with regard to these uses are provided in an OMAFRA publication entitled, “Guidelines on Permitted Uses in Ontario’s Prime Agricultural Areas”. These guidelines expand on the PPS definition of on-farm diversified uses by indicating that they also are intended to be, “... secondary to the principle agricultural use of the property, and ... limited in area” (S 2.3). The guidelines go on to provide qualifying criteria that must be met for a particular use to be determined consistent with the PPS. These five criteria are addressed in the applicant’s (Cuesta’s) Planning Report, which in summary indicates:

- i) That the applicant’s holding is a functioning farm with 85% of its approximately 57 hectares being actively cropped,

- ii) That the proposed event facility will be secondary to the farm's principle agricultural use by virtue of its separation from the property's active farmland (i.e., assignment to the low-lying unproductive part of the site), distance from the property's entrance off the 9th Line (reducing potential farm vehicle conflicts), and limited hours of operation (weekends),
- iii) That at 2,422 sq. m., the total area to be devoted to the event facility, including the barn, parking area and access driveway, is well within the provincial guideline's recommended 2% of the total farm (11,400 sq. m.), and the barn's 303 sq. m. area, well within the guideline's recommended 20% of the maximum 1.0 hectare permitted to be devoted to an on-farm diversified use, in this case the proposed event facility (2,000 sq. m.),
- iv) That as a reasonably scaled, countrified use in a pastoral agricultural setting the proposed event facility meets the definition of an 'agri-tourism' type use by offering a distinct alternative to similar, more conventional uses common to urban locations, and
- v) That on the basis of the findings of the technical analysis completed in support of the proposal (i.e., Agricultural Evaluation, MDS Calculation, Traffic Study, Noise Feasibility Study) and the event facility being out of sight of the travelling public and visually consistent with the surrounding rural landscape, it is compatible with and will not hinder surrounding agricultural operations and, with suitable attention to noise mitigation, also compatible with uses in the surrounding area. The conclusions of the referenced studies are addressed separately below but their findings are in line with the applicant's conclusions.

It is understood from the applicant's Planning Report that in discussions between the applicant (Cuesta) and OMAFRA, OMFRA staff has confirmed that wedding barn type uses do qualify as on-farm diversified uses subject to compliance with relevant provincial criteria (i.e., PPS, Guidelines on Permitted Uses in Prime Agricultural Areas).

b) Other PPS Criteria

In addition to specifically addressing on-farm diversified uses, the PPS also speaks to an array of other issues including: achieving efficient and resilient development (S 1.1), protecting natural features and areas (S 2.2.1), protecting water resources (S 2.2.1c), cultural heritage and archeology (S 2.6.1) and natural hazards (S 3.1). The PPS requires the Township's equal attention to these matters and accordingly each is addressed in applicant's Planning Report based primarily on the finding of the technical works completed in support of the proposal (e.g., Traffic Study, Noise Feasibility Study, Servicing Review). Key conclusions include:

- i) That the proposal will have no impact on municipal or provincial finances (e.g., private services),
- ii) That with appropriate mitigation the proposed use can be located without adverse impact on natural heritage features and that the mitigation recommended by the completed EIA actually should serve to enhance the site's intermittent water course and protect existing woodlands,

- iii) That the proposed methods of on-site servicing & drainage for the event facility are adequate, and that sightlines for ingress and egress to the site in excess of applicable guidelines,
- iv) That in view of Ivy's limited capacity for growth the event facility cannot be reasonably expected to inhibit its expansion,
- v) That the conversion of the existing barn is an efficient means of development, not requiring additional land,
- vi) That the proposal contemplates an accessible facility, complete with barrier free entrance and washrooms,
- vii) That the proposal reflects a market demand for rurally compatible development,
- viii) That the proposed method of servicing, while still subject to final municipal/agency approval, is consistent with provincial standards,
- ix) That on-site drainage and pre and post development drainage patterns, while still subject to final agency approval, are consistent with provincial standards, with a development permit for the site's now existing access driveway and existing storage barn having been previously issued by the NVCA, and
- x) That the property's woodlands and intermittent watercourse, having been flagged as significant by concerned review authorities, were assessed as part of a scoped EIA and mitigation measures recommended to ensure no negative impacts.

2.4.1.2 Growth Plan

The PPS provides overall direction on matters of provincial interest related to land use in Ontario and its policies apply to the Greater Golden Horseshoe (GGH) in every respect, except where the Growth Plan for the Greater Golden Horseshoe (GPGGH) indicates otherwise. In the event of a conflict with the PPS the policies of the Growth Plan take precedence.

The applicant's Planning Report correctly advises that the PPS and OMAFRA's Guidelines on Permitted Uses in Prime Agricultural Areas, as they specifically relate to the establishment of on-farm diversified uses, have application with regard to the proposed event facility. As discussed in item 2.4.1.1 above, these documents provide for the establishment of the proposed event facility in accordance with their policies and regulations. The proposed use, therefore, is also permitted by the Growth Plan subject to its compliance with the Plan's policies, which, in addition to requiring compatibility with the site's principle agricultural use, also necessitate consideration of the site's intermittent stream as a potential key hydrologic feature. The applicant's Planning Report in responding to these issues indicates:

- a) That the previous hazard land and grading related information (C.C. Tatham & Associates Limited) provided to and approved by the NVCA, as a basis for the earlier issuance of a development permit to enable construction of the site's (now existing) access driveway and storage barn, served to address potential impacts on the site's natural heritage system,

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- b) That while the existing storage barn is not located within the drainage course of the intermittent stream because it is within the defined vegetation protection zone mitigation measures to include, enhancement plantings and downward directed lighting, are being proposed to protect adjacent woodlands,
- c) That the compatibility of the proposed event facility with the farm's principle agricultural use is confirmed by the Agricultural Evaluation (Stovel & Associates Inc.) and the dominance of the farm's principle agricultural use assured by the proposed event facility's separation from the property's active farmland (i.e., assignment to the low-lying unproductive part of the site), distance from the property's entrance off the 9th Line (reducing potential farm vehicle conflicts), and limited hours of operation (weekends).

2.4.1.3 County of Simcoe Official Plan

The Planning Act intends for provincial planning policy to be implemented through the inclusion of complementary policies in upper (county) and lower (municipal) tier Official Plans. The policies of the County of Simcoe Official Plan, therefore, derive from the PPS, and GPGGH amongst other provincial policy (e.g., Greenbelt Plan), in addition to county specific plans (e.g., Simcoe Area Growth Plan (2008), studies and land use goals & objectives.

The purpose of the County Plan is to provide a policy framework to guide the preparation of local Official Plans as well as a basis for the county exercising "final" approval authority for local Official Plans, local OPAs and plans of subdivision. The Planning Act requires that the policies of lower tier Official Plans conform with the policies of upper tier Official Plans. As such, the currently proposed amendment to Essa's Official Plan must conform to the policies of the County Plan in order to receive final approval. In the case of conflicting policies, the policies of the County Plan take priority over local Official Plans, the policies of the PPS over the local and County Official Plans and the policies of the Growth Plan over the PPS.

