

**THE CORPORATION OF THE TOWNSHIP OF ESSA
COMMITTEE OF THE WHOLE MEETING
WEDNESDAY, SEPTEMBER 7, 2022
6:00 p.m.**

AGENDA

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

- 1. OPENING OF MEETING BY THE MAYOR**
- 2. DISCLOSURE OF PECUNIARY INTEREST**
- 3. DELEGATIONS / PRESENTATIONS / PUBLIC MEETINGS**
 - a. Presentation – 2020 Asset Management Plan**
Michael Mikael, Manager of Public Works
Colleen Healey-Dowdall, Chief Administrative Officer

STAFF REPORTS

- 4. PLANNING AND DEVELOPMENT**
 - a. Staff Report PD018-22 submitted by MHBC Planning, re: More Homes for Everyone Act, 2022 Summary Report and Delegation of Site Plan Approval – Bill 109.**

Recommendation: Be it resolved that Staff Report PD018-22 be received; and That Council approve an amendment to By-law 2022-11 to update the Township's Delegation of Powers and Duties by the Municipality, in order to further delegate site plan approval authority to the Chief Administrative Officer (CAO), or in the CAO's absence the Manager of Planning and Development, in accordance with section 41 of the Planning Act; and That the amending By-law as attached be presented to Council during its Regular meeting of this date for passage.

- 5. PARKS AND RECREATION / COMMUNITY SERVICES**
- 6. FIRE AND EMERGENCY SERVICES**
- 7. PUBLIC WORKS**

- p. a. Environmental Compliance Approval from the Ministry of Environment, Conservation and Parks, re: Consolidated Linear Infrastructure Stormwater Management System (Angus).**

Recommendation: Be it resolved that the Environmental Compliance Approval dated August 31, 2022 from the Ministry of Environment, Conservation and Parks for the Consolidated Linear Infrastructure Stormwater Management System for Angus be received.

8. FINANCE

9. CLERKS / BY-LAW ENFORCEMENT / IT

- p. a. **Staff Report C013-22 submitted by the Manager of Legislative Services, re: Draft Terms of Reference and By-law to Establish and Appoint Members to the Joint Compliance Audit Committee.**

Recommendation: *Be it resolved that Staff Report C013-22 be received; and That the draft Terms of Reference and By-law to establish and appoint members to the Joint Compliance Audit Committee be approved as attached; and That the By-law as attached be presented to Council during its regular meeting of this date for passage.*

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

- p. a. **Staff Report CAO022- 22 submitted by the Chief Administrative Officer, re: 152 Greenwood Drive – Rezoning of Land to Allow for a School.**

Recommendation: *Be it resolved that Staff Report CAO22-22 be received; and That Council approve rezoning 152 Greenwood Drive from Open Space Park (OSP) Zone to Institutional (I) Zone to allow for a school use, as well as partial lands along Gold Park Gate from Environmental Protection (EP) Zone to Open Space Park (OSP) Zone to allow for another park; and That Council direct the Manager of Parks and Recreation to begin a Public Consultation Program to collect ideas for parks and for consideration / construction beginning in 2023.*

11. OTHER BUSINESS

12. ADJOURNMENT

Recommendation: *Be it resolved that this meeting of Committee of the Whole of the Township of Essa adjourn at _____ p.m., to meet again on the 21st day of September, 2022 at 6:00 p.m.*



The Township of Essa

2020 Asset Management Plan

Mai Abdou, Senior Asset Management Consultant, PSD Citywide



Asset Management = Service Management

- Roads and Bridges allow for people and goods to move; **Transportation Service.**
- Watermains provide safe, quality drinking water; **Environmental Service.**
- Parks and Arenas enhance the quality of life; **Recreational Service.**
- Vehicles and equipment support service delivery; **Emergency Service.**

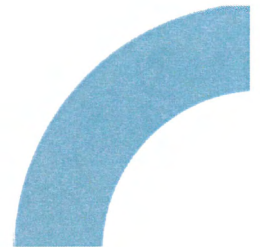
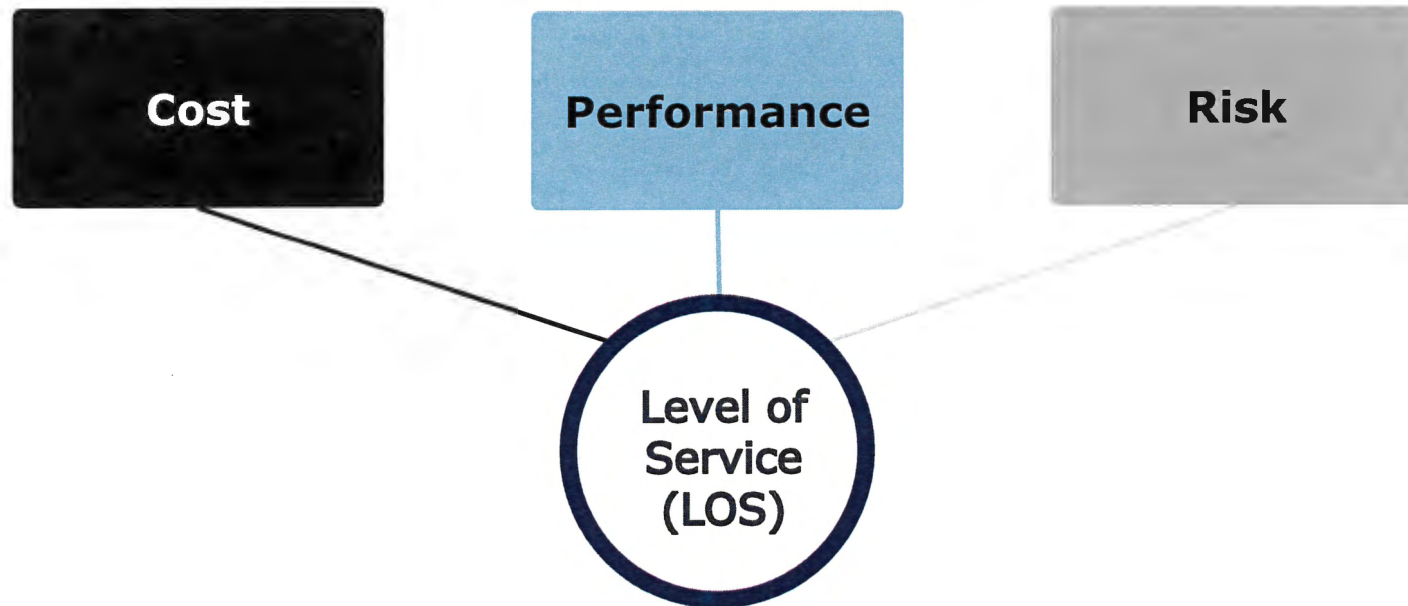
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What does Asset Management involve?

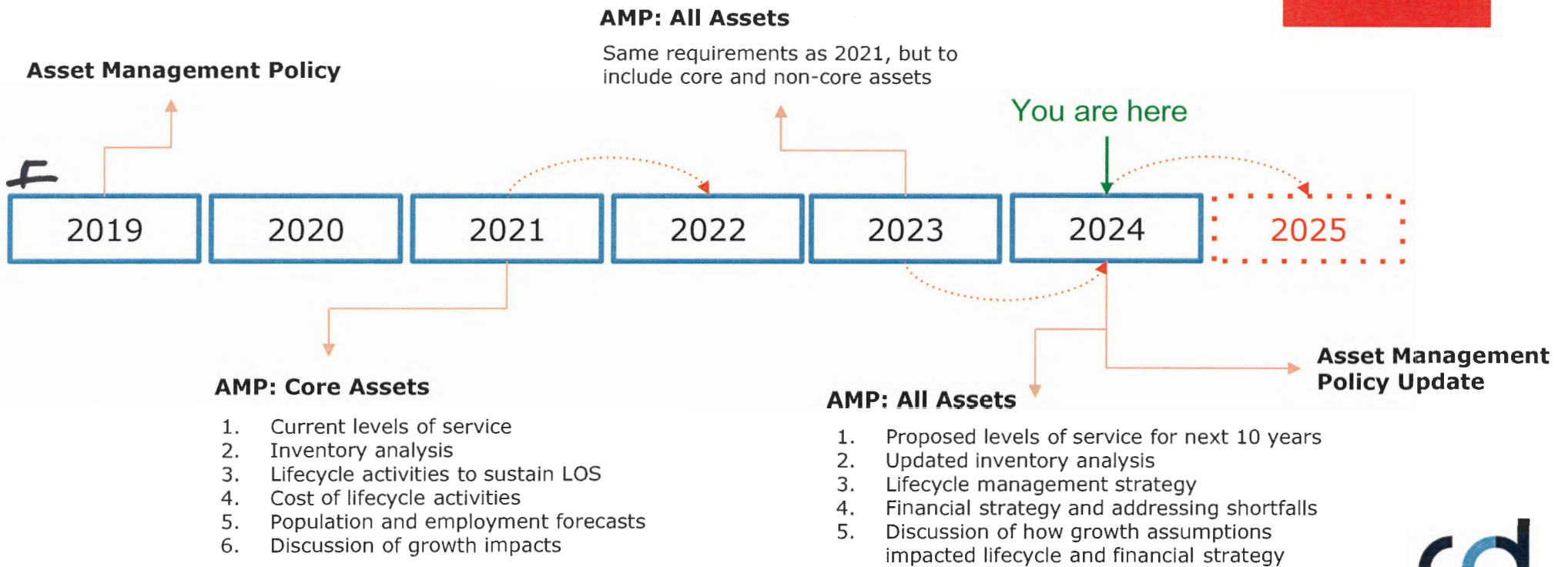
ISO 55000: "Coordinated activity of an organization to realize value from assets"

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Ontario Regulation 588/17

One Year Extension
Established on
March 15, 2021



Valuation of Asset Portfolio – 2020 Year End Data

Total Replacement Cost
\$392.9M



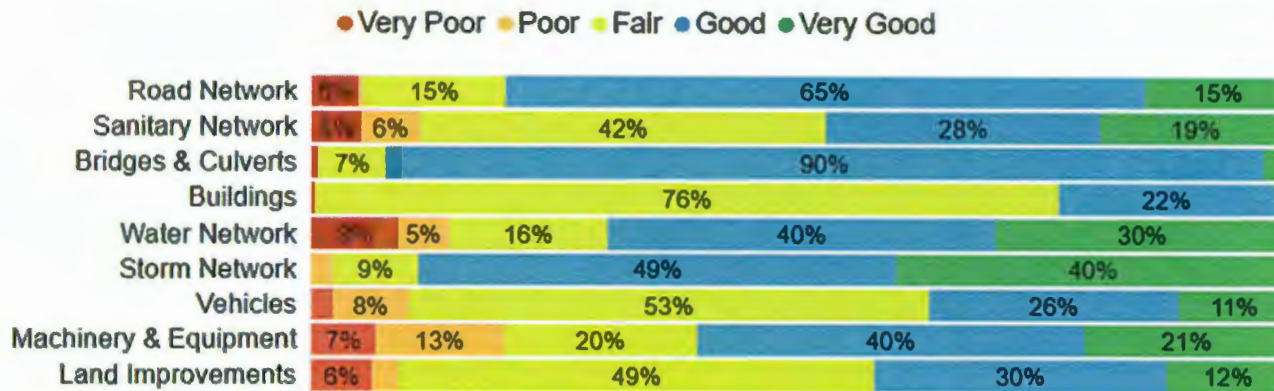
Replacement cost of asset
portfolio
\$392.9 million

Replacement cost per
household (2021 Census)
\$47,000



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State of the Infrastructure - Condition



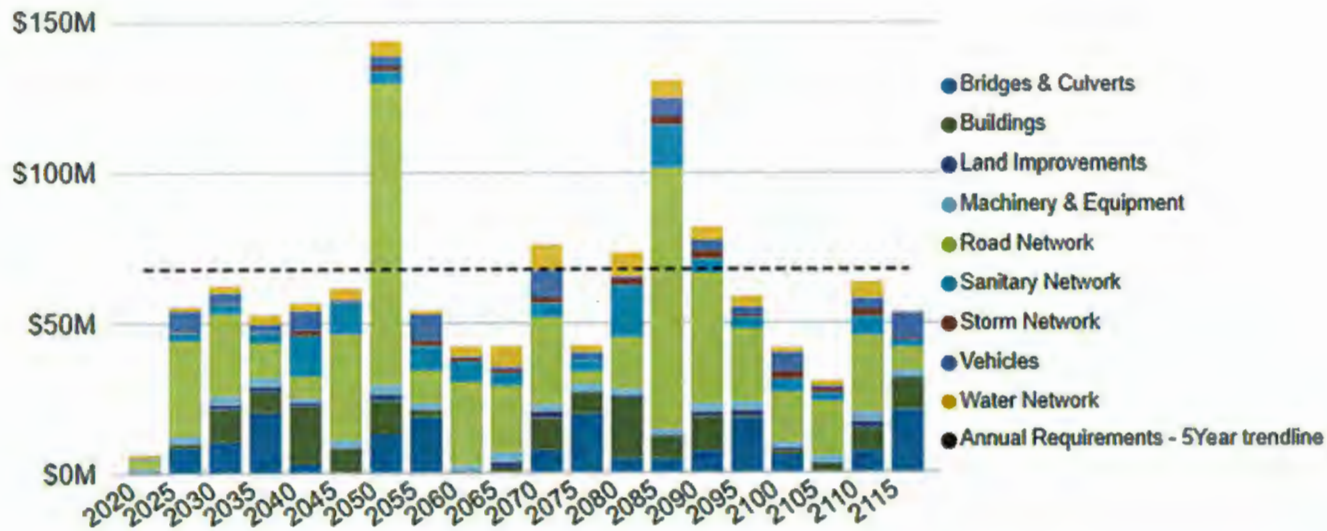
Asset Category	Asset Segment	% of Assets with Assessed Condition	Source of Condition Data
Road Network	Paved Roads	100%	2022 Roads Assessments
	Bridges	99%	
Bridges & Culverts	Structural Culverts	95%	2021 Bridge Inspections
Storm Network	All	0%	Age-Based
Buildings	All	95%	Staff Assessments
Machinery & Equipment	All	5%	Staff Assessments
Vehicles	All	62%	Staff Assessments
Land Improvements	All	58%	Staff Assessments
Water Network	All	0%	Age-Based
Sanitary Network	All	13%	Staff Assessments
Total		63%	

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Forecasted Capital Requirements

Average Annual Capital Requirements
\$13,572,277



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Infrastructure Deficit

Asset Type	Annual Capital Requirement	Funding Available	Annual Capital Deficit
Tax-Funded Assets	\$11,400,000	\$2,619,000	\$8,781,000
Rate-Funded Assets	\$2,173,000	\$824,000	\$1,349,000
Total:	\$13,573,00	\$3,443,000	\$10,130,000

The financial strategy and its recommendations are based on the capital replacement/rehabilitation needs required to maintain the **current** levels of service. As staff establish their **target/desired** levels of service, the required capital investment and financial strategy will be revised.



Financial Strategy

- Both sustainable and one-time grants/transfers will continue to be an essential source of revenue for investment in capital infrastructure
- Assumes no new debt will be taken on to pay for existing infrastructure
- Adjustments to taxes/rates should be supplemented with project prioritization and evaluation of desired level of service

b

Asset Type	Years Until Full Funding	Average Annual Tax/Rate Change
Tax-Funded Assets	20 Years	3.7%
Rate-Funded: Water Assets	5 Years	1.6%
Rate-Funded: Sanitary	15 Years	2.1%

Only includes
current & capital
infrastructure



Average Annual Tax Change - Scenarios

Tax Funded-Assets				
Years Until Funding	5 Years	10 Years	15 Years	20 Years
Average Annual Tax Change	15.8%	7.5%	5.0%	3.7%

3.7% increase over 20 years recommended



Key AM Program Recommendations

- Continuous refinement of asset inventory data
 - Continue to operationalize AMP findings in Citywide software
 - Develop a data governance framework, including condition assessment strategy.
- Assess resource capacity and staff limitations in managing asset management program
- Prepare for O.Reg. 588/17 2025 Requirements
 - Develop a communication strategy to engage the Public on asset management and obtain feedback to inform development of proposed levels of service
- Continuous improvement and regular review
 - An asset management plan is a living document that should be updated regularly to inform long term planning.





Mai Abdou

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Asset Management Plan

Township of Essa

2020

This Asset Management Program was prepared by:



Empowering your organization through advanced
asset management, budgeting & GIS solutions

Key Statistics

Replacement cost of
asset portfolio
\$392.9 million

Replacement cost of
infrastructure per
household
\$47,000 (2021)

Percentage of assets in fair
or better condition
93%

Percentage of assets with
assessed condition data
63%

Annual capital
infrastructure deficit
\$10 million

Recommended timeframe
for eliminating annual
infrastructure deficit
5-20 Years

Target reinvestment
rate
3.5%

Actual reinvestment
rate
1.0

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Municipal infrastructure provides the foundation for the economic, social, and environmental health and growth of a community through the delivery of critical services. The goal of asset management is to deliver an adequate level of service in the most cost-effective manner. This involves the development and implementation of asset management strategies and long-term financial planning.

Scope

This AMP identifies the current practices and strategies that are in place to manage public infrastructure and makes recommendations where they can be further refined. Through the implementation of sound asset management strategies, the Township can ensure that public infrastructure is managed to support the sustainable delivery of municipal services.

This AMP include the following asset categories:

Asset Category

 Road Network	 Bridges & Culverts
 Storm Network	 Water Network
 Sanitary Network	 Buildings
 Vehicles	 Machinery & Equipment
 Land Improvements	

With the development of this AMP the Township has achieved compliance with O. Reg. 588/17 to the extent of the requirements that must be completed by July 1, 2024. There are additional requirements concerning proposed levels of service and growth that must be met by July 1, 2025.