The subject property (farm) falls within three land use designations in the County Plan, **Rural, Agricultural** and **Greenlands**. Many of the policies relating to each of these designations either mirror or reflect those of the PPS and Growth Plan, including those providing for the establishment of "on-farm diversified uses" in agricultural areas (S 3.6.6) and addressing the preservation of prime agricultural lands and natural heritage features. The applicant's Planning Report addresses the County's review expectations with respect to the policies of the County Plan by explaining:

- a) The compatibility between the proposed event facility and site's principle agricultural use and how it is to be ensured in the long-term,
- b) How potential impacts on the site's natural heritage features (i.e., intermittent stream, woodlands) already have been addressed through earlier technical analysis and are to be further mitigated through appropriate development setbacks, downward lighting etc., and
- c) The adequacy of the proposed private water and sewage disposal systems.

The applicant's Planning Report further explains that the County of Simcoe, in comments directed by county staff to the applicant, dated June 6, 2018, has confirmed that on-farm diversified uses are permitted in all three land use designations having application to the subject property, and that the barn's use as an event facility (wedding venue) qualifies as such a

diversified on-farm use provided it is in accord with relevant provincial criteria.

2.4.1.4 Township of Essa Official Plan

The subject property (farm) is covered by two principle land use designations in the Township of Essa Official Plan, **Rural** and **Agricultural**, with a third smaller band of land, comprising part of the community of Ivy, in the southwest of the site along the 9th Line, designated **Residential**. The policies relating to the primary Rural and Agricultural designations largely reflect those of the County Official Plan as they pertain to the preservation of prime agricultural lands and natural heritage features. An important difference between the County and Township Official Plan, however, is that the Township Plan presently does not permit “on-farm diversified uses” and limits secondary farm uses to uses smaller than those currently proposed. It is for this reason that the applicant is seeking approval for an OPA (and ZBA) to incorporate Official Plan criteria that site-specifically allows an “on-farm diversified use”, in the form of the proposed event facility on the subject farm.

In making the case for the requested OPA the applicant’s Planning Report explains that provincial policy (i.e., the PPS and supplementary Guidelines on Permitted Uses in Prime Agricultural Areas) provides for the location of on-farm diversified uses in agricultural areas and encourages municipalities to implement this intent by updating local Official Plans. Having established that the general addition of on-farm diversified uses as permitted uses in agricultural areas is consistent with provincial policy, the applicant’s Planning Report goes on to address the review/approval parameters set out in the Township’s Official Plan (S 28.12.2) with respect to the proposed event facility itself, explaining the need to establish:

- a) The use’s compatibility with the site’s principle agricultural use and how this compatibility is to be ensured in the long-term,
- b) How potential impacts on the site’s natural heritage features (i.e., intermittent stream, woodlands) have been addressed through technical analysis and are to be mitigated through appropriate development setbacks and downward lighting etc., and
- c) How, notwithstanding that it is not a required consideration, the applicant’s Environmental Impact Statement (EIA), prepared in support of the OPA application, addresses the Official Plan’s Environmental goals and objectives as they pertain to woodlands, groundwater and the re-designation of private lands for alternate uses.

2.4.1.5 Comprehensive Zoning By-law 2003-50

The zoning having application to the applicant’s farm is delineated on map Schedules A & E of the Township’s comprehensive Zoning by-law 2003-50 and, subject to confirmation as to the nature of certain amendments to the Zoning By-law (and the map schedules thereto) undertaken since the original passage of the by-law, includes the property in up to four zones, **Agricultural (A)**, **Rural (RL)**, **Special Rural (RL-1)**, and **Low Density Detached Residential (R1)**. The residential ‘R1’ zoning seemingly has only limited application to lands within the defined boundary of the community of Ivy, while the special ‘RL-1’ zoning, which generally applies to the northern part of the farm, prohibits the location of residential dwellings but

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otherwise provides for all of the same uses (including all manner of agricultural activity) as the property's 'RL' and the 'A' zoning.

Since none of the current zones permit an "event facility" the applicant is seeking approval for a companion ZBA to the requested OPA, to permit the facility as an "on-farm diversified use" upon approval of the OPA, such approval being normal and to be expected once the use's consistency with provincial and county planning policy has been confirmed. When/if municipal consideration is given to the passage of such a ZBA the intent would be to site-specifically identify the area on the farm to be devoted to the proposed use through the use of "partial lot zoning" in this way strictly limiting the land area permitted for such use.

2.4.2 Development Constraints

Over the course of the planning review a number of development constraints and concerns were identified by the Township, interested review agencies and the general public. These have included concerns regarding potential noise and environmental impacts, potential constraints on nearby agricultural activities, site servicing and traffic. To address these issues a number of technical studies/assessments were completed by the applicant, the findings and recommendations of which are summarized below.

2.4.2.1 Agricultural

The site of the proposed event facility is located on an active farm in an active agricultural area where a preponderance of land is designated and zoned for "agricultural" type usage. In that it is a central objective of the local Official Plan (S 6.1), County Official Plan (S 3.6.5), PPS (S 2.3.1) and Growth Plan (S 4.2.6.2) to promote and protect the province's agricultural resource base, and because the provincial "Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas" stipulate specific criteria for qualifying "on-farm diversified uses" the applicant:

- Engaged Cuesta Planning Consultants to complete a **Minimum Distance Separation (MDS)** (January 2019) calculation for barns in the area using "worse-case scenario" parameters, and
- Engaged Stovel and Associates Inc. to complete an **Agricultural Evaluation** (January 2019). The Agricultural Evaluation considered the potential loss of agricultural resources at the site of the event facility and potential impacts of the facility on nearby agricultural operations/uses on and off-site.

Conclusion:

The calculation confirmed the event facility's conformance with the MDS formula's specified separation distances. Furthermore, based on Stovel's agricultural review and confidence in the separate findings of the applicant's traffic & noise assessments, it is the firm's conclusion that, as no further disturbance to the farm's agricultural areas is contemplated, the event centre will not result in the loss of any agricultural resources or impact the surrounding agricultural community, and as such, that the facility meets the provincial definition of an on-farm diversified use.

2.4.2.2 Natural Heritage System

The applicant's farm is partly designated as Greenland in the County Official Plan and the site of the proposed event facility located within the NVCA's regulated area and on lands adjacent to those of documented rare species and Greenbelt forest cover. To address these issues the applicant engaged SAAR Environmental Limited to prepare a scoped **Environmental Impact Assessment (EIA)** (August 2018), followed by a supplementary report entitled, **Langford Review Response** (November 2018) to address subsequent enquires from the NVCA.

Conclusion:

Based upon its review, it is SAAR's conclusion that subject to the implementation of its recommended mitigation techniques, the event facility can be accommodated adjacent to identified heritage features without significant negative impact to existing natural features and functions. The key means of mitigation are proposed to include, enhancement plantings, lowering noise levels by providing timing windows for the operation of machines to avoid bird breeding peak times and providing downward direction lighting to maintain the night sky character. SAAR has further concluded that with recommended mitigation the event facility can be located in accord with the PPS, Greenbelt Plan and upper and lower tier Official Plans.

Site Plan Control:

It is the writer's recommendation that strict adherence to the recommended mitigation be achieved through the inclusion of appropriate criteria in the site plan control agreement.

2.4.2.3 Servicing

With the prospect of attendance by up to 250 people at a given event (the maximum occupant load for the barn calculated by MCL Architects) and provision having been made for four washrooms and a large kitchen in the event facility, the applicant engaged a professional engineering firm, C.C. Tatham & Associates Limited to conduct a **Servicing Review** (October 2018) to assess water supply, on-site sewage treatment & disposal, stormwater management (SWM) and utility services.

Conclusions:

Based on C.C. Tatham's analysis:

- *A Waterloo Biofilter Septic Treatment System, designed by G. Priest Services Inc. is proposed to service the event facility. The proposed system is considered adequate but its detailed design will be further considered and subject to Township approval as a component of the site plan review process,*
- *An existing, already connected private well drilled in 2017 is proposed to service the event facility (barn) with general water treatment via a UV purification system, and drinking water treatment by way of a Watertite Vectapure NX Reverse Osmosis Filtration System. While understood to be functional the water supply system will be further considered and subject to Township approval as a component of the site plan review process,*
- *The existing storage barn, property entrance and access driveway along the south side of the intermittent creek were constructed on the basis of previous*

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work permits issued by the NVCA (development permit) & Township (building permit). These permits were in part granted on the basis of an earlier hazard study prepared by C.C. Tatham and approved by the NVCA. Due to the earlier analysis and approvals the focus of the current (Tatham) engineering assessment was on the event facility (barn) site, for which it was/is concluded that pre-development drainage patterns generally have been maintained and stormwater infiltration and conveyance controls are sufficient. This said the detailed design for the facility including the parking area, will be further considered and subject to NVCA & Township approval as a component of the site plan review process,

- The electrical system servicing the existing storage barn, which is to be supplemented by a back-up generator is considered adequate for the event facility. Final sign-off by the Township, however, will comprise part of the site plan review process,
- The event facility is to be serviced by propane, not natural gas minimizing further site disruption for this service,
- The preferred method of telecommunications (telephone, internet, cable) still remains to be determined and will be further considered as a component of the site plan review process, and
- Necessary provision for fire suppression and fighting is to be determined in consultation with Essa's Fire Chief as part of the site plan review process.

In summary, the engineering review completed to date is considered sufficient to establish the general viability of the proposed use; however, more detailed engineering will be required as a basis for site plan approval.

Site Plan Control:

It is the writer's recommendation that any additional engineering that may be required to permit the safe establishment of the event facility be completed prior to or stipulated as a condition within the site plan agreement.

2.4.2.4 Traffic

Recognizing that traffic to be generated by the proposed event facility has potential implications in relation to site entrance safety, traffic operations at the 9th Line & 20th Sideroad intersection and the boundary road network in general, the applicant engaged a professional engineering firm, Crozier Consulting Engineers to provide a **Traffic Opinion Letter**. As a basis for the analysis:

- Traffic movement counts were taken on Saturday, June 2, 2018 at the 9th Line & 20th Sideroad intersection,
- It was assumed on the basis of a maximum occupancy of 250 people, that the event facility would generate 125 inbound and outbound trips, with all vehicles arriving during the afternoon and sporadically leaving over the course of the evening, and

- Sight distances at the entrance to the subject property were considered in relation to safe distances for both stopping and turning.

Conclusions:

Based on its review, Crozier has concluded:

- *That the proposal is not expected to create a traffic hazard due to vehicle ingress or egress at the site entrance, sight distances being in excess of the minimum requirements of Essa Sightline By-law 2015-11 and the TAC GDGCR. No improvements are indicated to be required at the entrance, however, the trimming of some branches in its vicinity is recommended,*
- *That intersection operations at the 9th Line & 20th Sideroad intersection are excellent (Service Level A) and that traffic generated by the proposed event facility is not expected to materially affect its future operation,*
- *That the event facility can be supported from a traffic safety and operations standpoint with the roadway's existing geometry, and*
- *That the possible location of wayfinding signage to the event facility at the Ivy intersection will be dependent on discussion with the Township.*

Site Plan Control:

It is recommended by the writer that criteria requiring the removal of any branches necessary to increase sightlines at the site entrance be incorporated within the site plan agreement to follow.

2.4.2.5 Noise

Recognizing that noise to be generated by the proposed event facility has potential implications for dwellings/residents in the surrounding area, the applicant engaged a professional engineering firm, Valcoustic Canada Limited to complete an Environmental Noise Feasibility Study. Noise sensitive receptors (dwellings) considered in preparing the study included the existing single-detached dwellings immediately south and west of the site, on the east side of the 9th Line and north of 20th Sideroad. MOE guideline NPC-300 (Stationary and Transportation Sources – Approval and Planning) was used as the basis for assessing compliance of the event facility with recommended noise levels, and it was assumed that all activities will occur within the barn.

Conclusions:

Based on its analysis, Valcoustics has concluded:

- *That noise guideline limits can be met with appropriate sound level restrictions limiting sound emissions from the event facility (barn) to a maximum of 70 dBA at a distance of 10 metres from an open south door,*

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- *That because the sound level within the event facility is expected to only be in the range of 81 dBa, the outside sound level is expected to be well within the noise guidelines limit (i.e., 70 dBa at 10 m distance),*
- *That sound level limits can be achieved through the use of a “sound level feedback system”, which can be configured to cut power to sound amplifiers if the target level is exceeded, and*
- *That the conclusions of the study can be validated by measuring noise levels during an actual event and mitigation techniques adjusted if necessary.*

Site Plan Control:

It is the writer's recommendation that the any criteria considered necessary to keep noise emissions from the event facility below the recommended noise level guidelines be incorporated within the site plan agreement.

3.0 SUMMARY

Based on our review of pertinent provincial, county and municipal planning policy, the input available from interested approval agencies and provided by the general public and a site visit, we believe the proposal to locate an “event facility” in the subject location in the general manner proposed represents good planning and is in the public interest. While the issues raised by the general public, particularly those relating to traffic and noise, are legitimate concerns, similarly acknowledged by the responsible approval authorities, we believe that the findings and recommendations of the reports/studies completed in support of the planning applications address these concerns, and that with appropriate mitigation, guaranteed through a Site Plan Agreement, the proposal can proceed with minimal impact on existing agricultural operations, the natural heritage system or nearby residents. For these reasons as well as the others noted in this report, we are recommending that it would be appropriate for Council to give further consideration to the approval of the requested OPA & ZBA, with appropriate conditions reflecting the recommendations of the applicant's technical reports, the commenting agencies and municipal staff.