Findings

The overall replacement cost of the asset categories included in this AMP totals \$392.9 million. 93% of all assets analysed in this AMP are in fair or better condition and assessed condition data was available for 63% of assets. For the remaining assets, assessed condition data was unavailable, and asset age was used to approximate condition – a data gap that persists in most municipalities. Generally, age misstates the true condition of assets, making assessments essential to accurate asset management planning, and a recurring recommendation in this AMP.

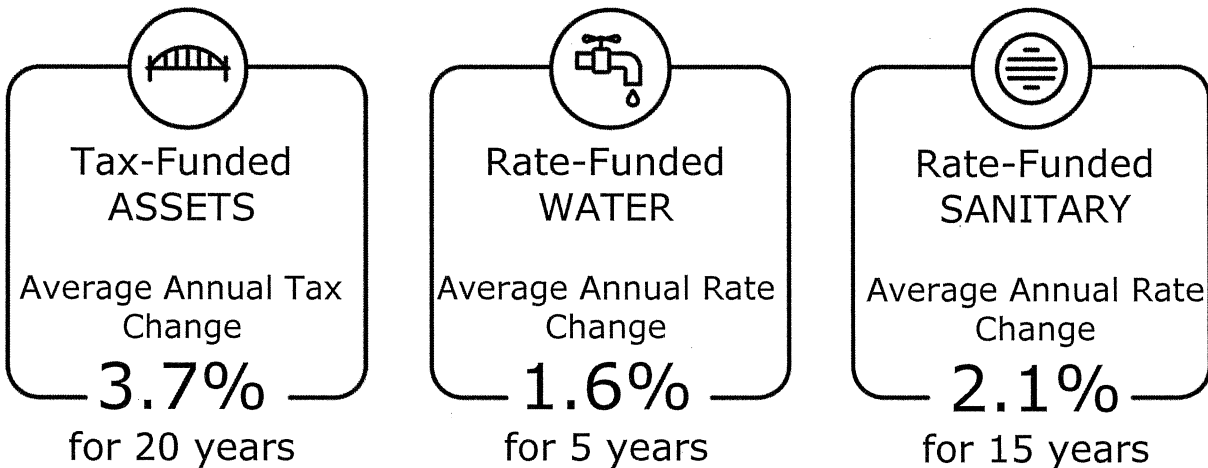
The development of a long-term, sustainable financial plan requires an analysis of whole lifecycle costs. This AMP uses a combination of proactive lifecycle strategies (paved roads, bridges & culverts and storm assets) and replacement-only strategies (all other assets) to determine the lowest cost option to maintain the current level of service.

To meet capital replacement and rehabilitation needs for existing infrastructure, prevent infrastructure backlogs, and achieve long-term sustainability, the Township's average annual capital requirement totals \$13.6 million. Based on a historical analysis of sustainable capital funding sources, the Township is committing approximately \$3.4 million towards capital projects or reserves per year. As a result, there is currently an annual funding deficit of \$10.1 million.

It is important to note that this AMP represents a snapshot in time and is based on the best available processes, data, and information at the Township. Strategic asset management planning is an ongoing and dynamic process that requires continuous improvement and dedicated resources.

Recommendations

A financial strategy was developed to address the annual capital funding gap. The following graphics shows annual tax/rate change required to eliminate the Township's infrastructure deficit:



Recommendations to guide continuous refinement of the Township's asset management program. These include:

- Review and update data regularly to maintain a complete and accurate inventory
- Develop a data governance framework, along with a condition assessment strategy, to ensure consistency and standardization of asset management (AM) program
- Conduct a Township-wide needs assessments to assess staffing, software and/or process needs to advance the AM program
- Continue to track current levels of service and identify achievable target levels of service

1 Introduction & Context

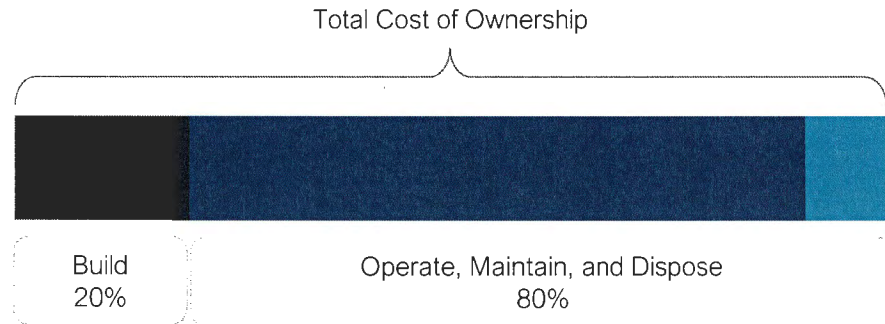
Key Insights

- The goal of asset management is to minimize the lifecycle costs of delivering infrastructure services, manage the associated risks, while maximizing the value ratepayers receive from the asset portfolio
- The Township's asset management policy provides clear direction to staff on their roles and responsibilities regarding asset management
- An asset management plan is a living document that should be updated regularly to inform long-term planning
- Ontario Regulation 588/17 outlines several key milestone and requirements for asset management plans in Ontario between July 1, 2022 and 2025

1.1 An Overview of Asset Management

Municipalities are responsible for managing and maintaining a broad portfolio of infrastructure assets to deliver services to the community. The goal of asset management is to minimize the lifecycle costs of delivering infrastructure services, manage the associated risks, while maximizing the value ratepayers receive from the asset portfolio.

The acquisition of capital assets accounts for only 10-20% of their total cost of ownership. The remaining 80-90% derives from operations and maintenance. This AMP focuses its analysis on the capital costs to maintain, rehabilitate and replace existing municipal infrastructure assets.



These costs can span decades, requiring planning and foresight to ensure financial responsibility is spread equitably across generations. An asset management plan is critical to this planning, and an essential element of broader asset management program. The industry-standard approach and sequence to developing a practical asset management program begins with a Strategic Plan, followed by an Asset Management Policy and an Asset Management Strategy, concluding with an Asset Management Plan.

This industry standard, defined by the Institute of Asset Management (IAM), emphasizes the alignment between the corporate strategic plan and various asset management documents. The strategic plan has a direct, and cascading impact on asset management planning and reporting.

1.1.1 Asset Management Policy

An asset management policy represents a statement of the principles guiding the Township's approach to asset management activities. It aligns with the organizational strategic plan and provides clear direction to municipal staff on their roles and responsibilities as part of the asset management program.

The Township is currently following their strategic asset management policy in accordance with Ontario Regulation 588/17 requirements.

1.1.2 Asset Management Strategy

An asset management strategy outlines the translation of organizational objectives into asset management objectives and provides a strategic overview of the activities required to meet these objectives. It provides greater detail than the policy on how the Township plans to achieve asset management objectives through planned activities and decision-making criteria. The Township's Asset Management Policy contains many of the key components of an asset management strategy and may be expanded on in future revisions or as part of a separate strategic document.

1.1.3 Asset Management Plan

The asset management plan (AMP) presents the outcomes of the Township's asset management program and identifies the resource requirements needed to achieve a defined level of service. The AMP typically includes the following content:

- State of Infrastructure
- Asset Management Strategies
- Levels of Service
- Financial Strategies

The AMP is a living document that should be updated regularly as additional asset and financial data becomes available. This will allow the Township to re-evaluate the state of infrastructure and identify how the organization's asset management and financial strategies are progressing.

1.2 Key Concepts in Asset Management

Effective asset management integrates several key components, including lifecycle management, risk management, and levels of service. These concepts are applied throughout this asset management plan and are described below in greater detail.

1.2.1 Lifecycle Management Strategies

The condition or performance of most assets will deteriorate over time. This process is affected by a range of factors including an asset’s characteristics, location, utilization, maintenance history and environment. Asset deterioration has a negative effect on the ability of an asset to fulfill its intended function, and may be characterized by increased cost, risk and even service disruption.

To ensure that municipal assets are performing as expected and meeting the needs of customers, it is important to establish a lifecycle management strategy to proactively manage asset deterioration.

There are several field intervention activities that are available to extend the life of an asset. These activities can be generally placed into one of three categories: maintenance, rehabilitation and replacement. The following table provides a description of each type of activity and the general difference in cost.

Lifecycle Activity	Description	Example (Roads)	Cost
Maintenance	Activities that prevent defects or deteriorations from occurring	Crack Seal	\$
Rehabilitation/ Renewal	Activities that rectify defects or deficiencies that are already present and may be affecting asset performance	Mill & Re-surface	\$\$
Replacement/ Reconstruction	Asset end-of-life activities that often involve the complete replacement of assets	Full Reconstruction	\$\$\$

Depending on initial lifecycle management strategies, asset performance can be sustained through a combination of maintenance and rehabilitation, but at some point, replacement is required. Understanding what effect these activities will have on the lifecycle of an asset, and their cost, will enable staff to make better recommendations.

The Township's approach to lifecycle management is described within each asset category outlined in this AMP. Developing and implementing a proactive lifecycle strategy will help staff to determine which activities to perform on an asset and when they should be performed to maximize useful life at the lowest total cost of ownership.

1.2.2 Risk Management Strategies

Municipalities generally take a 'worst-first' approach to infrastructure spending. Rather than prioritizing assets based on their importance to service delivery, assets in the worst condition are fixed first, regardless of their criticality. However, not all assets are created equal. Some are more important than others, and their failure or disrepair poses more risk to the community than that of others. For example, a road with a high volume of traffic that provides access to critical services poses a higher risk than a low volume rural road. These high-value assets should receive funding before others.

By identifying the various impacts of asset failure and the likelihood that it will fail, risk management strategies can identify critical assets, and determine where maintenance efforts, and spending, should be focused.

This AMP includes a high-level evaluation of asset risk and criticality. Each asset has been assigned a probability of failure score and consequence of failure score based on available asset data. These risk scores can be used to prioritize maintenance, rehabilitation and replacement strategies for critical assets.

1.2.3 Levels of Service

A level of service (LOS) is a measure of what the Township is providing to the community and the nature and quality of that service. Within each asset category in this AMP, technical metrics and qualitative descriptions that measure both technical and community levels of service have been established and measured as data is available.

These measures include a combination of those that have been outlined in O. Reg. 588/17 in addition to performance measures identified by the Township as worth measuring and evaluating. The Township measures the level of service provided at two levels: Community Levels of Service, and Technical Levels of Service.

Community Levels of Service

Community levels of service are a simple, plain language description or measure of the service that the community receives. For core asset categories (roads, bridges and culverts, water, wastewater, stormwater) the Province, through O. Reg. 588/17, has provided qualitative descriptions that are required to be included in this AMP. For non-core asset categories, the Township has determined the qualitative descriptions that will be used to determine the community level of service provided. These descriptions can be found in the Levels of Service subsection within each asset category.

Technical Levels of Service

Technical levels of service are a measure of key technical attributes of the service being provided to the community. These include mostly quantitative measures and tend to reflect the impact of the Township's asset management strategies on the physical condition of assets or the quality/capacity of the services they provide.

For core asset categories (roads, bridges and culverts, water, wastewater, stormwater) the Province, through O. Reg. 588/17, has provided technical metrics that are required to be included in this AMP. For non-core asset categories, the Township has determined the technical metrics that will be used to determine the technical level of service provided. These metrics can be found in the Levels of Service subsection within each asset category.

Current and Proposed Levels of Service

This AMP focuses on measuring the current level of service provided to the community. Once current levels of service have been measured, the Township plans to establish proposed levels of service over a 10-year period, in accordance with O. Reg. 588/17.

Proposed levels of service should be realistic and achievable within the timeframe outlined by the Township. They should also be determined with consideration of a variety of community expectations, fiscal capacity, regulatory requirements, corporate goals and long-term sustainability. Once proposed levels of service have been established, and prior to July 2025, the Township must identify a lifecycle management and financial strategy which allows these targets to be achieved.

1.3 Ontario Regulation 588/17

As part of the *Infrastructure for Jobs and Prosperity Act, 2015*, the Ontario government introduced Regulation 588/17 - Asset Management Planning for Municipal Infrastructure (O. Reg 588/17). Along with creating better performing organizations, more liveable and sustainable communities, the regulation is a key, mandated driver of asset management planning and reporting. It places substantial emphasis on current and proposed levels of service and the lifecycle costs incurred in delivering them.

The diagram below outlines key reporting requirements under O. Reg 588/17 and the associated timelines.

2019

Strategic Asset Management Policy

2024

Asset Management Plan for Core and Non-Core Assets (same components as 2022) and Asset Management Policy Update

2022

Asset Management Plan for Core Assets with the following components:

1. Current levels of service
2. Inventory analysis
3. Lifecycle activities to sustain LOS
4. Cost of lifecycle activities
5. Population and employment forecasts
6. Discussion of growth impacts

2025

Asset Management Plan for All Assets with the following additional components:

1. Proposed levels of service for next 10 years
2. Updated inventory analysis
3. Lifecycle management strategy
4. Financial strategy and addressing shortfalls
5. Discussion of how growth assumptions impacted lifecycle and financial

1.3.1 O. Reg. 588/17 Compliance Review

The following table identifies the requirements outlined in Ontario Regulation 588/17 for municipalities to meet by July 1, 2024. Next to each requirement a page or section reference is included in addition to any necessary commentary.

Requirement	O. Reg. Section	AMP Section Reference	Status
Summary of assets in each category	S.5(2), 3(i)	4.1.1 - 5.2.1	Complete
Replacement cost of assets in each category	S.5(2), 3(ii)	4.1.1 - 5.2.1	Complete
Average age of assets in each category	S.5(2), 3(iii)	4.1.3 - 5.2.3	Complete
Condition of core assets in each category	S.5(2), 3(iv)	4.1.2 - 5.2.2	Complete
Description of municipality's approach to assessing the condition of assets in each category	S.5(2), 3(v)	4.1.2 - 5.2.2	Complete
Current levels of service in each category	S.5(2), 1(i-ii)	4.1.6 - 5.2.6	Complete
Current performance measures in each category	S.5(2), 2	4.1.6 - 5.2.6	Complete
Lifecycle activities needed to maintain current levels of service for 10 years	S.5(2), 4	4.1.4 - 5.2.4	Complete
Costs of providing lifecycle activities for 10 years	S.5(2), 4	Appendix A	Complete
Growth assumptions	S.5(2), 5(i-ii) S.5(2), 6(i-vi)	6.1-6.2	Complete

2 Scope and Methodology

Key Insights

- This asset management plan includes 9 asset categories and is divided between tax-funded and rate-funded categories
- The source and recency of replacement costs impacts the accuracy and reliability of asset portfolio valuation
- Accurate and reliable condition data helps to prevent premature and costly rehabilitation or replacement and ensures that lifecycle activities occur at the right time to maximize asset value and useful life

2.1 Asset Categories Included in this AMP

This asset management plan for the Township of Essa is produced in compliance with Ontario Regulation 588/17. The July 2024 deadline under the regulation—the second of three AMPs—requires analysis of all assets.

The AMP summarizes the state of the infrastructure for the Township’s asset portfolio, establishes current levels of service and the associated technical and customer oriented key performance indicators (KPIs), outlines lifecycle strategies for optimal asset management and performance, and provides financial strategies to reach sustainability for the asset categories listed below.

Asset Category	Source of Funding
Road Network	
Bridges & Culverts	
Storm Network	
Buildings	Tax Levy
Vehicles	
Machinery & Equipment	
Land Improvements	
Water Network	User Rates
Sanitary Network	

2.2 Deriving Replacement Costs

There are a range of methods to determine the replacement cost of an asset, and some are more accurate and reliable than others. This AMP relies on two methodologies:

- **User-Defined Cost and Cost/Unit:** Based on costs provided by municipal staff which could include average costs from recent contracts; data from engineering reports and assessments; staff estimates based on knowledge and experience
- **Cost Inflation/CPI Tables:** Historical cost of the asset is inflated based on Consumer Price Index or Non-Residential Building Construction Price Index

User-defined costs based on reliable sources are a reasonably accurate and reliable way to determine asset replacement costs. Cost inflation is typically used in the absence of reliable replacement cost data. It is a reliable method for recently purchased and/or constructed assets where the total cost is reflective of the actual costs that the Township incurred. As assets age, and new products and technologies become available, cost inflation becomes a less reliable method.

2.3 Estimated Useful Life

The estimated useful life (EUL) of an asset is the period over which the Township expects the asset to be available for use and remain in service before requiring replacement or disposal. The EUL for each asset in this AMP was assigned according to the knowledge and expertise of municipal staff and supplemented by existing industry standards when necessary.

2.4 Reinvestment Rate

As assets age and deteriorate they require additional investment to maintain a state of good repair. The reinvestment of capital funds, through asset renewal or replacement, is necessary to sustain an adequate level of service. The reinvestment rate is a measurement of available or required funding relative to the total replacement cost.

By comparing the actual vs. target reinvestment rate the Township can determine the extent of any existing funding gap. The reinvestment rate is calculated as follows:

$$\text{Target Reinvestment Rate} = \frac{\text{Annual Capital Requirement}}{\text{Total Replacement Cost}}$$

$$\text{Actual Reinvestment Rate} = \frac{\text{Annual Capital Funding}}{\text{Total Replacement Cost}}$$

2.5 Deriving Asset Condition

An incomplete or limited understanding of asset condition can mislead long-term planning and decision-making. Accurate and reliable condition data helps to prevent premature and costly rehabilitation or replacement and ensures that lifecycle activities occur at the right time to maximize asset value and useful life.