With this understanding we trust you will find the above to be in order and look forward to providing any further assistance that might be useful. In the interim, please do not hesitate to contact us with any immediate questions or concerns.

Respectfully submitted,

AINLEY & ASSOCIATES LIMITED

Simon P. Ainley, MCIP, RPP

DRAFT

AMENDMENT NO. __ TO THE

OFFICIAL PLAN OF THE

TOWNSHIP OF ESSA

Michelle Langford
*(7511 9th Line,
Part Lot 21, Concession 9)*

April 2019

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AMENDMENT NO. __ TO THE

OFFICIAL PLAN OF THE

TOWNSHIP OF ESSA

The attached explanatory text and Schedule "A" constituting Amendment No. __ of the Official Plan of the Township of Essa, was prepared and adopted by the Council of the Corporation of the Township of Essa, by By-law Number 2019-__ in accordance with the provisions of Section 17, 21 and 22 of the Planning Act., R.S.O. 1990, as amended.

MAYOR

CLERK

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THE CORPORATION OF THE
TOWNSHIP OF ESSA

BY- LAW NO. 2019-__

A BY-LAW TO ADOPT AN AMENDMENT TO THE
TOWNSHIP OF ESSA OFFICIAL PLAN

WHEREAS Section 21 of the Planning Act, R.S.O. 1990, c.P.13., as amended provides that Council may amend its Official Plan;

AND WHEREAS the policies of the Official Plan of the Township of Essa are approved and in force and effect at this time;

AND WHEREAS the Council has considered the appropriateness of amending the Official Plan in regard to various lands and land use policies located within the Township of Essa, County of Simcoe;

AND WHEREAS the Council of The Corporation of the Township of Essa deems it necessary and desirable to adopt an amendment to the Official Plan of the Township of Essa;

NOW THEREFORE the Council of the Corporation of the Township of Essa HEREBY ENACTS as follows:

1. THAT the attached explanatory text, policies and Schedule "A" constitute Amendment No.___ to the Official Plan of the Township of Essa is adopted.
2. THAT the Clerk is hereby authorized and directed to make application to the County of Simcoe for approval of the aforementioned Amendment No.___ to the Official Plan of the Township of Essa.
3. THAT this By-law shall come into force and take effect on the date of its final passing, subject to the approval of the County of Simcoe.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS _____
DAY OF _____, 2019.

MAYOR

CLERK

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CERTIFICATION

Certified that the above is a true copy of By-law No. _____ as enacted and passed by Council of The Corporation of the Township of Essa on the _____ day of _____, 2019.

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AMENDMENT NO.____
TO THE CORPORATION OF THE
TOWNSHIP OF ESSA OFFICAL PLAN

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AMENDMENT NO. __ TO THE
TOWNSHIP OF ESSA OFFICIAL PLAN

THE CONSTITUTIONAL STATEMENT

PART A – The Preamble does not constitute part of this Amendment.

PART B – The Amendment consisting of the following text and Schedules “A” and ___ constitutes Amendment No. __ to the Corporation of the Township of Essa Official Plan.

Part C – The Appendices attached hereto do not constitute part of this Amendment. These Appendices contain background data, planning considerations and summary of the public involvement associated with this Amendment.

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PART A – THE PREAMBLE

PURPOSE

The purpose of the Official Plan Amendment is to

LOCATION

The lands affected by this Amendment are described as a Part of Lot 21, Concession 9

BASIS

The purpose of this Official Plan Amendment (OPA) is to

In summary, the OPA is in conformance with the policies of the Provincial Policy Statement, Provincial Growth Plan, County of Simcoe and Township of Essa Official Plans and the provisions of the Town's comprehensive Zoning By-law.

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PART B – THE AMENDMENT

1.0 INTRODUCTION

All of this part of the document entitled “Part B – The Amendment” consisting of the following text, constitutes Amendment No. ___ to the Township of Essa Official Plan.

2.0 DETAILS OF THE AMENDMENT

The Official Plan of the Township of Essa is amended as follows:

- 2.1 Section 6 of the Official Plan of the Township of Essa (entitled (Agricultural)) is hereby amended by the addition of a new Section 6.3.15 as follows:

“6.3.15 Country Event Facility – Special Policy

In accordance with the Provincial Policy Statement and County of Simcoe Official Plan on those lands located in Part of Lot 21, Concession 9, municipally described as 7511 9th Line and designated Agricultural, an on-farm diversified use in the form of a Country Event Facility shall be permitted in addition to all other uses permitted within the Agricultural designation, subject to and in accordance with the following policies:

1. Permitted group gatherings and celebrations shall be limited to weddings, wedding receptions, wedding showers, engagement parties, anniversaries, birthdays, family reunions, art shows, seminars, debate forums and similar uses,
2. The area to be devoted to the event facility use shall be limited by delineation in the implementing Zoning By-law and shall be subject to Site Plan Control and a Site Plan Agreement that is registered on title,
3. The passage of an implementing Zoning By-law shall be subject to the entering into of a Site Plan Agreement,
4. The Site Plan Agreement shall incorporate any and all provisions deemed appropriate by the Township, which shall include the recommendations of all technical studies prepared as a basis for site plan approval including the following:
 - Traffic Opinion Letter, prepared by Crozier Consulting Engineer (June 2018),
 - Environmental Noise Feasibility Study, prepared by Valcoustics Canada Limited (June 2018),

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- Environmental Impact Assessment (EIA) prepared by SAAR Environmental Limited (August 2018),
- Langford Review Response prepared by SAAR Environmental Limited (December 2018),
- Servicing Review prepared by C.C. Tatham & Associates Limited (October 2018),
- Agricultural Evaluation prepared by Stovel and Associates Inc. (January 2019),
- MDS Calculations prepared by Cuesta Planning Consultants. (January 2019),
- Planning Report prepared by Cuesta Planning Consultants (January 2019).

5. All other policies of this Section 6, Agricultural shall apply.”

3.0 IMPLEMENTATION AND INTERPRETATION

The changes to the Official Plan described in this Amendment shall be implemented in accordance with the implementation policy of the Township of Essa Official Plan as contained in Section 28 thereof.

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Part C – THE APPENDICES

The following Appendices do not constitute part of Amendment No. __ but are included as information supporting the Amendment.

Appendix A – Planning Justification – Township of Essa / Ainley Group

Appendix B – Preliminary Site Plan – Cuesta Planning Consultants

Appendix C – Public Meeting Minutes

SCHEDULE "A"

Comprising part of Langford OPA



TOWNSHIP OF ESSA STAFF REPORT

STAFF REPORT NO.: PW013-19

DATE: May 1, 2019

TO: Committee of the Whole

FROM: Dan Perreault, C.E.T., Manager of Public Works

SUBJECT: **Investing in Canada Infrastructure Program
5th Line Bridge (Structure No.9)**

RECOMMENDATION

That Staff Report PW013-19 be received; and

That Council supports submitting a funding application through the Investing in Canada Infrastructure Program for the reconstruction of the 5th Line Bridge (Structure No.9) and authorize the Manager of Public Works to complete the necessary application form.

BACKGROUND

In March 2019, the Township received notification that funding applications are being accepted as part of an \$11.8 billion dollar investment from the Federal Government for Rural and Northern Communities, the Provincial Government is a cost-sharing partner of this program and supporting Transportation Priorities of small, rural and northern communities.

COMMENTS AND CONSIDERATIONS

The 5th Line bridge between 20th Sideroad and 25th Sideroad (Structure No. 9) has been identified by the Township's Structure Inventory & Inspection Report for several years as in need of replacement and is identified in the Township Asset Management Plan for replacement.

In the 2017 budget, \$300,000 was approved to undertake an Environmental Assessment for the replacement of the bridge. The deck would be made wider to meet provincial requirements, since the current deck is 6.1 metres wide, which does not meet the minimum tolerance of 6.5 metres. It is also proposed to excavate the 5th Line on either side of the bridge to soften the approach.

Other projects that are identified as needing major rehabilitation by the Township's Structure Inventory & Inspection Report are;

- Elizabeth Street Bridge Structure No.18, which is located on Elizabeth Street at Simcoe Street in Angus. The report states; Concrete barrel is in poor condition with a wide radial crack at the centreline, severe scour, severe scaling, spalls and delamination. (15m² poor) Severe scour at the northwest end of the barrel extends 435mm under the abutment wall. The southeast end of the barrel extends 570mm

under the abutment wall. The scour extends the full width of the wall at several locations.

- Louis E Truax Bridge (6th Line 2.4km north of Highway 89) – water proof and pave deck, modify parapet walls, modify deck drains, etc.

The deadline for the application is 11:59p.m. May 14th, 2019. Successful/unsuccessful applicants will be notified in the summer of 2019. Project accepted for the funding would have to be completed by October 31, 2026.

FINANCIAL IMPACT

The engineers cost estimate for the replacement of the 5th Line bridge deck is not yet known and will not be known until the completion of the Environmental Assessment, however, the Willoughby Road bridge was constructed in 2012 and it cost approximately \$1,400,000.00. It is estimated that the costs associated with constructing bridges will have risen since 2012 therefore an estimate of \$2,500,000.00 may be a more accurate costs for 2019 bridge construction. The cost to excavate and prepare the 5th Line bridge either side of the bridge to be approximately \$500,000, for a total cost of approximately \$3,000,000.00.

Other project cost estimates identified above are as follows;

- Elizabeth Street Bridge – \$737,000
- Louis E Truax Bridge - \$750,000

SUMMARY/OPTIONS

Council may:

1. Take no further action;
2. Support the submission of a funding application through the Investing in Canada Infrastructure Program for the reconstruction of the 5th Line Bridge (Structure No.9);
3. Support the submission of a funding application through the Investing in Canada Infrastructure Program for the reconstruction of the Elizabeth Street Bridge (Structure No.18);
4. Consider another project as deemed by Council.

CONCLUSION

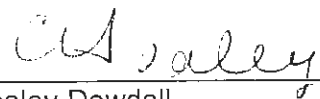
Staff Recommends that Option #2 be approved.

Respectfully submitted,



Dan Perreault, C.E.T.
 Manager of Public Works

Reviewed by,



Colleen Healey-Dowdall
 Chief Administrative Officer

Attachments

No. 1 – Location Map Structure No.9

Attachment No.1 - Structure No.9

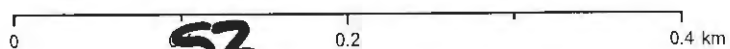


BRIDGE NO.9



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April 10, 2019





TOWNSHIP OF ESSA STAFF REPORT

STAFF REPORT NO.: PW015-19

DATE: May 1, 2019

TO: Committee of the Whole

FROM: Sheila Perri A.Sc.T. Engineering/Development Review Technician

SUBJECT: Street Naming – Briarwood Development in Angus

RECOMMENDATION

That Staff Report PW015-19 be received; and

That Council consider renaming three of the four streets within the Briarwood (formerly Queensgate) Development in Angus as: Wakefield Boulevard, Hilliard Lane, and Turley Way; all reflecting the names of individuals who have made contributions to the community in the past.

BACKGROUND

Queensgate Development had been approved for construction in 2009, and the developer did not proceed for various personal reasons. The new owner of the development has renamed the project Briarwood, and is resubmitting the subdivision drawings for approval. The street names approved in 2009 are Baycroft Blvd., Campbell St., Ellis Lane, and McMaster Way. These names were selected by staff from historical records. It should be noted that in the future, there will be another development on the McMaster family lands in Angus, so this name can be reserved for this. Renaming the streets, as requested by residents, is appropriate at this time.

COMMENTS AND CONSIDERATIONS

Names of historic significance and members of the community have been used as street names for new developments. Below is a current list of notable community member names that have been recently requested by residents to be used for street names in Angus.

Wakefield, Brian & Marg– Brian was a volunteer firefighter for 37 years; Marg was prominent in local Guiding for 17 years. They have been members of several local service groups and participated in several fundraising initiatives, including the Angus Arena, Neighbourhood Watch, Precision Skating team, Santa Clause Parade, Horticultural Society, Lion's Club, Angus news, Police Station office, and Angus Gardens Seniors Complex. (Information provided by Susan Carson)

Hilliard, Ella & Hugh and Robson, Edna & George – They donated the property at 18 King St. for the original Angus Library and owned the Angus Plaza. The Hilliard's (along with the Wakefield's) ran the Crest Hardware store in the plaza. Ella was also a volunteer with the Girl Guides. (Information provided by Susan Carson)

As Robson Park is located in the Robson subdivision, staff suggests that having a Robson St. in another area of Angus would cause confusion.

Kirby, William—immigrated in early 1900 to a farm on what is now Base Borden; then was foreman at the Tree Seed Plant, Master of the Loyal Orange Lodge, President of the Simcoe County District Board of Civil Servants, President of the Horticultural Society and helped to construct the Memorial at Cross St. There is a Kirby Lane in Wasaga Beach and a Kirby Ave. in Collingwood. (Information provided by Joan Truax)

Turley, William George- Born in Brentwood, grew up farming with his family in Utopia; then fought in WW1 with the Canadian Infantry, 4th Battalion. He was killed in 1916 during the Battle of Somme, and is buried in France.

Breault- was suggested by the daughter of Brian and Marg Wakefield; and not considered after several pronunciation variations and research revealed that there would be confusion.

After checking the Simcoe County Mapping Registry for duplication in nearby communities and possible future developments in Essa, staff recommends that Baycroft Blvd. remain unchanged; Wakefield Blvd. replace Campbell St.; Hilliard Lane replace Ellis Lane; and Turley Way replace McMaster Way, as the street names in the development.

FINANCIAL IMPACT

There will be no financial impact.