A condition assessment rating system provides a standardized descriptive framework that allows comparative benchmarking across the Township's asset portfolio. The table below outlines the condition rating system used in this AMP to determine asset condition. This rating system is aligned with the Canadian Core Public Infrastructure Survey which is used to develop the Canadian Infrastructure Report Card. When assessed condition data is not available, service life remaining is used to approximate asset condition.

Condition	Description	Criteria	Service Life Remaining (%)
Very Good	Fit for the future	Well maintained, good condition, new or recently rehabilitated	80-100
Good	Adequate for now	Acceptable, generally approaching mid-stage of expected service life	60-80
Fair	Requires attention	Signs of deterioration, some elements exhibit significant deficiencies	40-60
Poor	Increasing potential of affecting service	Approaching end of service life, condition below standard, large portion of system exhibits significant deterioration	20-40
Very Poor	Unfit for sustained service	Near or beyond expected service life, widespread signs of advanced deterioration, some assets may be unusable	0-20

The analysis in this AMP is based on assessed condition data only as available. In the absence of assessed condition data, asset age is used as a proxy to determine asset condition. Appendix E includes additional information on the role of asset condition data and provides basic guidelines for the development of a condition assessment program.

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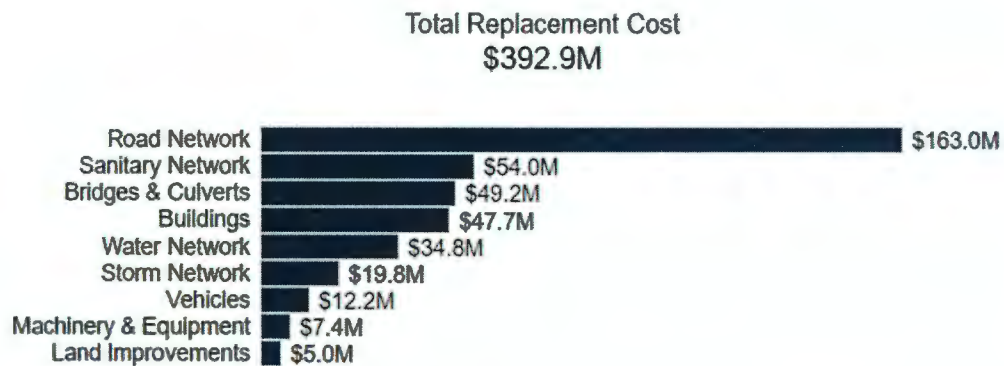
Portfolio Overview

Key Insights

- The total replacement cost of the Township's asset portfolio is \$392.9 million
- The Township's target re-investment rate is 3.5%, and the actual re-investment rate is 1.0%, contributing to an expanding infrastructure deficit
- 93% of all assets are in fair or better condition
- Average annual capital requirements total \$13.6 million per year across all assets

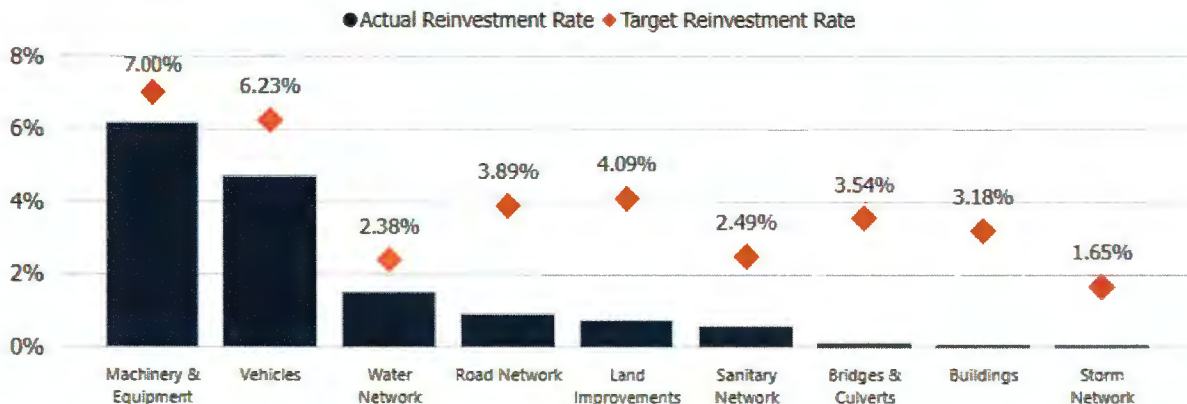
3.1 Total Replacement Cost of Asset Portfolio

The asset categories analyzed in this AMP have a total replacement cost of \$392.9 million based on inventory data from 2020. This total was determined based on a combination of user-defined costs and historical cost inflation. This estimate reflects replacement of historical assets with similar, not necessarily identical, assets available for procurement today.



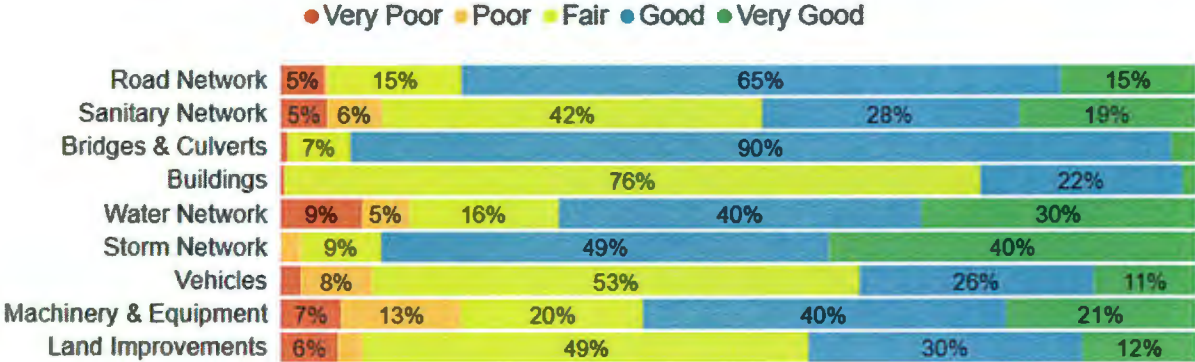
3.2 Target vs. Actual Reinvestment Rate

The graph below depicts funding gaps or surpluses by comparing target vs actual reinvestment rate. To meet the long-term replacement needs, the Township should be allocating approximately \$13.6 million annually, for a target reinvestment rate of 3.5%. Actual annual spending on infrastructure totals approximately \$3.4 million, for an actual reinvestment rate of 1.0%.



3.3 Condition of Asset Portfolio

The current condition of the assets is central to all asset management planning. Collectively, 93% of assets in Essa are in fair or better condition. This estimate relies on both age-based and field condition data.



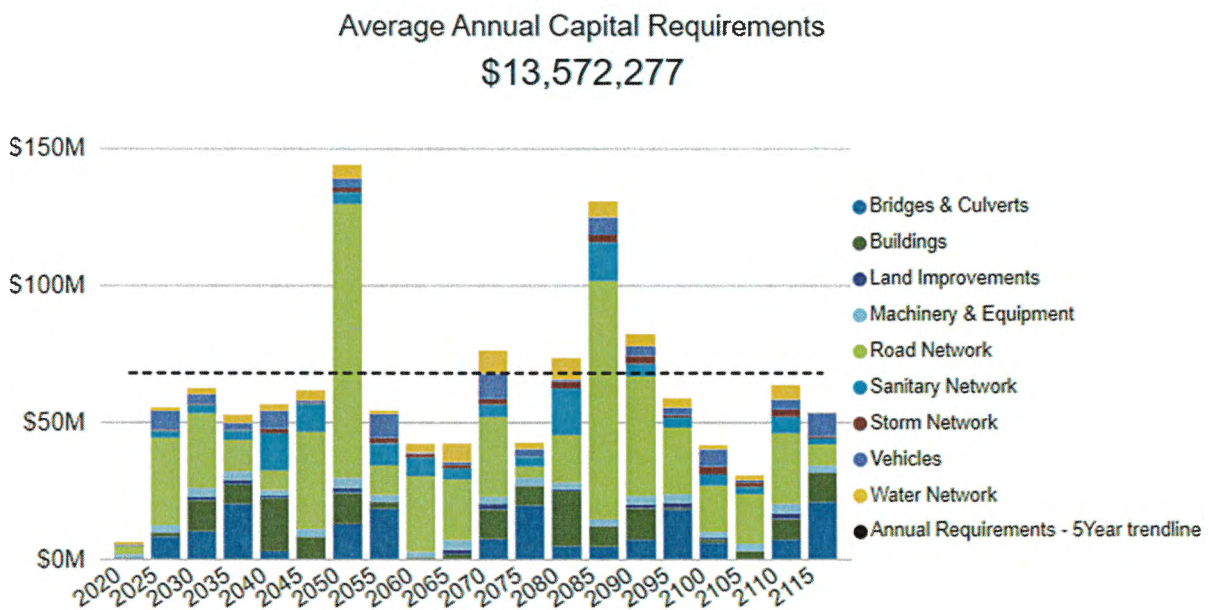
This AMP relies on assessed condition data for 63% of assets; for the remaining portfolio, age is used as an approximation of condition. Assessed condition data is invaluable in asset management planning as it reflects the true condition of the asset and its ability to perform its functions. The table below identifies the source of condition data used throughout this AMP.

Asset Category	Asset Segment	% of Assets with Assessed Condition	Source of Condition Data
Road Network	Paved Roads	100%	2022 Roads Assessments
	Bridges	99%	
Bridges & Culverts	Structural	95%	2021 Bridge Inspections
	Culverts		
Storm Network	All	0%	Age-Based
Buildings	All	95%	Staff Assessments
Machinery & Equipment	All	5%	Staff Assessments
Vehicles	All	62%	Staff Assessments
Land Improvements	All	58%	Staff Assessments
Water Network	All	0%	Age-Based
Sanitary Network	All	13%	Staff Assessments
Total		63%	

3.4 Forecasted Capital Requirements

The development of a long-term capital forecast should include both asset rehabilitation and replacement requirements. With the development of asset-specific lifecycle strategies that include the timing and cost of future capital events, the Township can produce an accurate long-term capital forecast. The following graph identifies capital requirements over the next 95 years.

This projection is used as it ensures that every asset has gone through one full iteration of replacement. The forecasted requirements are aggregated into 5-year bins and the trend line represents the average 5-year capital requirements.



4

Analysis of Tax-funded Assets

Key Insights

- Tax-funded assets are valued at \$304.2 million
- 97% of tax-funded assets are in fair or better condition
- The average annual capital requirement to sustain the current level of service for tax-funded assets is approximately \$11.4 million
- Critical assets should be evaluated to determine appropriate risk mitigation activities and treatment options

4.1 Road Network

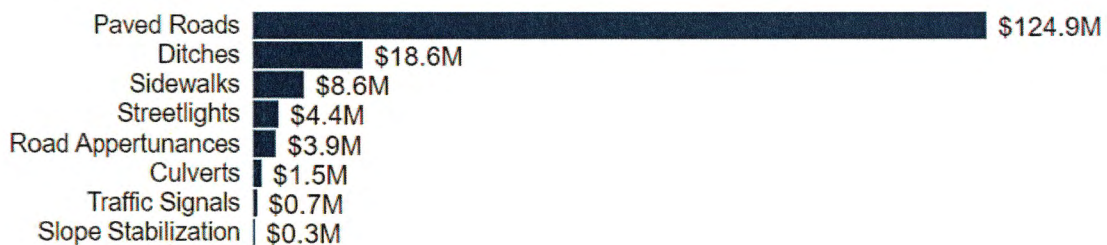
The road network is a critical component of the provision of safe and efficient transportation services and represents the highest value asset category in the Township’s asset portfolio. It includes all municipally owned and maintained roadways in addition to supporting roadside infrastructure.

4.1.1 Asset Inventory & Replacement Cost

The table below includes the quantity, total replacement cost and annual capital requirements of each asset segment in the Township’s road network inventory.

Asset Segment	Quantity	Replacement Cost	Annual Capital Requirements
Culverts	33	\$1,485,000	\$51,800
Ditches	215 kms	\$18,614,000	\$901,000
Paved Roads	223 kms	\$124,904,000	\$4,829,000
Road Appurtenances ¹	47 kms	\$3,920,000	\$157,000
Sidewalks	64 km ²	\$8,614,000	\$180,000
Slope Stabilization	4	\$315,000	\$8,700
Streetlights	1,572	\$4,402,000	\$179,000
Traffic Signals	2	\$727,000	\$30,000
Unpaved Roads	12 kms	Not Planned for Replacement ²	
		\$162,980,000	\$6,337,000

Total Replacement Cost
\$163.0M



Each asset’s replacement cost should be reviewed periodically to determine whether adjustments are needed to more accurately represent realistic capital requirements.

¹ Road appurtenances includes curb and guardrails.

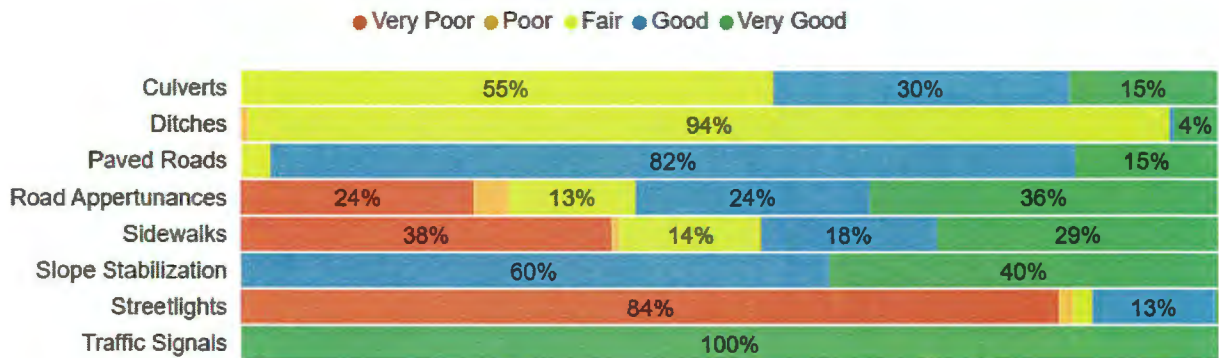
² Unpaved roads have been included as they comprise a significant portion of the Township’s road network. However, the lifecycle management strategies for these assets consist of perpetual maintenance activities and do not typically require capital costs.

4.1.2 Asset Condition & Age

The table below identifies the current average condition, the average age, and the estimated useful life for each asset segment. The average condition (%) is a weighted value based on replacement cost.

Asset Segment	Estimated Useful Life (Years)	Average Age (Years)	Average Condition
Culverts	20-30	11.0	Good (62%)
Ditches	20-60	30.1	Fair (51%)
Paved Roads	15-25	18.1	Good (73%)
Road Appurtenances	25	10.3	Fair (56%)
Sidewalks	30-50	25.4	Fair (46%)
Slope Stabilization	30-60	8.2	Good (73%)
Streetlights	20-25	19.4	Poor (22%)
Traffic Signals	25	0.6	Very Good (98%)
		20.9	Good (68%)

The graph below visually illustrates the average condition for each asset segment on a very good to very poor scale.



To ensure that the Township's road network continues to provide an acceptable level of service, the Township should monitor the average condition of all assets. If the average condition declines, staff should re-evaluate their lifecycle management strategy to determine what combination of maintenance, rehabilitation, and replacement activities is required to increase the overall condition of the road network.

Each asset's estimated useful life should also be reviewed periodically to determine whether adjustments need to be made to better align with the observed length of service life for each asset type.

Current Approach to Condition Assessment

Accurate and reliable condition data allows staff to more confidently determine the remaining service life of assets and identify the most cost-effective approach to managing assets. The following describes the Township's current approach:

- A road needs study is completed every 5-7 years for the paved and unpaved roads in the Township. Between studies, staff assess and update road conditions during road patrols.
- Annual inspections of the sidewalks are performed by staff based on Minimum Maintenance Standards requirements.
- Road appurtenances are inspected on an as-needed basis by staff.

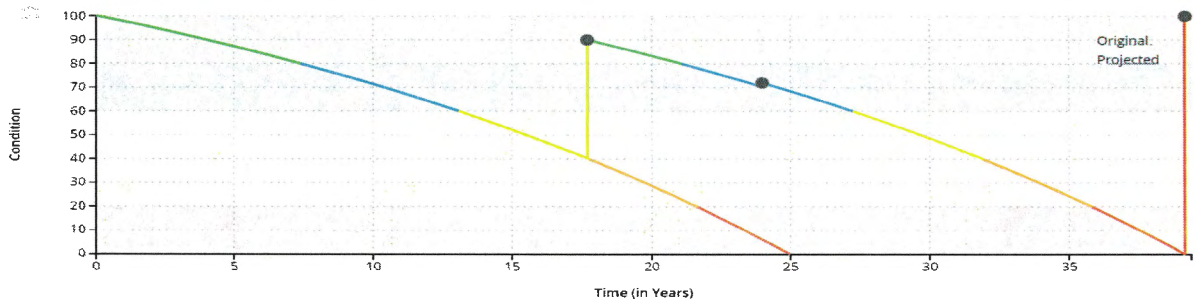
4.1.3 Lifecycle Management Strategy

The condition or performance of most assets will deteriorate over time. This process is affected by a range of factors including an asset’s characteristics, location, utilization, maintenance history and environment.

The following lifecycle strategies have been developed as a proactive approach to managing the lifecycle of Low Class Bituminous (LCB) and High Class Bituminous (HCB) roads. Instead of allowing the roads to deteriorate until replacement is required, strategic rehabilitation is expected to extend the service life of roads at a lower total cost.

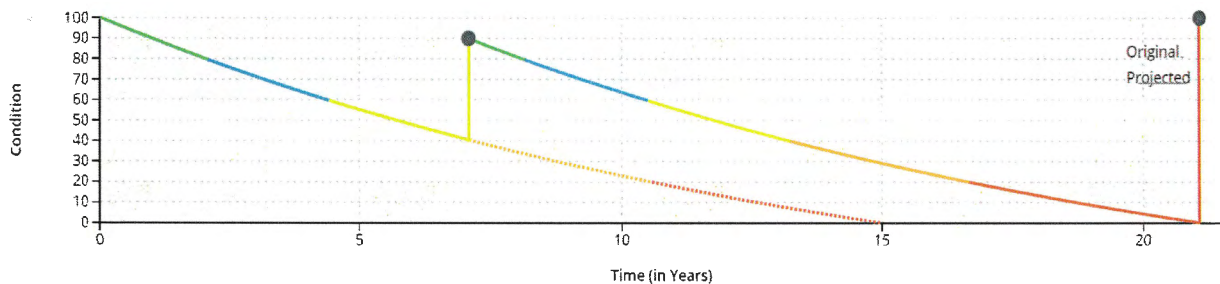
Paved Roads (HCB)

Event Name	Event Class	Event Trigger
Crack Sealing	Maintenance	70 to 90 Condition
Mill & Pave	Rehabilitation	40 to 70 Condition
Full Reconstruction	Replacement	0 to 40 Condition



Paved Roads (LCB)

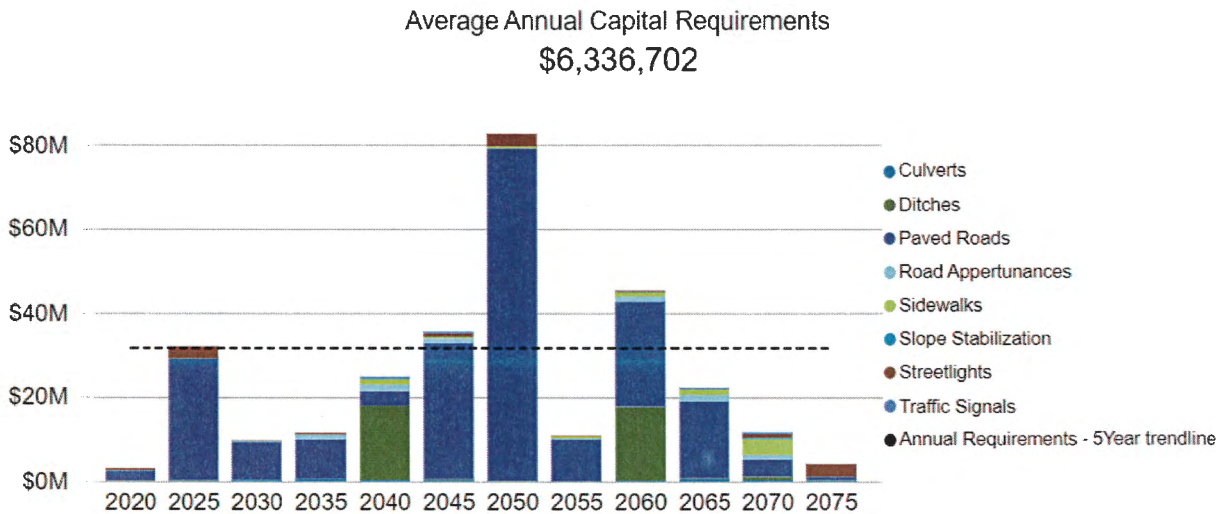
Event Name	Event Class	Event Trigger
Double Surface Treatment	Rehabilitation	40 to 70 Condition
Full Reconstruction	Replacement	0 to 40 Condition



Forecasted Capital Requirements

Based on the lifecycle strategies identified previously for paved roads, and assuming the end-of-life replacement of all other assets in this category, the following graph forecasts capital requirements for the road network.

The following graph forecasts long-term capital requirements. The annual capital requirement represents the average amount per year that the Township should allocate towards funding rehabilitation and replacement needs. The following graph identifies capital requirements over the next 55 years. This projection is used as it ensures that every asset has gone through one full iteration of replacement. The forecasted requirements are aggregated into 5-year bins and the trend line represents the average 5-year capital requirements.



The projected cost of lifecycle activities that will need to be undertaken over the next 10 years to maintain the current level of service can be found in Appendix A.

4.1.4 Risk & Criticality

Risk Matrix

The following risk matrix provides a visual representation of the relationship between the probability of failure and the consequence of failure for the assets within this asset category based on 2020 inventory data.



This is a high-level model developed for the purposes of this AMP and Township staff should review and adjust the risk model to reflect an evolving understanding of both the probability and consequences of asset failure.

The asset-specific attributes that municipal staff utilize to define and prioritize the criticality of the road network are documented below:

Probability of Failure (POF)	Consequence of Failure (COF)
Condition	Replacement Cost (Financial)
	Road Classification (Operational)

The identification of critical assets allows the Township to determine appropriate risk mitigation strategies and treatment options. Risk mitigation may include asset-specific lifecycle strategies, condition assessment strategies, or simply the need to collect better asset data.

Risks to Current Asset Management Strategies

The following section summarizes key trends, challenges, and risks to service delivery that the Township is currently facing:

Climate Change & Extreme Events



An increase in the frequency and intensity of precipitation events can result in flooding of sections of the road network. Further issues can arise because of flooding and poor drainage including accelerated deterioration caused by freeze/thaw cycles. To improve asset resiliency, Staff should identify problem areas and improve drainage through enhanced lifecycle strategies.

4.1.5 Levels of Service

The following tables identify the Township’s current level of service for the road network. These metrics include the technical and community level of service metrics that are required as part of O. Reg. 588/17 as well as any additional performance measures that the Township has selected for this AMP.

Community Levels of Service

The following table outlines the qualitative descriptions that determine the community levels of service provided by the road network.

Service Attribute	Qualitative Description	Current LOS (2020)
Scope	Description, which may include maps, of the road network in the municipality and its level of connectivity	See Appendix B
Quality	Description or images that illustrate the different levels of road class pavement condition	<p>Township staff conduct road condition assessments on a regular basis. Every road section received a surface condition rating (1-100).</p> <p>(1-60) Road surface exhibits moderate to significant deterioration and requires renewal or full replacement within 1-5 years</p> <p>(60-100) Road surface is in good condition or has been recently re-surfaced. Renewal or reconstruction is not required for 6-10+ years</p>

Technical Levels of Service

The following table outlines the quantitative metrics that determine the technical level of service provided by the road network.

Service Attribute	Technical Metric	Current LOS (2020)
Scope	Lane-km of arterial roads (MMS classes 1 and 2) per land area (km/km ²)	0
	Lane-km of collector roads (MMS classes 3 and 4) per land area (km/km ²)	0.18
	Lane-km of local roads (MMS classes 5 and 6) per land area (km/km ²)	1.4
Quality	Average pavement condition index for paved roads in the municipality	73%
	Average surface condition for unpaved roads in the municipality (e.g. excellent, good, fair, poor)	Good
Performance	Current vs. Target Reinvestment Rate	3.9% vs 1.0%

4.1.6 Recommendations

Asset Inventory

- Review road culverts and sidewalk inventory to determine whether all municipal assets within these asset segments have been accounted for.
- Further disaggregate the road network inventory to include critical attributes such as streets to and from, road class and surface type.

Lifecycle Management Strategies

- Implement the identified lifecycle management strategies for HCB and LCB roads to realize potential cost avoidance and maintain a high quality of road pavement condition.
- Evaluate the efficacy of the Township's lifecycle management strategies at regular intervals to determine the impact cost, condition and risk.

Risk Management Strategies

- Implement risk-based decision-making as part of asset management planning and budgeting processes. This should include the regular review of high-risk assets to determine appropriate risk mitigation strategies.
- Review risk models on a regular basis and adjust according to an evolving understanding of the probability and consequences of asset failure.

Levels of Service

- Continue to measure current levels of service in accordance with the metrics identified in O. Reg. 588/17 and those metrics that the Township believes to provide meaningful and reliable inputs into asset management planning.
- Work towards identifying proposed levels of service as per O. Reg. 588/17 and identify the strategies that are required to close any gaps between current and proposed levels of service.

4.2 Bridges & Culverts

Bridges and culverts represent a critical portion of the transportation services provided to the community. The Public Works department is responsible for the maintenance of all structural bridges and culverts located across the municipality with the goal of keeping them in an adequate state of repair and minimizing service disruptions.

4.2.1 Asset Inventory & Replacement Cost

The table below includes the quantity, replacement cost method and total replacement cost of each asset segment in the Township's bridges and culverts inventory.

Asset Segment	Quantity	Replacement Cost	Annual Capital Requirements
Bridges	16	\$45,319,000	\$1,622,000
Structural Culverts	6	\$3,930,000	\$122,000
		\$49,248,000	\$1,744,000

Total Replacement Cost
\$49.2M



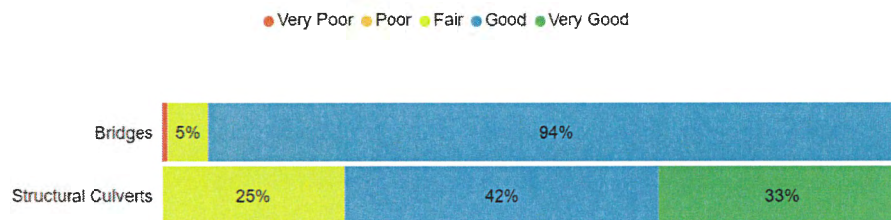
Each asset's replacement cost should be reviewed periodically to determine whether adjustments are needed to more accurately represent realistic capital requirements.

4.2.2 Asset Condition & Age

The table below identifies the current average condition, the average age, and the estimated useful life for each asset segment. The average condition (%) is a weighted value based on replacement cost.

Asset Segment	Estimated Useful Life (Years)	Average Age (Years)	Average Condition
Bridges	20-75	51.2	Good (69%)
Structural Culverts	20-75	56.8	Good (69%)
		52.4	Good (69%)

The graph below visually illustrates the average condition for each asset segment on a very good to very poor scale.



To ensure that the Township's bridges and culverts continues to provide an acceptable level of service, the Township should monitor the average condition of all assets. If the average condition declines, staff should re-evaluate their lifecycle management strategy to determine what combination of maintenance, rehabilitation, and replacement activities is required to increase the overall condition of the bridges and culverts.

Each asset's estimated useful life should also be reviewed periodically to determine whether adjustments need to be made to better align with the observed length of service life for each asset type.

Current Approach to Condition Assessment

Accurate and reliable condition data allows staff to more confidently determine the remaining service life of assets and identify the most cost-effective approach to managing assets. The following describes the Township's current approach:

- Condition assessments of all structural bridges and culverts with a span greater than or equal to 3 meters are completed every 2-4 years in accordance with the Ontario Structure Inspection Manual (OSIM)

4.2.3 Lifecycle Management Strategy

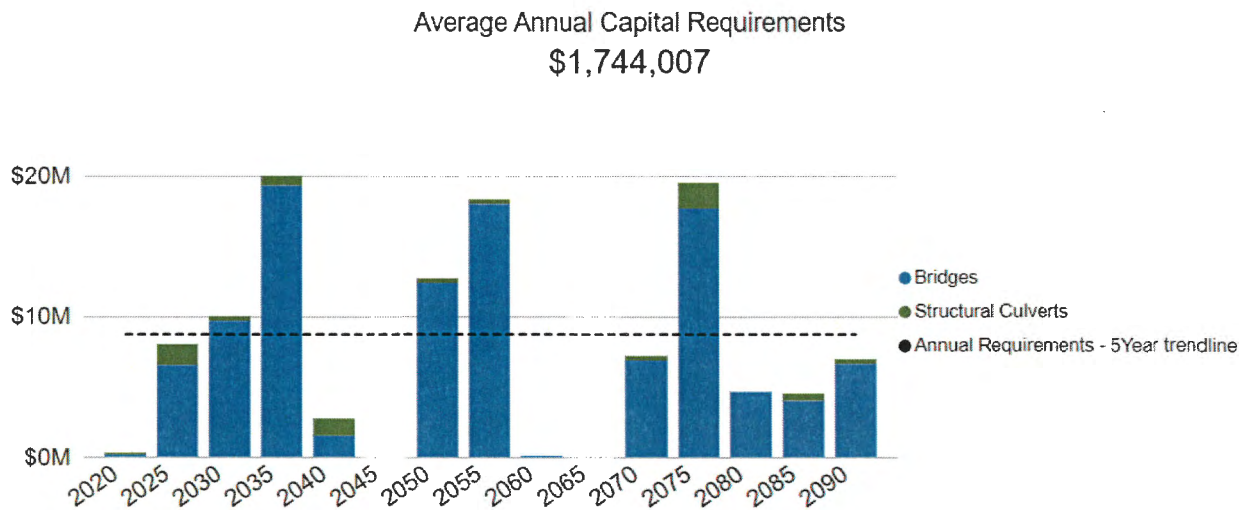
The condition or performance of most assets will deteriorate over time. To ensure that municipal assets are performing as expected and meeting the needs of customers, it is important to establish a lifecycle management strategy to proactively manage asset deterioration.

The following table outlines the Township's current lifecycle management strategy.

Activity Type	Description of Current Strategy
Maintenance, Rehabilitation and Replacement	All lifecycle activities are driven by the results of mandated structural inspections completed according to the Ontario Structure Inspection Manual (OSIM) Rehabilitation activities identified in the OSIM Report are used to maintain the current condition of the bridge, and not improve the condition. If the condition of the bridge is 65%, the strategy is to let the bridge continue to deteriorate until the end of its lifecycle then full replacement.

Forecasted Capital Requirements

The following graph forecasts long-term capital requirements. The annual capital requirement represents the average amount per year that the Township should allocate towards funding rehabilitation and replacement needs. The following graph identifies capital requirements over the next 70 years. This projection is used as it ensures that every asset has gone through one full iteration of replacement. The forecasted requirements are aggregated into 5-year bins and the trend line represents the average 5-year capital requirements.

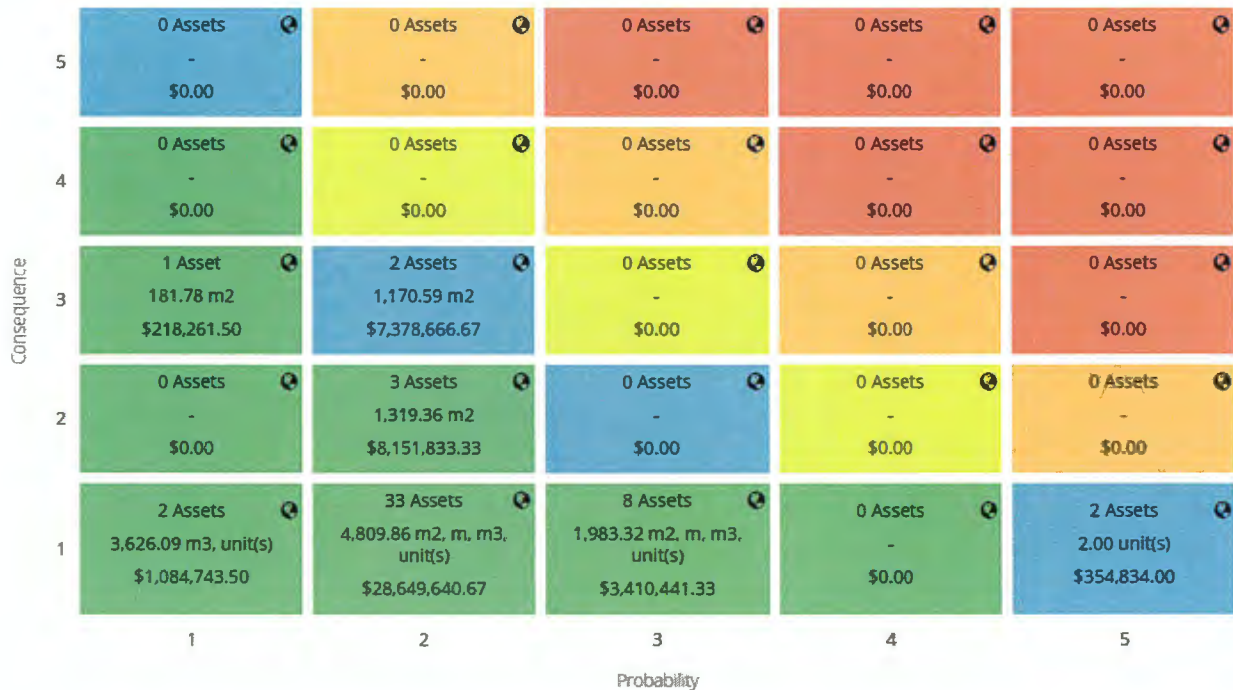


The projected cost of lifecycle activities that will need to be undertaken over the next 10 years to maintain the current level of service can be found in Appendix A.

4.2.4 Risk & Criticality

Risk Matrix

The following risk matrix provides a visual representation of the relationship between the probability of failure and the consequence of failure for the assets within this asset category based on 2020 inventory data.



This is a high-level model developed for the purposes of this AMP and Township staff should review and adjust the risk model to reflect an evolving understanding of both the probability and consequences of asset failure.

The asset-specific attributes that municipal staff utilize to define and prioritize the criticality of bridges and culverts are documented below:

Probability of Failure (POF)	Consequence of Failure (COF)
Condition	Replacement Cost (Financial)
	Number of Lanes (Social)

The identification of critical assets allows the Township to determine appropriate risk mitigation strategies and treatment options. Risk mitigation may include asset-specific lifecycle strategies, condition assessment strategies, or simply the need to collect better asset data.