SUMMARY/OPTIONS

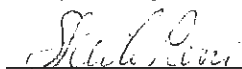
Council may:

1. Take no further action. Maintain the street names as approved in 2009.
2. Approve the street names within the Briarwood Development as Baycroft Blvd. to remain unchanged; Wakefield Blvd. to replace Campbell St.; Hilliard Lane to replace Ellis Lane; and Turley Way to replace McMaster Way
3. Do not approve the street names within the Briarwood Development as suggested and instead use other names not provided on the list.

CONCLUSION

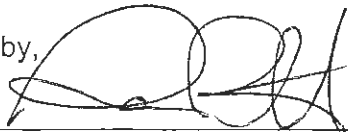
Staff recommends that Option 2 be approved.

Respectfully submitted,



Sheila Perri A.Sc.T. Engineering/Development Review Technician

Reviewed by,



Dan Perreault C.E.T. Manager of Public Works

Reviewed by,



Colleen Healey-Dowdal C.A.O.

Attachment No. 1 - Sketch of the Briarwood Development.

PW015-19 Attachment No 1





TOWNSHIP OF ESSA STAFF REPORT

STAFF REPORT NO.: PW016-19
DATE: May 1, 2019
TO: Committee of the Whole
FROM: Dan Perreault, C.E.T., Manager of Public Works
SUBJECT: Award of Quotation – Granular “A”

RECOMMENDATION

That Staff Report PW016-19 be received; and

That the quotation received from Darpak Inc. for the Supply, Loading, Spreading & Dumping of Granular Gravel be accepted in the amount of \$81,000.00 (plus H.S.T.), and that the Manager of Public Works arrange for the necessary work to be completed.

BACKGROUND

In 2019 Transportation Maintenance Budget, \$84,000 was budgeted to place 4000 tonnes of granular “A” gravel on the 6th Line from the 10th Sideroad south to the 5th Sideroad and 2000 tonnes was to be placed at the Roads Yard for stockpile.

COMMENTS AND CONSIDERATIONS

The quotation document was posted on the Township website and also on the Bidding website on March 29th, 2019 and closed on April 11th, 2019. A total of six (6) bids were received and are summarized on Attachment No.1.

Darpak Inc. is the low bidder and has performed satisfactory work in the past and therefore is recommended for this quotation.

FINANCIAL IMPACT

The 2019 Transportation Maintenance budget included \$85,000 to place 4000 tonnes of granular “A” gravel on the 6th Line from the 10th Sideroad south to the 5th Sideroad and 2000 tonnes was to be placed at the Roads Yard for stockpile

Darpak’s bid of \$81,000.00 (plus HST) is under budget.

SUMMARY/OPTIONS

Council may:

1. Take no action.
2. Award the Quotation to Darpak Inc. for the Supply, Loading, Spreading & Dumping of Granular Gravel be accepted in the amount of \$81,000.00 (plus H.S.T.), and that the Manager of Public Works arrange for the necessary work to be completed.
3. Do not award the Quotation to Darpak Inc. and select another bidder to complete the work.

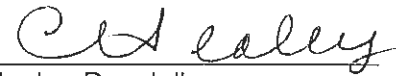
CONCLUSION

Staff recommends that Option 2 be approved.

Respectfully submitted,



Dan Perreault, C.E.T.
Manager of Public Works



Colleen Healey-Dowdall
Chief Administrative Officer

Attachments:

1. Summary of Bidders



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Attachment No.1

2019 SUPPLYING, LOADING, SPREADING & DUMPING GRANULAR GRAVEL MATERIAL RFQ: Q-19-03 Opening Results – April 11, 2019

BIDDER	TOTAL PER ITEM BID: 1) 6th Line – 4 000 tonne 2) Stockpile – 2 000 tonne	TOTAL BID (taxes extra)
James Dick Construction	1)\$63,000.00 2)\$31,400.00	\$94,400.00
Lafarge Canada	1)\$63,000.00 2)\$27,000.00	\$90,000.00
Duivenvoorden Haulage Ltd.	1)\$59,400.00 2)\$27,700.00	\$87,100.00
Darpak Inc.	1)\$54,000.00 2)\$27,000.00	\$81,000.00
Walker Aggregates	1)\$60,000.00 2)\$29,000.00	\$89,000.00
Ralph MacDonald Construction	1)\$55,000.00 2)\$27,500.00	\$82,500.00

Tender opening attended by:
 Dan Perreault, C.E.T., Manager of Public Works
 Sheila Perri, A.Sc.T. Engineering and Development Review Technician

SA

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TOWNSHIP OF ESSA STAFF REPORT

STAFF REPORT NO.: C019-19

DATE: April 3, 2019

TO: Committee of the Whole

FROM: Lisa Lehr, Clerk

SUBJECT: Fees and Charges By-law 2013-28 - Amendments

RECOMMENDATION

That Staff Report C019-19 be received, and

That Council consider authorizing staff to bring the appropriate By-law forward for Council's consideration, to amend the Township's Fees and Charges By-law 2013-28.

BACKGROUND

Staff Report PW005-19 was brought forward for Council's consideration at their meeting of February 20, 2019, which outlined recommendations from the Manager of Public Works to increase fees specific to the Public Works Department, effective upon passage of the amending By-law.

Staff Report FD001-19 was brought forward for Council's consideration at their meeting of April 3, 2019, which outlined recommendations from the Fire Chief to increase fees specific to the Fire Department, effective upon passage of the amending By-law.

Staff Report CAO008-19 was brought forward for Council's consideration at their meeting of March 20, 2019, which outlined recommendations from the Chief Administrative Officer to increase fees specific to the Parks and Recreation Department, effective September 1, 2019.

A Public Meeting was held on April 17, 2019, to allow for comments/objections from the public in relation to the proposed increases to the Township's Fees and Charges By-law 2013-28.

At the time of writing this report, no objections have been received by the Clerk's Office in relation to the above-noted increases to the Township's Fees and Charges.

COMMENTS AND CONSIDERATIONS

As a result of the recommendations from staff to increase fees for specific services, in addition to the objection period having lapsed and the municipality having received no objections from members of the public, this report is being presented for Council's authorization to finalize the process involved in amending the Township's Fees and Charges By-law 2103-28. (Attachment No. 1 contains a DRAFT By-law to amend the Fees and Charges By-law 2013-28).

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FINANCIAL IMPACT

None for authorizing an amendment to the Fees and Charges By-law.

There will be increased revenue to the Public Works Department and the Fire Department once By-law 2013-28 has been amended.

Effective September 1, 2019, there will be increased revenue to the Parks and Recreation Department.

The increased revenue for these departments is dependent upon residents utilizing the services (ie: renting equipment, ice, purchasing burn permits, etc.).

SUMMARY/OPTIONS

Council may:

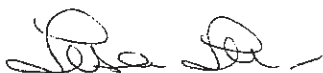
1. Take no further action.
2. **Authorize staff to bring the appropriate By-law forward for Council's consideration, to amend the Township's Fees and Charges By-law 2013-28.**
3. Some other action as deemed appropriate by Council.

CONCLUSION

Staff recommends that Council approve Option No. 2.

Respectfully submitted:

Reviewed by:



Lisa Lehr
Clerk



Colleen Healey-Dowdall
Chief Administrative Officer

Attachments:

- 1 – DRAFT –By-law to amend the Township's Fees and Charges By-law 2013-28

THE CORPORATION OF THE TOWNSHIP OF ESSA

BY-LAW 2019 – xx

A By-law to provide for the establishment and imposition of Fees and Charges for services provided by the Township of Essa (Amends By-law 2013 – 28).

WHEREAS Section 11 (1) of the *Municipal Act*, 2001, S.O. 2001, c.M.25, as amended, provides that municipalities may provide any service or thing that the municipality considers necessary or desirable for the public, subject to the rules set out in subsection (4); and

WHEREAS Section 391(1) of the *Municipal Act 2001*, S.O. 2001, c.M.25, as amended, provides that municipalities may pass By-laws imposing fees or charges on any class of persons:

- a) for services or activities provided or done by or on behalf of it;
- b) for costs payable by it for services or activities provided or done by or on behalf of any other municipality or local board; and
- c) for the use of its property including property under its control; and,

WHEREAS a Public Meeting was held on April 17, 2019 to provide the public with the opportunity to address Council and provide comments and/or objections to the proposed increase in fees and charges; and

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

1. That By-law 2013-28 be and is hereby amended to include the increase in fees outlined in Schedule "A" of this By-law, effective immediately upon passage of this By-law.
2. That By-law 2013-28 be and is hereby amended to include the increase in fees outlined in Schedule "B" of this By-law, effective September 1, 2019.
3. That this By-law shall come into full force and effect upon the final passing thereof.

READ A FIRST, AND TAKEN AS READ A SECOND AND THIRD TIME AND FINALLY PASSED on this the 1st day of May, 2019.

Sandie Macdonald, Mayor

Lisa Lehr, Clerk

9a

SCHEDULE "A" TO BY-LAW 2019-XX
Amendments to Fees and Charges By-law 2013-28

Fees and Charges - Effective Immediately

Public Works Department Fees	
Equipment Rental Rates (to coincide with MTO Equipment Rates)	
Description of Item	2019 Fee
Dump Trucks (6 Tonne Tandems)	
#20, #21, #22, #23, #24, #25, #26, #28, #29-Hauling	\$129.96
#20, #21, #22, #23, #24, #25, #26, #28, #29-Snowplowing/Sanding	\$140.71
Graders	
#9 / #11 – Grading / Snowplowing	\$170.27
Other Equipment	
#19 / #10 Loaders	\$119.47
#4 Backhoe	\$89.27
#5 Tractor with Flail Mower	\$90.97
#12 Dozer	\$106.87
#14/ #15/ #17 Trackless	\$89.31
#16 Gradall	\$276.32
#27 Sweeper	\$167.37
#27 Vacuum	\$243.67
#30 Float (Tri-axle)	\$20.00
Chipper	\$52.50
Pickup Trucks	
#8 / #18 – 2003 Dodge / 2011 GMC-1 Tonne	\$94.06
#7 - ½ Tonne Chevrolet	\$66.87
#3 - ½ Tonne Chevrolet	\$64.46
#1 – Ford F150 – ½ Tonne	\$99.52
FIRE DEPARTMENT FEES	
Description of Item	2019 Fee
Burning Permit (Annual)	\$40.00

9a

**SCHEDULE "B" TO BY-LAW 2019-XX
Amendments to Fees and Charges By-law 2013-28**

Fees and Charges – Effective September 1, 2019

Parks and Recreation Department Fees – EFFECTIVE SEPTEMBER 1, 2019	
Description of Item	2019 Fee
Day Rental Hourly Rate – Non-Prime Time - (Monday to Friday, 6:00 am to 5:00 pm)	\$138.00
Rental Hourly Rate – Prime Time - (Minor Hockey/Figure Skating)	\$155.00
Residents (80% + residents)	\$220.00
Non-Residents (less than 80% residents)	\$240.00

DRAFT

DAN PERREAULT, C.E.T.

103

April 23, 2019

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

Dear Colleen,

Please accept this letter as notice of my resignation from my position as Manager of Public Works. My last day of employment will be May 21st, 2019, however, I have unused vacation days in my vacation bank and will take May 21st as a vacation day, my last day in the office will be May 17th, 2019. I ask that all other unused vacation time be paid out on my last pay with Essa.

I have received an offer of employment to serve as the Deputy Director of Public Works with the Township of Clearview, and after careful consideration, I realize that this opportunity is too exciting for me to decline.

It has been a pleasure working with you and the team in Essa over the last 6 years as the Manager of Public Works and prior to that as Engineering Technician.

I would like to assist with the transition of my department, so that it will continue to function smoothly after my departure. I will make myself available to help recruit, train and assist my replacement if desired. I will also make myself available after my departure to assist the Township in any way possible.

I wish to thank you and Council for the opportunity to work for the Township of Essa and wish you and the staff all the best. You can email me anytime at [redacted]. I will forward my contact information at the Township of Clearview once I am settled in.

Sincerely,



Dan Perreault

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TOWNSHIP OF ESSA STAFF REPORT

STAFF REPORT NO.: CAO016-19

DATE: May 1, 2019

TO: Committee of the Whole

FROM: Colleen Healey-Dowdall, Chief Administrative Officer

SUBJECT: Request to Waive Diamond Rental Fee

RECOMMENDATION

That Staff Report CAO016-19 be received; and

That Council consider waiving a portion of the diamond rental booking fee of \$250.00 + HST for the one day charity tournament for the Warren's Mental Health Tournament in memory of Connor Warren, on a date to be set in 2019, such that the Warren family would pay \$100 + HST to cover the cost of booking and clean up.

BACKGROUND

Council has approved the waiving of the diamond rental fees associated with this tournament in the previous 2 years (refer to attached background provided by the applicant).

FINANCIAL IMPACT

The Council approved rates and fees by-law includes rental rates for diamond rentals (\$250.00 + HST). Fees associated with rentals take into consideration the on-going operating costs, staff time (day of the event and administration time required), as well as costs directly associated with the rentals.

According to Ms. Warren, close to \$16,000 has been raised for youth mental health since 2017, and this has been donated back to initiatives in the Community.

SUMMARY/OPTIONS

Council may:

1. Take no further action, in effect denying the request.
2. Approve waiving of the rental fee of \$250.00 + HST.
3. Approve waiving a part of the rental fee, with a fee of \$100 + HST still to be paid to cover staff time for administrative and clean up purposes.
4. Direct staff in another manner.

CONCLUSION

Staff recommends Option 3.