Risks to Current Asset Management Strategies

The following section summarizes key trends, challenges, and risks to service delivery that the Township is currently facing:



Capital Funding Strategies

The Township has a large inventory of bridges which require regular maintenance and assessment. Major capital rehabilitation projects for bridges and culverts may be deferred depending on the availability of grant funding opportunities. A long-term capital funding strategy can reduce dependency on grant funding and help prevent deferral of necessary capital works.

4.2.5 Levels of Service

The following tables identify the Township’s current level of service for bridges and culverts. These metrics include the technical and community level of service metrics that are required as part of O. Reg. 588/17 as well as any additional performance measures that the Township has selected for this AMP.

Community Levels of Service

The following table outlines the qualitative descriptions that determine the community levels of service provided by bridges and culverts.

Service Attribute	Qualitative Description	Current LOS (2020)
Scope	Description of the traffic that is supported by municipal bridges (e.g. heavy transport vehicles, motor vehicles, emergency vehicles, pedestrians, cyclists)	Bridges and structural culverts are a key component of the municipal transportation network. Most types of vehicles, including heavy transport, motor vehicles, emergency vehicles and cyclists can cross them without restriction.
Quality	Description or images of the condition of bridges and culverts and how this would affect use of the bridges and culverts	Bridges and structural culverts receive a bridge condition index (BCI) during OSIM inspections. BCI values range from 0 to 100 and are broken into the following ranges:

70-100 BCI: Considered to be in good/excellent condition and only routine maintenance is recommended.

50-70 BCI: Considered to be in fair condition and rehabilitation is recommended within the next 5 years.

<50 BCI: Considered to be in poor/very poor condition with imminent replacement required in the next 1-3 years.

Technical Levels of Service

The following table outlines the quantitative metrics that determine the technical level of service provided by bridges and culverts.

Service Attribute	Technical Metric	Current LOS (2020)
Scope	% of bridges and structural culverts in the Township with loading or dimensional restrictions	4%
Quality	Average bridge condition index value for bridges in the Township	69%
	Average bridge condition index value for structural culverts in the Township	69%
Performance	Current vs. Target Reinvestment Rate	3.5% vs 0.1%

4.2.6 Recommendations

Data Review

- Continue to review and validate inventory data, assessed condition data and replacement costs for all bridges and structural culverts upon the completion of OSIM inspections every 2-4 years.

Risk Management Strategies

- Implement risk-based decision-making as part of asset management planning and budgeting processes. This should include the regular review of high-risk assets to determine appropriate risk mitigation strategies.
- Review risk models on a regular basis and adjust according to an evolving understanding of the probability and consequences of asset failure.

Lifecycle Management Strategies

- Update and schedule lifecycle events, those recommended from OSIMs as well, into Citywide database to improve capital forecasting.

Levels of Service

- Continue to measure current levels of service in accordance with the metrics identified in O. Reg. 588/17 and those metrics that the Township believe to provide meaningful and reliable inputs into asset management planning.
- Work towards identifying proposed levels of service as per O. Reg. 588/17 and identify the strategies that are required to close any gaps between current and proposed levels of service.

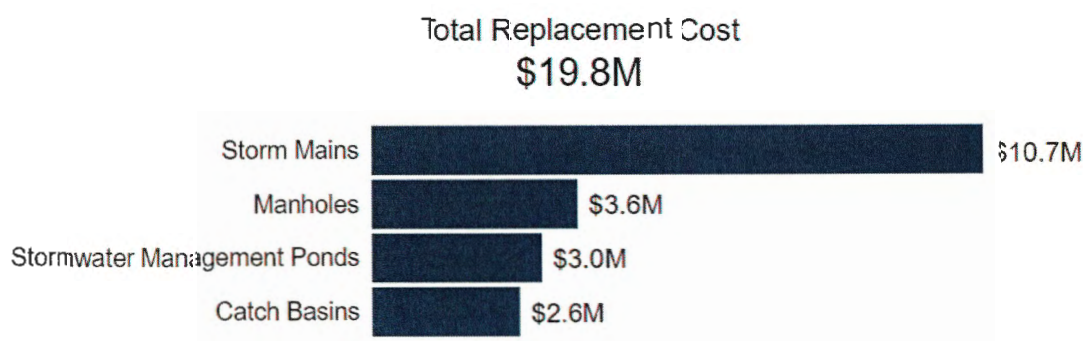
4.3 Storm Network

The Township is responsible for owning and maintaining a storm network of 29 kms of storm sewer mains, catch basins, stormwater management ponds, and other supporting infrastructure. Presently, the storm network inventory for the Township is in a basic state. Staff are actively working towards developing a more comprehensive inventory for the storm network.

4.3.1 Asset Inventory & Replacement Cost

The table below includes the quantity, replacement cost method and total replacement cost of each asset segment in the Township’s storm network inventory.

Asset Segment	Quantity	Replacement Cost	Annual Capital Requirements
Catch Basins	798	\$2,571,000	\$51,000
Headwalls	8	Not Planned for Replacement	
Manholes	450	\$3,583,000	\$72,000
Storm Mains	29,429	\$10,653,000	\$133,000
Stormwater Management Ponds	10 ³	\$2,952,000	\$71,000
		\$19,758,000	\$327,000



Each asset’s replacement cost should be reviewed periodically to determine whether adjustments are needed to more accurately represent realistic capital requirements.

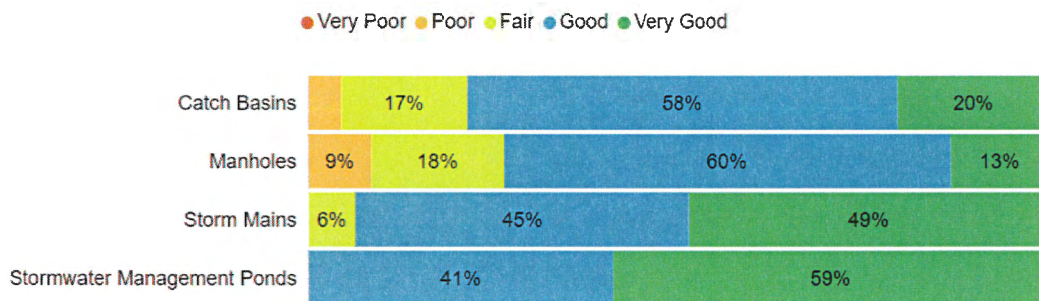
³ Staff are currently reviewing and developing a comprehensive inventory of all stormwater ponds.

4.3.2 Asset Condition & Age

The table below identifies the current average condition, the average age, and the estimated useful life for each asset segment. The average condition (%) is a weighted value based on replacement cost.

Asset Segment	Estimated Useful Life (Years)	Average Age (Years)	Average Condition
Catch Basins	50	17.3	Good (68%)
Manholes	50	17.5	Good (64%)
Storm Mains	80	17.9	Good (78%)
Stormwater Management Ponds	60	9.6	Very Good (83%)
		17.5	Good (75%)

The graph below visually illustrates the average condition for each asset segment on a very good to very poor scale.



To ensure that the Township’s storm network continues to provide an acceptable level of service, the Township should monitor the average condition of all assets. If the average condition declines, staff should re-evaluate their lifecycle management strategy to determine what combination of maintenance, rehabilitation and replacement activities is required to increase the overall condition of the stormwater network.

Each asset’s Estimated Useful Life should be reviewed periodically to determine whether adjustments need to be made to better align with the observed length of service life for each asset type.

Current Approach to Condition Assessment

Accurate and reliable condition data allows staff to more confidently determine the remaining service life of assets and identify the most cost-effective approach to managing assets. The following describes the Township's current approach:

- Storm mains are inspected through CCTV inspections on a project-by-project basis.
- Stormwater point assets are inspected on an as-needed basis, in coordination with other water and sanitary assets.

4.3.3 Lifecycle Management Strategy

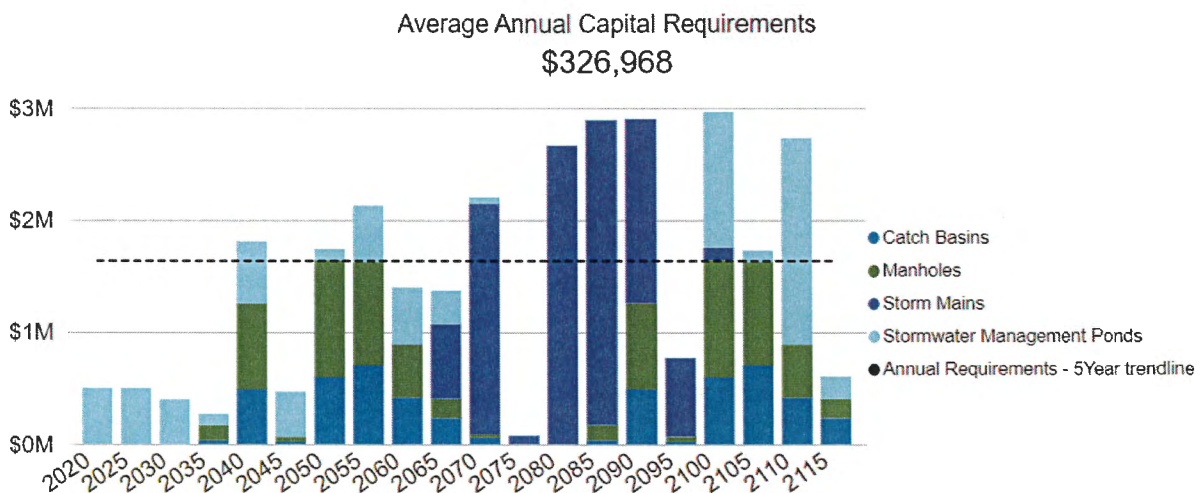
The condition or performance of most assets will deteriorate over time. To ensure that municipal assets are performing as expected and meeting the needs of customers, it is important to establish a lifecycle management strategy to proactively manage asset deterioration.

The following table outlines the Township’s current lifecycle management strategy.

Activity Type	Description of Current Strategy
Maintenance & Rehabilitation	Catch basin cleaning occurs on an annual basis Manholes are rehabilitated and replaced as needed
Replacement	Replacement is prioritized based on available condition information, criticality and in coordination with other underground replacement projects. Storm mains are typically replaced with polyvinyl chloride (PVC) pipes because of their durability.

Forecasted Capital Requirements

The following graph forecasts long-term capital requirements. The annual capital requirement represents the average amount per year that the Township should allocate towards funding rehabilitation and replacement needs. The following graph identifies capital requirements over the next 95 years. This projection is used as it ensures that every asset has gone through one full iteration of replacement. The forecasted requirements are aggregated into 5-year bins and the trend line represents the average 5-year capital requirements.



The projected cost of lifecycle activities that will need to be undertaken over the next 10 years to maintain the current level of service can be found in Appendix A.

4.3.4 Risk & Criticality

Risk Matrix

The following risk matrix provides a visual representation of the relationship between the probability of failure and the consequence of failure for the assets within this asset category based on 2020 inventory data.



This is a high-level model developed for the purposes of this AMP and Township staff should review and adjust the risk model to reflect an evolving understanding of both the probability and consequences of asset failure.

The asset-specific attributes that municipal staff utilize to define and prioritize the criticality of the storm network are documented below:

Probability of Failure (POF)	Consequence of Failure (COF)
Condition	Replacement Cost (Financial)
	Pipe Diameter (Operational)

The identification of critical assets allows the Township to determine appropriate risk mitigation strategies and treatment options. Risk mitigation may include asset-specific lifecycle strategies, condition assessment strategies, or simply the need to collect better asset data.

Risks to Current Asset Management Strategies

The following section summarizes key trends, challenges, and risks to service delivery that the Township is currently facing:



Asset Data & Information

There is a lack of confidence in the available inventory data for storm sewers. Staff hope to develop better defined strategies that will extend the network's lifecycle, increase capacity for growth, and the lower total cost. Once completed there will be greater confidence in the development of data-driven strategies to address infrastructure needs.

4.3.5 Levels of Service

The following tables identify the Township’s current level of service for the storm network. These metrics include the technical and community level of service metrics that are required as part of O. Reg. 588/17 as well as any additional performance measures that the Township has selected for this AMP.

Community Levels of Service

The following table outlines the qualitative descriptions that determine the community levels of service provided by the storm network.

Service Attribute	Qualitative Description	Current LOS (2020)
Scope	Description, which may include map, of the user groups or areas of the municipality that are protected from flooding, including the extent of protection provided by the municipal stormwater system	See Appendix B

Technical Levels of Service

The following table outlines the quantitative metrics that determine the technical level of service provided by the stormwater network.

Service Attribute	Technical Metric	Current LOS (2020)
Scope	% of properties in municipality resilient to a 100-year storm	TBD ⁴
	% of the municipal stormwater management system resilient to a 5-year storm	100%
Performance	Current vs. Target Reinvestment Rate	1.6% vs 0.1%

⁴ Data is not presently available to determine the percent of properties in the municipality resilient to a 100-year storm. Staff are working to identify this metric in future AMP iterations

4.3.6 Recommendations

Asset Inventory

- The Township's storm network inventory remains at a basic level of maturity. The development of a comprehensive inventory of the stormwater network should be priority.
- The Township should continue to work towards including all storm water management ponds in their Citywide inventory.

Condition Assessment Strategies

- The development of a comprehensive inventory should be accompanied by a system-wide assessment of the condition of all assets in the storm network.

Risk Management Strategies

- Implement risk-based decision-making as part of asset management planning and budgeting processes. This should include the regular review of high-risk assets to determine appropriate risk mitigation strategies.
- Review risk models on a regular basis and adjust according to an evolving understanding of the probability and consequences of asset failure.

Lifecycle Management Strategies

- Document and review lifecycle management strategies for the stormwater network on a regular basis to achieve the lowest total cost of ownership while maintaining adequate service levels.

Levels of Service

- Continue to measure current levels of service in accordance with the metrics identified in O. Reg. 588/17 and those metrics that the Township believe to provide meaningful and reliable inputs into asset management planning
- Work towards identifying proposed levels of service as per O. Reg. 588/17 and identify the strategies that are required to close any gaps between current and proposed levels of service.

4.4 Buildings

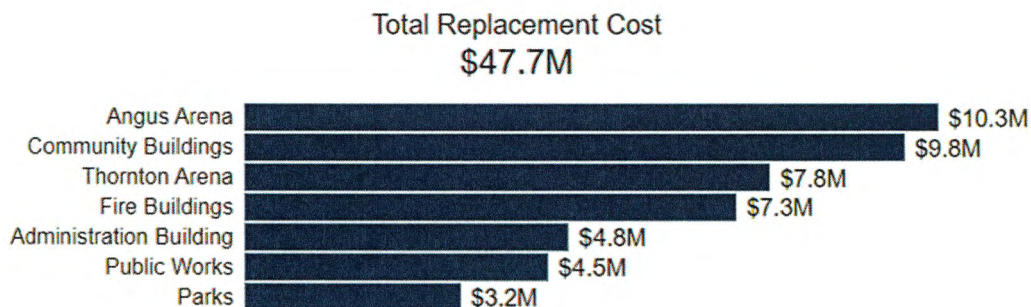
The Township of Essa owns and maintains several facilities and recreation centres that provide key services to the community. These include:

- administrative offices
- fire stations and associated offices and facilities
- public works garages
- arenas and community centres

4.4.1 Asset Inventory & Replacement Cost

The table below includes the quantity, replacement cost method and total replacement cost of each asset segment in the Township's buildings inventory.

Asset Segment	Quantity (Components)	Replacement Cost	Annual Capital Requirements
Administration Building	1 (4)	\$4,800,000	\$137,000
Angus Arena	1 (15)	\$10,300,001	\$342,000
Community Buildings	4 (12)	\$9,799,998	\$290,000
Fire Buildings	2 (7)	\$7,300,000	\$198,000
Parks	1 (16)	\$3,200,000	\$79,000
Public Works	2 (9)	\$4,500,000	\$130,000
Thornton Arena	1 (18)	\$7,800,001	\$341,000
		\$47,700,000	\$1,517,000



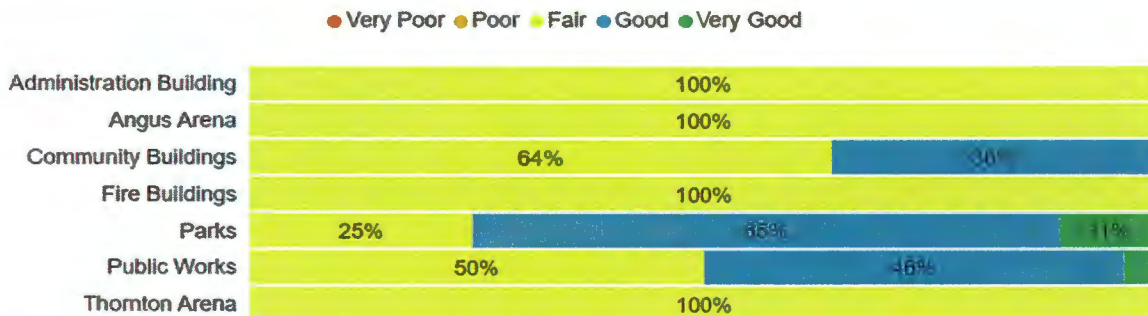
Each asset's replacement cost should be reviewed periodically to determine whether adjustments are needed to more accurately represent realistic capital requirements.

4.4.2 Asset Condition & Age

The table below identifies the current average condition, the average age, and the estimated useful life for each asset segment. The average condition (%) is a weighted value based on replacement cost.

Asset Segment	Estimated Useful Life (Years)	Average Age (Years)	Average Condition
Administration Building	20-40	14.1	Fair (50%)
Angus Arena	13-40	12.8	Fair (50%)
Community Buildings	20-40	13.8	Fair (59%)
Fire Buildings	20-40	25.9	Fair (45%)
Parks	20-50	9.1	Good (70%)
Public Works	15-40	20.2	Fair (65%)
Thornton Arena	15-40	9.8	Fair (50%)
		13.6	Fair (54%)

The graph below visually illustrates the average condition for each asset segment on a very good to very poor scale.



To ensure that the Township's buildings continues to provide an acceptable level of service, the Township should monitor the average condition of all assets. If the average condition declines, staff should re-evaluate their lifecycle management strategy to determine what combination of maintenance, rehabilitation and replacement activities is required to increase the overall condition of the buildings and facilities.

Each asset's Estimated Useful Life should be reviewed periodically to determine whether adjustments need to be made to better align with the observed length of service life for each asset type.

Current Approach to Condition Assessment

Accurate and reliable condition data allows staff to more confidently determine the remaining service life of assets and identify the most cost-effective approach to managing assets. The following describes the Township's current approach:

- Visual inspections are completed by staff on a regular basis.
- A third-party contractor conducts required health and safety inspections on a monthly basis in accordance with Technical Standards and Safety Authority (TSSA).
- Structural inspections are completed by an external contractor, primarily on the recreation buildings, every 4-5 years, with the most recent being in 2018
- Specific components such as elevators, HVAC, and generators are inspected as required by manufacturer recommendations and/or Building Code Act requirements.

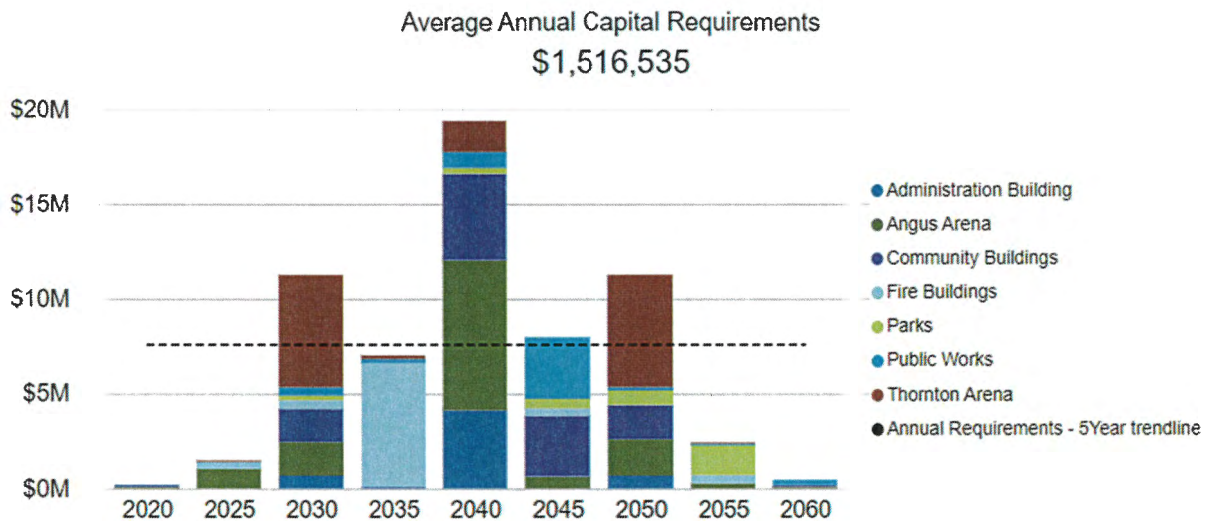
4.4.3 Lifecycle Management Strategy

The condition or performance of most assets will deteriorate over time. To ensure that municipal assets are performing as expected and meeting the needs of customers, it is important to establish a lifecycle management strategy to proactively manage asset deterioration. The following table outlines the Township's current lifecycle management strategy.

Activity Type	Description of Current Strategy
Maintenance / Rehabilitation	Municipal buildings are subject to regular inspections to identify health & safety requirements as well as structural deficiencies that require additional attention
	Regular maintenance is performed on the buildings based on staff expertise, and recommendations that arise from external structural inspections
Replacement	Recommendations from assessments are taken into consideration as buildings approach their end-of-life to determine whether replacement or rehabilitation is appropriate

Forecasted Capital Requirements

The following graph forecasts long-term capital requirements. The annual capital requirement represents the average amount per year that the Township should allocate towards funding rehabilitation and replacement needs. The following graph identifies capital requirements over the next 40 years. This projection is used as it ensures that every asset has gone through one full iteration of replacement. The forecasted requirements are aggregated into 5-year bins and the trend line represents the average 5-year capital requirements.



The projected cost of lifecycle activities that will need to be undertaken over the next 10 years to maintain the current level of service can be found in Appendix A.

4.4.4 Risk & Criticality

Risk Matrix

The following risk matrix provides a visual representation of the relationship between the probability of failure and the consequence of failure for the assets within this asset category based on 2020 inventory data.



This is a high-level model developed for the purposes of this AMP and Township staff should review and adjust the risk model to reflect an evolving understanding of both the probability and consequences of asset failure.

The asset-specific attributes that municipal staff utilize to define and prioritize the criticality of buildings and facilities are documented below:

Probability of Failure (POF)	Consequence of Failure (COF)
Condition	Replacement Cost (Financial)
	Department (Health and Safety)
	Natural Disaster Management Facility (Health and Safety)

The identification of critical assets allows the Township to determine appropriate risk mitigation strategies and treatment options. Risk mitigation may include asset-specific lifecycle strategies, condition assessment strategies, or simply the need to collect better asset data.

Risks to Current Asset Management Strategies

The following section summarizes key trends, challenges, and risks to service delivery that the Township is currently facing:



Climate Change & Extreme Events

Extreme heat experienced in the Township due to climate change has begun to affect the refrigeration capabilities in the Arena, making it difficult to ensure the Arena is functional during hockey season to meet the Township's needs. Additionally, rain and extreme weather has had an impact on the condition of the buildings, leading to an increased rate of deterioration.



Community Growth

As the Township's population continues to grow, the buildings and facilities in the Township no longer have sufficient capacity to meet community needs and expectations. In particular, the Arena does not meet the growing communities needs due to capacity

4.4.5 Levels of Service

The following tables identify the Township’s current level of service for buildings. These metrics include the technical and community level of service metrics that the Township has selected for this AMP.

Community Levels of Service

The following table outlines the qualitative descriptions that determine the community levels of service provided by buildings

Service Attribute	Qualitative Description	Current LOS (2020)
Scope	Description of the current condition of municipal facilities and the plans that are in place to maintain or improve the provided level of service	The overall condition of the buildings in the Township is fair. The Township staff plan to continue to perform condition assessments for their buildings to identify required maintenance and rehabilitation activities to ensure the state of the buildings remains in adequate condition

Technical Levels of Service

The following table outlines the quantitative metrics that determine the technical level of service provided by buildings.

Service Attribute	Technical Metric	Current LOS (2020)
Scope	% of facilities that are in good or very good condition	17%
	% of facilities that are in poor or very poor condition	0%
Performance	% of buildings that meet AODA compliance	TBD ⁵
	Current vs. Target Reinvestment Rate	3.2% vs 0.1%

⁵ Staff are working towards measuring this metric in future iterations of the AMP

4.4.6 Recommendations

Asset Inventory

- The Township's asset inventory is presently broken out into components for some facilities but can be further componentized. Facilities consist of several separate capital components that have unique estimated useful lives and require asset-specific lifecycle strategies. Staff should work towards a component-based inventory of all facilities to allow for component-based lifecycle planning.
- Gather accurate replacement costs and update on a regular basis to ensure the accuracy of capital projections.

Condition Assessment Strategies

- The Township should implement regular condition assessments for all facilities to better inform short- and long-term capital requirements.

Risk Management Strategies

- Implement risk-based decision-making as part of asset management planning and budgeting processes. This should include the regular review of high-risk assets to determine appropriate risk mitigation strategies.
- Review risk models on a regular basis and adjust according to an evolving understanding of the probability and consequences of asset failure.

Levels of Service

- Begin measuring current levels of service in accordance with the metrics that the Township has established in this AMP. Additional metrics can be established as they are determined to provide meaningful and reliable inputs into asset management planning.
- Conduct an accessibility assessment on all critical buildings with human occupancy.
- Work towards identifying proposed levels of service as per O. Reg. 588/17 and identify the strategies that are required to close any gaps between current and proposed levels of service.

4.5 Vehicles

Vehicles allow staff to efficiently deliver municipal services and personnel. Municipal vehicles are used to support several service areas, including:

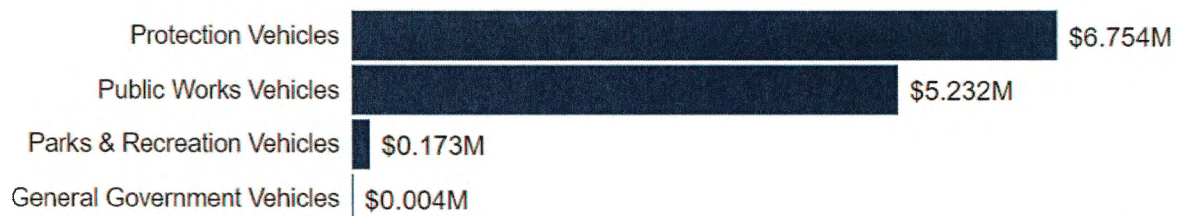
- fire rescue vehicles
- pick-up trucks
- backhoes, bulldozers and graders

4.5.1 Asset Inventory & Replacement Cost

The table below includes the quantity, replacement cost method and total replacement cost of each asset segment in the Township's vehicles.

Asset Segment	Quantity	Replacement Cost	Annual Capital Requirements
General Government Vehicles	2	\$4,000	\$400
Parks & Recreation Vehicles	4	\$173,000	\$15,000
Protection Vehicles	13	\$6,754,000	\$379,000
Public Works Vehicles	28	\$5,232,000	\$363,000
		\$12,163,000	\$757,000

Total Replacement Cost
\$12.2M



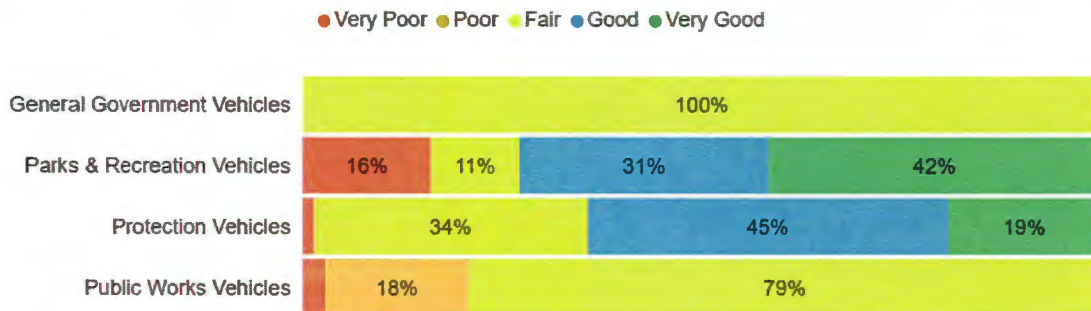
Each asset's replacement cost should be reviewed periodically to determine whether adjustments are needed to more accurately represent realistic capital requirements.

4.5.2 Asset Condition & Age

The table below identifies the current average condition, the average age, and the estimated useful life for each asset segment. The average condition (%) is a weighted value based on replacement cost.

Asset Segment	Estimated Useful Life (Years)	Average Age (Years)	Average Condition
General Government Vehicles	10	10.0	Fair (49%)
Parks & Recreation Vehicles	10-15	6.7	Good (66%)
Protection Vehicles	8-20	6.3	Good (66%)
Public Works Vehicles	7-20	10.7	Fair (44%)
		9.1	Fair (56%)

The graph below visually illustrates the average condition for each asset segment on a very good to very poor scale.



To ensure that the Township's Vehicles continue to provide an acceptable level of service, the Township should monitor the average condition of all assets. If the average condition declines, staff should re-evaluate their lifecycle management strategy to determine what combination of maintenance, rehabilitation and replacement activities is required to increase the overall condition of the vehicles.

Each asset's Estimated Useful Life should be reviewed periodically to determine whether adjustments need to be made to better align with the observed length of service life for each asset type.

Current Approach to Condition Assessment

Accurate and reliable condition data allows staff to more confidently determine the remaining service life of assets and identify the most cost-effective approach to managing assets. The following describes the Township's current approach:

- Staff complete daily visual inspections of vehicles to ensure they are in state of adequate repair prior to operation and document deficiencies
- Annual Commercial Vehicle Operators Registration (CVOR) inspections are completed for applicable vehicles, including vehicles with Z designation (air brakes)
- Fire vehicles are assessed annually in compliance with the National Fire Protection Association (NFPA).

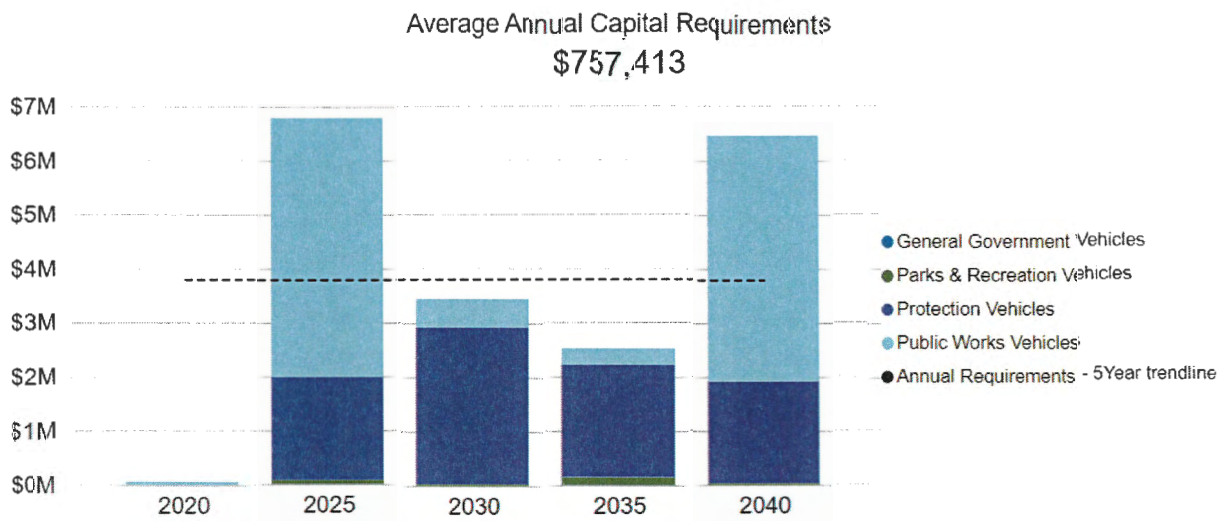
4.5.3 Lifecycle Management Strategy

The condition or performance of most assets will deteriorate over time. To ensure that municipal assets are performing as expected and meeting the needs of customers, it is important to establish a lifecycle management strategy to proactively manage asset deterioration. The following table outlines the Township's current lifecycle management strategy.

Activity Type	Description of Current Strategy
Maintenance / Rehabilitation	Visual inspections are completed and documented daily Annual preventative maintenance activities include rusting spray completed by contractors for all vehicles
Replacement	Vehicle age, kilometres and annual repair costs are taken into consideration when determining appropriate treatment options Fire vehicles have a replacement schedule based on National Fire Protection Association (NFPA) guidelines

Forecasted Capital Requirements

The following graph forecasts long-term capital requirements. The annual capital requirement represents the average amount per year that the Township should allocate towards funding rehabilitation and replacement needs. The following graph identifies capital requirements over the next 20 years. This projection is used as it ensures that every asset has gone through one full iteration of replacement. The forecasted requirements are aggregated into 5-year bins and the trend line represents the average 5-year capital requirements.



The projected cost of lifecycle activities that will need to be undertaken over the next 10 years to maintain the current level of service can be found in Appendix A.

4.5.4 Risk & Criticality

Risk Matrix

The following risk matrix provides a visual representation of the relationship between the probability of failure and the consequence of failure for the assets within this asset category based on 2020 inventory data.



This is a high-level model developed for the purposes of this AMP and Township staff should review and adjust the risk model to reflect an evolving understanding of both the probability and consequences of asset failure.

The asset-specific attributes that municipal staff utilize to define and prioritize the criticality of vehicles are documented below:

Probability of Failure (POF)	Consequence of Failure (COF)
Condition	Replacement Cost (Financial)
	Function (Health and Safety)

The identification of critical assets allows the Township to determine appropriate risk mitigation strategies and treatment options. Risk mitigation may include asset-specific lifecycle strategies, condition assessment strategies, or simply the need to collect better asset data.

Risks to Current Asset Management Strategies

The following section summarizes key trends, challenges, and risks to service delivery that the Township is currently facing:



Organizational Cognizance/Capacity

Both short- and long-term planning requires the regular collection of infrastructure data to support asset management decision-making. Staff find it a continuous challenge to dedicate resources and time towards data collection and condition assessments to ensure that vehicle condition and asset attribute data is regularly reviewed and updated.



Capital Funding Strategies

Capital rehabilitation and replacement projects can be costly for the Township, and there is sometimes not sufficient funding to complete the required rehabilitation or replace a vehicle when needed.

4.5.5 Levels of Service

The following tables identify the Township’s current level of service for vehicles. These metrics include the technical and community level of service metrics that the Township has selected for this AMP.