Respectfully submitted:



Colleen Healey-Dowdall
Chief Administrative Officer

Attachments:

1. Email request from the Warren Family

2019/04/23

Council members,

My name is Emily Warren and I am writing this on behalf of my family and I,

As some of you may be aware, my family has hosted a very successful baseball tournament for the past 2 years in order to raise funds for youth mental health initiatives in our local community in memory of my brother Connor Warren who we lost who we lost in January of 2015 to suicide.

Since founding the tournament in 2017, we have raised \$15,917 for youth mental health in our community. From that money, we have been able to send \$2,000 to Nottawasaga Pines Secondary School to bring in a mental health speaker as well as contribute to the success of their mental health week coming up in May. One of the most important things to us as a family was figuring out how to keep the funds local – which is why we decided NPSS would be the perfect opportunity for that, to create awareness and educate students before the issues escalate. Even though the youth mental health in-patient ward is now open, it still requires a lot of funding to keep it running and provide the necessary services, which is why we are choosing to continue to support this incredible facility. Every single person either deals with or encounters someone battling mental illness, so we all need to be working harder to make sure that there are enough services available to accommodate the most amount of people.

Over the past couple of years, the success of the tournament has become quite apparent and has started to draw attention from people outside of our community which is all the more reason to continue what we started.

Similar to past years, we would charge \$20 per person to play in the tournament and from that \$20, about \$9 will cover the cost of the t-shirt with a Playing for Connor logo – the rest will be directly donated to the mental health initiative. In total, we have sold over 320 shirts and we hope the number continues to rise. In addition to the t-shirts, one of the most successful aspects of the tournament is the silent auction which has significantly grown since the first year – bringing in over \$1,000 each year.

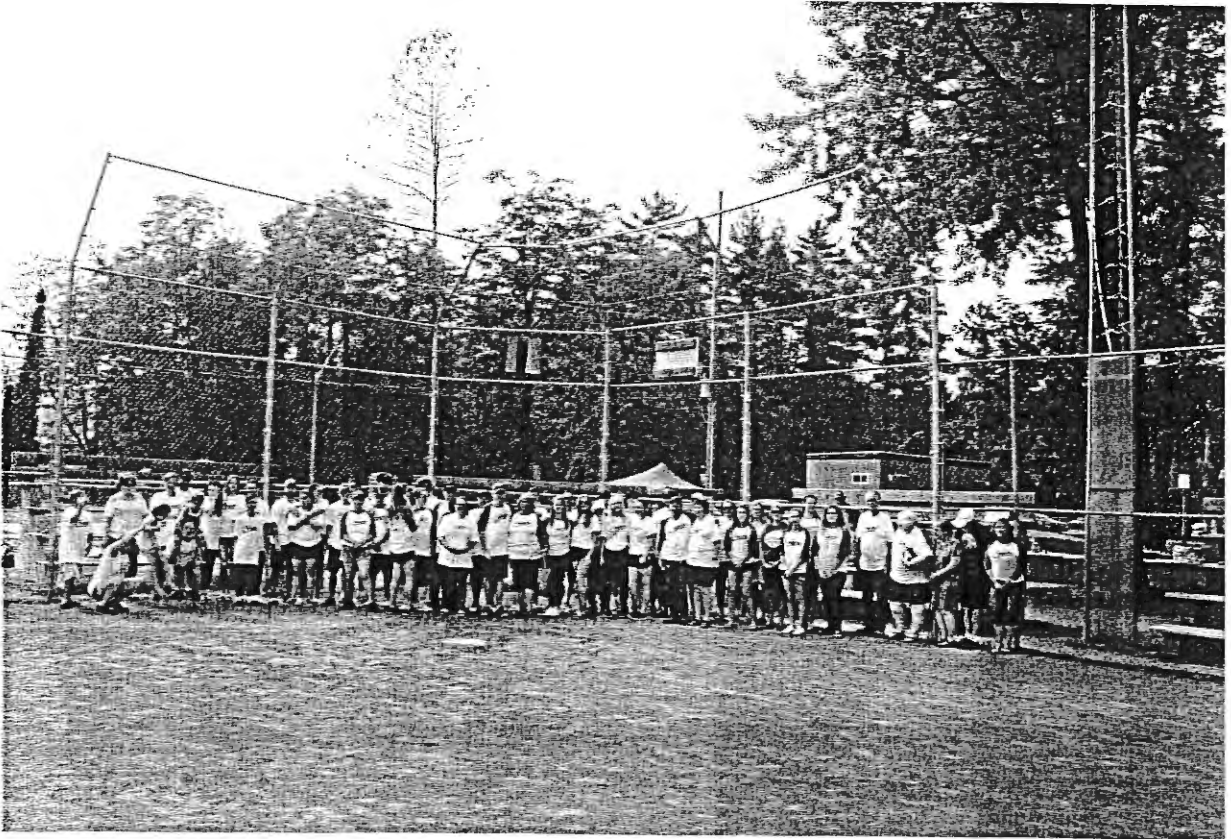
Of course, we are looking to expand this year and incorporate more local businesses as well as community members by inviting the local first responders, school teachers, and anyone in between.

As I did for previous years, I am writing this letter mainly to ask for help in securing the use of the community park baseball diamond in Angus for July 20 for the day as this park provided the perfect set-up and space last year and was in a very accessible location for people coming from out of town.

Thank you for your help and we hope to see you there!

John, Leslie, Emily and Hunter Warren

2019/04/23





TOWNSHIP OF ESSA STAFF REPORT

STAFF REPORT NO.: CAO018-19

DATE: May 1, 2019

TO: Committee of the Whole

FROM: Colleen Healey-Dowdall, Chief Administrative Officer

SUBJECT: Donation to Parent Councils at Local Public Schools

RECOMMENDATION

That Staff Report CAO018-19 be received; and

That Council consider donating public skating vouchers to the Parent Councils of local elementary and secondary schools, should requests for donations be received for fundraising initiatives.

BACKGROUND

The Township has received a request from the Baxter Public School Parent Council for a donation item to be put in their silent auction held at year-end each year. Council has in the past made a donation to this Parent Council and other elementary schools in Angus on request.

Past donations in recent years have included vouchers to use at the Essa Day Camp and also vouchers for public skating at an Essa Arena.

COMMENTS AND CONSIDERATIONS

This CAO believes that vouchers for public skating is a fair donation since it would have minimal impact to the Municipality and yet encourage a healthy lifestyle for youth or an Essa family. There may be other ideas which Council wishes to suggest, such as but not limited to, lunch with the Mayor or a youth-Mayor for the day event.

FINANCIAL IMPACT

Public skating vouchers would represent minimal cost to the Municipality, in particular as compared to other ideas.

SUMMARY/OPTIONS

Council may:

1. Take no further action.
2. Provide Parent Councils with booklets of 10 public skating vouchers on request for donation items.
3. Direct staff in another manner as Council may wish.

CONCLUSION

Option #2 is recommended.

Respectfully submitted:



Colleen Healey-Dowdall
CAO

Attachments: None.