Community Levels of Service

The following table outlines the qualitative descriptions that determine the community levels of service provided by vehicles.

Service Attribute	Qualitative Description	Current LOS (2020)
Scope	Description of the current condition of municipal vehicles and the plans that are in place to maintain or improve the provided level of service	The overall condition of the vehicles in the Township is fair. The daily inspections completed by Township staff have been effective in identifying required maintenance and rehabilitation activities to ensure the state of the vehicles remain in adequate condition

Technical Levels of Service

The following table outlines the quantitative metrics that determine the technical level of service provided by vehicles.

Service Attribute	Technical Metric	Current LOS (2020)
Scope	% of vehicles that are in good or very good condition (excluding fire vehicles)	2.3%
	% of fire vehicles that are in good or very good condition	64%
	% of vehicles that are in poor or very poor condition (excluding fire vehicles)	21%
	% of fire vehicles that are in poor or very poor condition	1.4%
	Lead time for replacement of light duty vehicles	6 month
	Lead time for replacement of heavy duty vehicles	18 months
	Lead time for replacement of fire vehicles	2 Years
	% of vehicles that are fuel efficient	TBD ⁶
Performance	Annual current vs. target reinvestment rate for vehicles	6.2% vs 4.7%

⁶ Staff are interested in tracking the fuel efficiency of their vehicles moving forward.

4.5.6 Recommendations

Replacement Costs

- Gather accurate replacement costs and update on a regular basis to ensure the accuracy of capital projections.

Condition Assessment Strategies

- Identify condition assessment strategies for high value and high-risk equipment.
- Review assets that have surpassed their estimated useful life to determine if immediate replacement is required or whether these assets are expected to remain in-service. Adjust the service life and/or condition ratings for these assets accordingly.

Risk Management Strategies

- Implement risk-based decision-making as part of asset management planning and budgeting processes. This should include the regular review of high-risk assets to determine appropriate risk mitigation strategies.
- Review risk models on a regular basis and adjust according to an evolving understanding of the probability and consequences of asset failure.

Levels of Service

- Begin measuring current levels of service in accordance with the metrics that the Township has established in this AMP. Additional metrics can be established as they are determined to provide meaningful and reliable inputs into asset management planning.
- Work towards identifying proposed levels of service as per O. Reg. 588/17 and identify the strategies that are required to close any gaps between current and proposed levels of service.

4.6 Machinery & Equipment

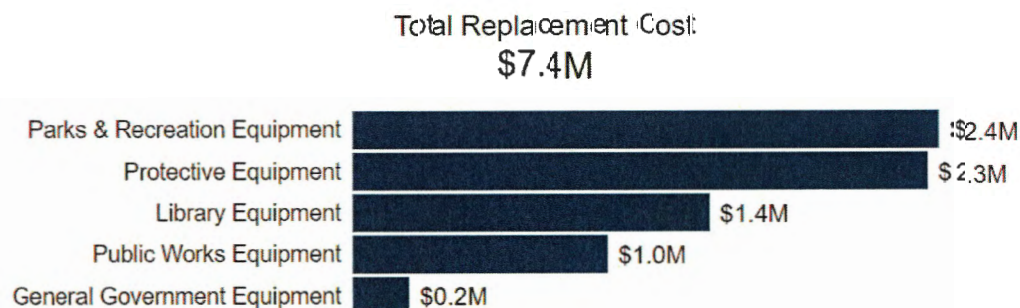
In order to maintain the high quality of public infrastructure and support the delivery of core services, Township staff own and employ various types of machinery and equipment. This includes:

- Landscaping equipment
- Fire equipment
- Library collections

4.6.1 Asset Inventory & Replacement Cost

The following table includes the quantity, replacement cost method and total replacement cost of each asset segment in the Township's machinery and equipment inventory.

Asset Segment	Quantity	Replacement Cost	Annual Capital Requirements
General Government Equipment	4	\$228,000	\$14,000
Library Equipment	741	\$1,435,000	\$127,000
Parks & Recreation Equipment	91	\$2,357,000	\$130,000
Protective Equipment	900	\$2,312,000	\$176,000
Public Works Equipment	20	\$1,022,000	\$67,000
		\$7,354,000	\$515,000



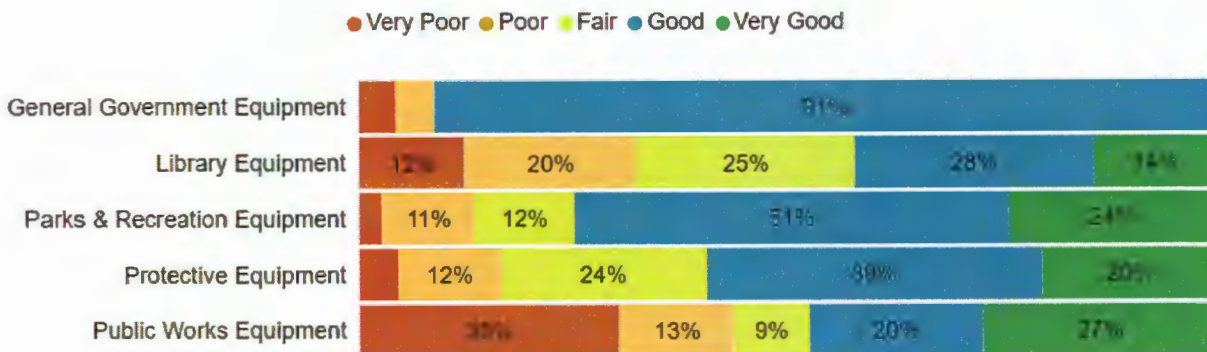
Each asset's replacement cost should be reviewed periodically to determine whether adjustments are needed to more accurately represent realistic capital requirements.

4.6.2 Asset Condition & Age

The table below identifies the current average condition, the average age, and the estimated useful life for each asset segment. The average condition (%) is a weighted value based on replacement cost.

Asset Segment	Estimated Useful Life (Years)	Average Age (Years)	Average Condition
General Government Equipment	5-20	5.7	Good (65%)
Library Equipment	5-40	5.1	Fair (54%)
Parks & Recreation Equipment	5-30	13.2	Good (66%)
Potective Equipment	5-35	5.1	Good (61%)
Public Works Equipment	10-50	8.7	Fair (46%)
		6.2	Fair (59%)

The graph below visually illustrates the average condition for each asset segment on a very good to very poor scale.



To ensure that the Township's machinery and equipment continues to provide an acceptable level of service, the Township should monitor the average condition of all assets. If the average condition declines, staff should re-evaluate their lifecycle management strategy to determine what combination of maintenance, rehabilitation and replacement activities is required to increase the overall condition of the machinery and equipment.

Each asset's Estimated Useful Life should be reviewed periodically to determine whether adjustments need to be made to better align with the observed length of service life for each asset type.

Current Approach to Condition Assessment

Accurate and reliable condition data allows staff to more confidently determine the remaining service life of assets and identify the most cost-effective approach to managing assets. The following describes the Township's current approach:

- Fire equipment is inspected in accordance with national fire protection association (NFPA). Self-contained breathing apparatuses (SCBAs) also undergo hydrostatic testing annually.
- Annual fire hose testing is completed and given a pass/fail
- Specific components such as generators, HVAC, and elevators are assessed on a cyclical basis as is required by the Building Code Act and manufacturer recommendations.
- Playground equipment is assessed by certified staff based on Canadian Standards Association (CSA) guidelines

4.6.3 Lifecycle Management Strategy

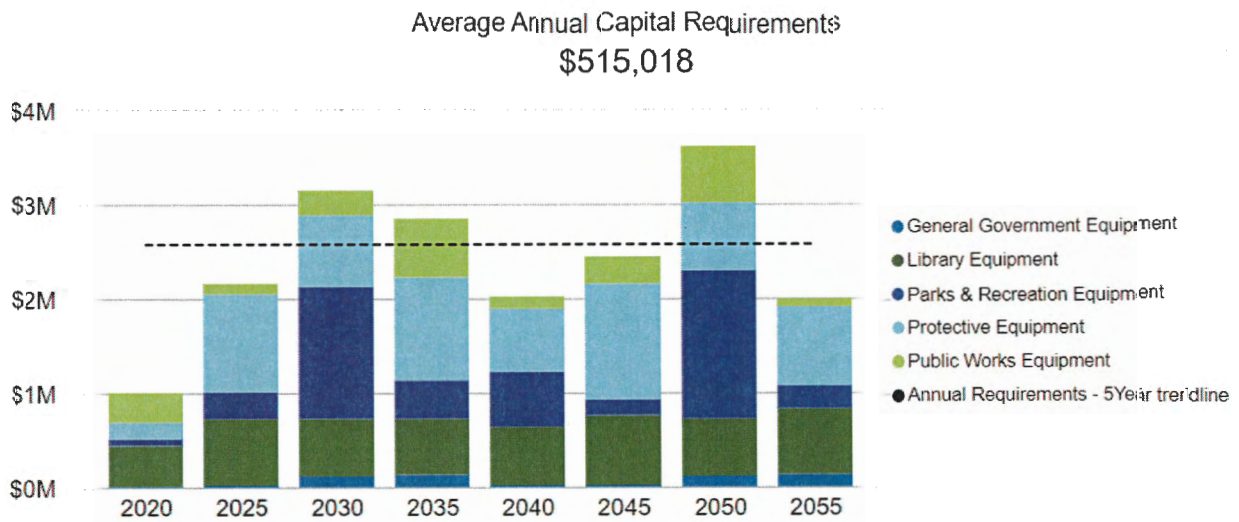
The condition or performance of most assets will deteriorate over time. To ensure that municipal assets are performing as expected and meeting the needs of customers, it is important to establish a lifecycle management strategy to proactively manage asset deterioration.

The following table outlines the Township's current lifecycle management strategy.

Activity Type	Description of Current Strategy
Maintenance/ Rehabilitation	Maintenance program varies by department
	Fire Protection Services equipment is subject to a much more rigorous inspection and maintenance program compared to most other departments
Replacement	Machinery and equipment is maintained according to manufacturer recommended actions and supplemented by the expertise of municipal staff
	The replacement of machinery and equipment depends on deficiencies identified by operators that may impact their ability to complete required tasks, and identified standards for fire and playground equipment

Forecasted Capital Requirements

The following graph forecasts long-term capital requirements. The annual capital requirement represents the average amount per year that the Township should allocate towards funding rehabilitation and replacement needs. The following graph identifies capital requirements over the next 35 years. This projection is used as it ensures that every asset has gone through one full iteration of replacement. The forecasted requirements are aggregated into 5-year bins and the trend line represents the average 5-year capital requirements.



The projected cost of lifecycle activities that will need to be undertaken over the next 10 years to maintain the current level of service can be found in Appendix A.

4.6.4 Risk & Criticality

Risk Matrix

The following risk matrix provides a visual representation of the relationship between the probability of failure and the consequence of failure for the assets within this asset category based on 2020 inventory data.



This is a high-level model developed for the purposes of this AMP and Township staff should review and adjust the risk model to reflect an evolving understanding of both the probability and consequences of asset failure.

The asset-specific attributes that municipal staff utilize to define and prioritize the criticality of machinery and equipment are documented below:

Probability of Failure (POF)	Consequence of Failure (COF)
Condition	Replacement Cost (Financial)
	Department (Health and Safety)

The identification of critical assets allows the Township to determine appropriate risk mitigation strategies and treatment options. Risk mitigation may include asset-specific lifecycle strategies, condition assessment strategies, or simply the need to collect better asset data.

Risks to Current Asset Management Strategies

The following section summarizes key trends, challenges, and risks to service delivery that the Township is currently facing:



Regulatory Requirements

Regulatory requirements and standards mandate the replacement of many municipally owned machinery, particularly fire assets. While an asset may still be in good condition, it must be replaced based regulatory requirements due to its age. A concern for the Township is aging assets, risking fire elements not meeting safety requirements. Although this is not a concern currently, it may become critical over time if fire assets are not managed proactively.



COVID 19 & Asset Availability

The Township has identified that they are experiencing very long lead times to get equipment, particularly public works and fire equipment. The COVID 19 pandemic has increased lead time and caused issues with availability of equipment for many municipalities. Due to the strict replacement requirements for fire equipment, it is necessary for the Township to be even more proactive when considering replacement date of assets, to ensure the assets will be available when their service life has expired.



TOWNSHIP OF ESSA STAFF REPORT

STAFF REPORT NO.: PD018-22

DATE: September 7th, 2022

TO: Committee of the Whole

FROM: Shayne Connors, BAH, M.Sc.
Intermediate Planner | MHBC Planning

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

Aimee Powell, B.URPI., MPA, MCIP, RPP
Manager of Planning and Development

SUBJECT: More Homes for Everyone Act, 2022 Summary Report & Delegation of Site Plan Approval – Bill 109

RECOMMENDATION

That Staff Report PD018-22 be received for information; and

That a by-law be enacted to amend By-Law 2022-11, as amended, attached as Attachment 1 to Staff Report No. PD018-22, to update the Township’s Delegation of Powers and Duties by the Municipality By-law in order to further delegate site plan approval authority to the Chief Administrative Officer (CAO) or, in the CAO’s absence, the Manager of Planning and Development, in accordance with Section 41 of the *Planning Act*.

BACKGROUND

Council, on February 16, 2022, passed By-law 2022-11 (Attachment 1) delegating certain authorities under the *Planning Act* including delegating the approval of minor site plan applications to the CAO or Manager of Planning and Development. Major applications were not delegated and remain subject to the approval of Council.

On April 14th, 2022, Bill 109, also known as the *More Homes for Everyone Act* (“Bill 109”), received Royal Assent by the Province of Ontario. Bill 109 amended various provincial legislation, including the *Planning Act*. The purpose of the amendments were to introduce a range of initiatives intended to increase the housing supply, address market speculation, and help protect homebuyers, owners and renters. Specifically, Bill 109 made changes to the following legislation:

- *Planning Act*;
- *Development Charges Act*;



- *City of Toronto Act*;
- *New Home Construction Licensing Act*; and,
- *New Home Warranties Plan Act*.

The purpose of this Report is to provide a summary of the changes related to the *Planning Act*, and to provide an overview on how the changes may impact the Township of Essa.

GENERAL COMMENTS

Bill 109 makes several changes concerning Site Plan Control, Zoning By-law Amendment, and Plan of Subdivision applications. The changes related to planning and development approvals within the Township of Essa are summarized below:

1. *Mandatory Delegation of Site Plan Control Approval to Municipal Staff*

Site Plan Control is a tool used by municipalities in accordance with Section 41 of the *Planning Act*. Site Plan Control ensures that multi-unit residential, commercial, industrial, and institutional development is designed, built and maintained adequately.

No public meetings are required for municipalities to approve Site Plan Control applications, and no external appeals are permitted. As per the *Planning Act*, only the Applicant can appeal a Site Plan Control application decision.

As per Township By-law 2022-11, being a by-law detailing certain delegations of powers and duties by the municipality, minor Site Plan Control applications are exempt from receiving Council approval and approval is delegated to Township staff. Major Site Plan applications are not delegated and remain to be approved by Township Council.

Bill 109 removes Council's approval authority for Site Plan Control applications and requires that the responsibility be delegated to Township staff. As such, Site Plan Control applications, including major Site Plan Control applications, are no longer to be brought forward for Council's approval. The intent of this change is to streamline the municipal approval process for Site Plan Control applications.

Bill 109 also requires that municipalities pass a by-law to appoint an authorized staff member to approve Site Plan Control applications. The delegation of authority is required to be in place for Site Plan Control applications received on or after July 1st, 2022. The effect of this will be that Site Plan Control applications will no longer be brought forward for Council approval, but rather, will be reviewed and approved by the designated Township staff member.

Attachment 2 to this report is a draft By-law that will update By-law 2022-11 to bring it into compliance with the changes to the *Planning Act*.

2. *Site Plan Control Complete Application Requirements*

Complete application requirements are prescribed within the new legislation, mandating that municipalities inform applicants of a "complete" *Planning Act* application within 30

days of it being formally received. This process is similar to what is currently required for Official Plan and Zoning By-law Amendment applications. This requirement will come into effect for all applications received on or after January 1st, 2023.

3. *Site Plan Control Application Fee Refunds*

As per Bill 109, municipalities will be required to gradually refund Site Plan Control application fees if an approval is not made within the following legislated timelines. Please note that a refund is contingent on a request for a refund being made by the applicant:

- 50% of the application fee if an approval is not made within 90 days (or 120 days if concurrent with an Official Plan Amendment application) from the date the municipality received the complete application and fee;
- 75% of the application fee if an approval is not made within 150 days (or 180 days if concurrent with an Official Plan Amendment application) from the date the municipality received the complete application and fee; and,
- 100% of the application fee if an approval is not made within 210 days (or 240 days if concurrent with an Official Plan Amendment application) from the date the municipality received the complete application and fee.

These requirements will apply to all applications received on or after January 1st, 2023.

4. *Zoning By-law Amendment Application Fee Refunds*

Municipalities will be required to gradually refund Zoning By-law Amendment application fees if a decision on an application is not made within the following legislated timelines. Again, this is contingent on a request for a refund being made by the applicant:

- 50% of the application fee if the decision is not made within 90 days (or 120 days if concurrent with an official plan amendment application) from the date the municipality received the complete application and fee;
- 75% of the application fee if the decision is not made within 150 days (or 180 days if concurrent with an official plan amendment application) from the date the municipality received the complete application and fee; and,
- 100% of the application fee if the decision is not made within 210 days (or 240 days if concurrent with an official plan amendment application) from the date the municipality received the complete application and fee.

These requirements will apply to all applications received on or after January 1st, 2023.

It is worth emphasizing that in order to avoid fee reductions, the changes require approval of a Site Plan Control application within the above-noted timelines; whereas, the changes require a decision (approval or refusal) of a Zoning By-law Amendment application within the above-noted timelines. A further report may be appropriate to consider how the Township will address these changes in the Planning Act which will come into force January 1, 2023.

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FINANCIAL IMPACT

Any financial impacts arising from Bill 109 are difficult to determine until the regulations are in place and final details are established regarding complete *Planning Act* applications.

While there are no immediate financial implications resulting from the amendments required by way of Bill 109, the changes ultimately may have an impact on the Township's ability to comprehensively review applications in a timely manner without a financial penalty, given the potential for refund requirements, as legislated by Bill 109.

SUMMARY/OPTIONS

Council may:

1. Take no further action;
2. Receive this Report for information, and that Council approve and adopt a by-law delegating site plan approval authority to the CAO or, in the CAO's absence, the Manager of Planning and Development, in accordance with Section 41 of the *Planning Act*; or,
3. Other directions as determined by Council.

CONCLUSION

Option #2 is recommended.

Prepared by:

Respectfully submitted by:

Reviewed by:

Wes Crown, MCIP, RPP,
Associate
MHBC Planning

Aimee Powell B.URPI, MPA,
MCIP, RPP
Manager of Planning &
Development



Colleen Healey-Dowdall
CAO

Shayne Connors
Intermediate Planner
MHBC Planning

THE CORPORATION OF THE TOWNSHIP OF ESSA

BY-LAW 2022 - 11

Being a By-law detailing certain Delegations of Powers and Duties by the Municipality.

WHEREAS subsection 5(3) of the *Municipal Act 2001*, chapter 25 S.O. 2001, ("the Act"), as amended, states that a municipal power, including a municipality's capacities, rights, powers and privileges under section 9, shall be exercised by By-law; and

WHEREAS subsection 23.1 of the Act states that Council is authorized to delegate certain powers and duties; and

WHEREAS Section 5(1) of the *Planning Act, R.S.O., 1990* states that Council is authorized to delegate any of such authority, other than the authority to approve official plans or the authority to exempt from approval plans as official plans or amendments to official plans, to a committee of Council or to an appointed officer identified in this By-law either by name or position occupied and such committee or officer, as the case may be, has, in lieu of the Minister, all the powers and rights of the Minister in respect of such delegated authority and shall be responsible for all matters pertaining thereto including the referral of any matter to the Tribunal; and

WHEREAS Section 41 (13)(b) of the *Planning Act, R.S.O., 1990* provides delegation to either a committee of Council or to an appointed officer of the Municipality identified in the By-law either by name or position occupied; any of the Council's powers or authorized under this section; and

WHEREAS Section 51.2 (4) of the *Planning Act*, further provides delegation to either a committee of Council or to an appointed officer of the Municipality identified in this By-law either by name or position; any of the Council's powers or authorized under this section; and

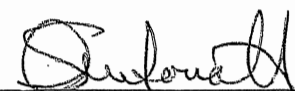
WHEREAS Council of the Township of Essa deems it appropriate to update the delegation of powers and duties and herein delegates portions of these authorities and responsibilities to qualified "others" as specified below.

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

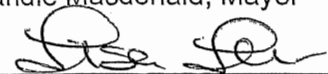
1. That Council delegate to the CAO or Manager of Planning and Development the authority to lift Holding provisions and Part Lot Control; and
2. That Council delegate to the CAO or Manager of Planning and Development the authority to perform minor Site Plan approvals that would otherwise be in compliance with applicable Zoning By-law and would not generate extensive site works and where staff would not ordinarily recommend a Site Plan Agreement as being required; and
3. That Council delegate to the CAO or Manager of Planning and Development the authority to review and comment on "red line" (i.e. minor changes that would not require another public meeting) revisions to Draft Plan of Subdivision/Condominium.
4. That this By-law shall come into force and take effect upon the enactment thereof.

READ A FIRST, AND TAKEN AS READ A SECOND AND THIRD TIME AND FINALLY PASSED on this the 16th day of February, 2022.

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 Sandie Macdonald, Mayor



 Lisa Lehr, Manager of Legislative Services

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THE CORPORATION OF THE TOWNSHIP OF ESSA

Attachment 2

BY-LAW 2022 - XX

Being a By-law to amend Township By-law No. 2022-11 to delegate site plan approval authority

WHEREAS subsection 5(3) of the *Municipal Act 2001*, chapter 25 S.O. 2001, ("the Act"), as amended, states that a municipal power, including a municipality's capacities, rights, powers and privileges under section 9, shall be exercised by By-law; and

WHEREAS subsection 23.1 of the Act states that Council is authorized to delegate certain powers and duties; and

WHEREAS Section 5(1) of the *Planning Act, R.S.O., 1990* states that Council is authorized to delegate any of such authority, other than the authority to approve official plans or the authority to exempt from approval plans as official plans or amendments to official plans, to a committee of Council or to an appointed officer identified in this By-law either by name or position occupied and such committee or officer, as the case may be, has, in lieu of the Minister, all the powers and rights of the Minister in respect of such delegated authority and shall be responsible for all matters pertaining thereto including the referral of any matter to the Tribunal; and

WHEREAS Section 41 of the *Planning Act, R.S.O., 1990, c.P.13*, as amended, provides in part that, where in an official plan an area is shown or described as a proposed site plan control area, the Council of the local municipal in which the proposed area is situated may, by by-law, designate the whole or any part of such area as a site plan control area and may delegate to either a Committee of the Council or to an appointed officer of the municipality any of the Council's power or authority under that section; and

WHEREAS the Council of the Corporation of the Township of Essa adopted By-law 2022-11 being a By-law detailing certain Delegations of Powers and Duties by the Municipality on February 16, 2022; and,

WHEREAS the Council of the Corporation of the Township of Essa deems it expedient to amend By-law 2022-11 to delegate site plan approval authority to the Chief Administrative Officer (CAO) or, in the CAO's absence, the Manager of Planning and Development, in accordance with Section 41 of the *Planning Act*.

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

1. That Township By-law 2022-11 be amended by deleting clause 2 and inserting a new clause 2 as follows:
 - "2. That Council delegates to the CAO or, in the absence of the CAO, the Manager of Planning and Development, the authority to approve Site Plan applications in accordance with Section 41 of the *Planning Act*."
2. That this By-law shall come into force and take effect upon the enactment thereof.

READ A FIRST, AND TAKEN AS READ A SECOND AND THIRD TIME AND FINALLY PASSED on this the XX day of XXXX, 2022.

Sandie Macdonald, Mayor

Lisa Lehr, Manager of Legislative Services

DRAFT



ENVIRONMENTAL COMPLIANCE APPROVAL For a Municipal Stormwater Management System

ECA Number: 118-S701

Issue Number: 1

Pursuant to the *Environmental Protection Act*, R.S.O 1990, c. E. 19 (EPA), and the regulations made thereunder and subject to the limitations thereof, this environmental compliance approval is issued under section 20.3 of Part II.1 of the EPA to:

Essa, The Corporation of the Township of

**5786 County Rd 21 Rd
Utopia, ON L0M 1T0**

For the following Sewage Works:

Angus Stormwater Management System

This Environmental Compliance Approval (ECA) includes the following:

Schedule	Description
Schedule A	System Information
Schedule B	Municipal Stormwater Management System Description
Schedule C	List of Notices of Amendment to this ECA: Additional Approved Works
Schedule D	General
Schedule E	Operating Conditions
Schedule F	Residue Management
Appendix A	Stormwater Management Criteria

Except where specified otherwise, all prior ECAs, or portions thereof, issued by the Director for Sewage Works described in section 1 of Schedule B are revoked and replaced by this Approval.

DATED at TORONTO this 31th day of August, 2022

Signature

Aziz Ahmed, P.Eng.
Director, Part II.1, *Environmental Protection Act*



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TOWNSHIP OF ESSA STAFF REPORT

STAFF REPORT NO.: C013-22
DATE: September 7, 2022
TO: Committee of the Whole
FROM: Lisa Lehr, Manager of Legislative Services
SUBJECT: Draft Terms of Reference and By-law to Establish and Appoint Members to the Joint Compliance Audit Committee

RECOMMENDATION

That Staff Report C013-22 be received; and

That the draft Terms of Reference and By-law to establish and appoint members to the Joint Compliance Audit Committee be approved as attached; and

That the By-law as attached be presented to Council during its regular meeting of this date for passage.

BACKGROUND

At its meeting of December 15, 2021, Essa Council received Staff Report C034-21 (Attachment No. 1) and passed resolution CW150-2021 thereby approving Essa's participation in the Joint Compliance Audit Committee facilitated through the County of Simcoe.

COMMENTS AND CONSIDERATIONS

The County of Simcoe concluded its recruitment for the Joint Compliance Audit Committee on July 8, 2022. (Please refer to Attachment No. 2 to review the 2022-2026 Joint Compliance Audit Committee Recruitment Summary).

The County of Simcoe received a total of fourteen applications. The pool of applicants were received from former JCAC members as well as from members of the public, and included individuals that are employed in accounting and/or law. Of the fourteen applicants, seven were selected to participate in interviews with the Panel.

The following individuals were the successful candidates selected by the Panel to form the Joint Compliance Audit Committee:

JCAC Members:

- Robert (Bob) Adam (Town of Bradford-West Gwillimbury)
- Clive Algie (Township of Oro-Medonte)
- Peter Anderson (Township of Oro-Medonte)
- Ruben Rosen (Town of Collingwood)
- Doug Taylor (Town of Penetanguishene)

Alternate JCAC Member

- Lynn Worthington (Township of Essa)

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As subsection 88.37 (1) of the *Municipal Elections Act, 1996* (MEA) requires a Council or local board to establish a Compliance Audit Committee prior to October 1 of an election year, a draft By-law is attached to this Report for Council’s consideration (Attachment No. 3) of passage. The purpose of the By-law is to:

- a) Establish a Joint Compliance Audit Committee with the County of Simcoe and its member municipalities;
- b) To appoint the successful candidates to the JCAC; and
- c) To establish the Terms of Reference for the Committee.

FINANCIAL IMPACT

Each municipality is responsible to cover their share of the costs for each meeting. As such, if a compliance audit application was filed in relation to an Essa candidate or Third Party Advertiser, Essa would be responsible for paying the applicable County per diem and mileage charges for each JCAC member in attendance for each meeting. In relation to auditing expenses (if it is determined by the Committee that an audit is required) and/or legal representation, Essa would only pay for those services if it has been determined that they are required (it is unknown at this time what the terms are).

SUMMARY/OPTIONS

Council may:


- 1. Do nothing.
- 2. **That Council approve the draft Terms of Reference and By-law to establish and appoint members to the Joint Compliance Audit Committee, as attached.**
- 3. That the draft Terms of Reference be amended as Council deems appropriate.
- 4. That the draft By-law be amended as Council deems appropriate.

CONCLUSION

It is recommended that Option 2 be approved by Council.

Respectfully submitted:

Reviewed by:



 Lisa Lehr
 Clerk



 Colleen Healey-Dowdall
 Chief Administrative Officer

Attachments:

- 1. Staff Report C034-21 “Municipal Election – Joint Compliance Audit Committee”
- 2. 2022-2026 Joint Compliance Audit Committee Recruitment Summary
- 3. Draft By-law to Establish and Appoint a Compliance Audit Committee, including Terms of Reference
- 4. 2022-2026 Joint Compliance Audit Committee Procedures



TOWNSHIP OF ESSA STAFF REPORT

STAFF REPORT NO.: C034-21

DATE: December 15, 2021

TO: Committee of the Whole

FROM: Lisa Lehr, Manager of Legislative Services

SUBJECT: Municipal Election – Joint Compliance Audit Committee

RECOMMENDATION

That Staff Report C034-21 be received; and

That Council consider approving participation in the Compliance Audit Committee facilitated by the County of Simcoe for the upcoming 2022 Municipal and School Board Election, and direct Staff to confirm its participation with the County Clerk.

BACKGROUND

The County of Simcoe Clerk has once again contacted member municipalities inquiring as to interest in participating in a Compliance Audit Committee that is facilitated by the County of Simcoe for the upcoming 2022 Municipal and School Board Election.

The role of a Compliance Audit Committee (“CAC”) is to review and consider compliance audit applications that have been received by an eligible elector who believes, on reasonable grounds, that a candidate or registered third party advertiser has contravened a provision of the *Municipal Elections Act* relating to election campaign finances. The role and responsibility of the CAC is to:

- Grant or reject a compliance audit application;
- Appoint an auditor to conduct an audit;
- Consider the auditor or Clerk’s Report within 30 days of receipt; and
- Decide whether to take legal action against the candidate, a contributor or registered third party for any illegality.

Section 88.37(1) of the *Municipal Elections Act* (the “Act”) mandates that a Council or local board *shall establish a compliance audit committee before October 1st of an election year for the purposes of this Act.*

The purpose of this Report is to seek Council’s approval for Essa to participate in the Compliance Audit Committee that is facilitated through the County of Simcoe.

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COMMENTS AND CONSIDERATIONS

In previous elections, the Township of Essa has participated in the South Simcoe Joint Compliance Audit Committee with member municipalities (Town of Bradford West-Gwillimbury, Town of Innisfil, Town of New Tecumseth, and the Township of Adjala-Tosorontio). For the upcoming 2022 Election, these member municipalities have opted to participate in the Compliance Audit Committee that is facilitated by the County of Simcoe. As such, participating in the South Simcoe Joint Compliance Audit Committee is not an option for the 2022 Election.

This Report is being drafted to appeal to Council for consideration in participating in the County's CAC.

Benefits to participating in the County's Joint CAC are as follows:

- County of Simcoe will recruit for qualified members on the CAC
 - Provides a larger catchment area to obtain qualified committee applicants (accounting/auditing and legal backgrounds)
- County of Simcoe will be responsible for issuing an RFP for auditing services
- County of Simcoe will facilitate all Joint Compliance Audit Committee meetings for a nominal fee
- Opting-in for the County's CAC will alleviate pressures on Township resources during the election period
- Assures the public of an "arms length" non-partisan view regarding any applications for an audit
- Removes perceived bias by applicants
- Delivers cost-efficiency for the municipality

FINANCIAL IMPACT

Should Council approve participation in the CAC facilitated by the County of Simcoe, Essa would be required to pay the following:

Costs associated with participation in County CAC:	
Initial Fee - \$250.00	This covers all costs associated with: <ul style="list-style-type: none"> • Recruitment of Committee Applicants • Issuance of RFP • Necessary training for selected Committee members

Essa would be required to pay the following fees ONLY IF the County CAC was required to meet as the result of a compliance audit application having been filed in relation to an Essa candidate or third party advertiser:

County of Simcoe's Per Diem Rate (currently \$142.29)	CAC member attendance
Mileage (currently \$0.59/km)	
Legal representation	Only if legal representation was required
Auditing Expenses	Only if CAC determines that an audit is required

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If Council chooses to establish its own CAC, Council should to take the following into consideration:

Costs to establish a CAC	
Recruitment of CAC members	Direct and Indirect Costs for: <ul style="list-style-type: none">• Advertising• Staff Time• Training of CAC members
RFP for auditing services	<ul style="list-style-type: none">• Retainer fee would likely be required to be paid

If a compliance audit application was received by the municipality from an eligible elector, then Essa would be required to pay further fees as follows:

Committee Member Attendance	<ul style="list-style-type: none">• Rate would be required to be established• Mileage
Auditing Expenses (if an audit is required)	<ul style="list-style-type: none">• Only if required• Would be required to be paid in accordance with the terms set forth in the RFP
Legal Representation	<ul style="list-style-type: none">• Only if required

It should be noted that section 88.33(16) of the Municipal Elections Act prevents a municipality from recovering costs where an eligible elector believes on reasonable grounds that a candidate has contravened a provision of the MEA relating to election campaign finances.



Manager of Finance

SUMMARY/OPTIONS


Council may:

1. Take no further action, thereby requiring Essa to recruit for its own Compliance Audit Committee and issue an RFP for auditing services.
2. **Approve participation in the Compliance Audit Committee facilitated by the County of Simcoe for the upcoming 2022 Municipal and School Board Election, and direct staff to confirm its participation with the County Clerk.**
3. Direct Staff as Council deems appropriate.

CONCLUSION


It is recommended that Council approve participation in the Compliance Audit Committee facilitated by the County of Simcoe, and direct Staff to confirm participation with the County Clerk.

Respectfully submitted:



Lisa Lehr
Manager of Legislative Services

Reviewed by:



100 Colleen Healey-Dowdall
Chief Administrative Officer

2022-2026 Joint Compliance Audit Committee Recruitment Summary

Participating municipalities (17 total) are:

- City of Orillia
- Townships of Adjala-Tosorontio, Clearview, Essa, Oro-Medonte, Ramara, Severn, Springwater, Tay, Tiny
- Towns of Bradford-West Gwillimbury, Collingwood, Innisfil, Midland, New Tecumseth, Penetanguishene, Wasaga Beach

Committee Recruitment

The County of Simcoe initiated the posting for recruitment of the Joint Compliance Audit Committee on June 5, 2022. The deadline for members of the public to submit a letter of interest to the County Clerk's office was July 8, 2022.

A webpage was setup containing details of the posting on the County of Simcoe's website. Efforts were made on social media platforms to advertise the posting (e.g. Facebook, Instagram, etc.) Member municipalities also shared information about recruitment on their municipal websites and via social media.

The County of Simcoe issued a media release on June 21, 2022 containing details of the recruitment and highlighted the opportunity for members of the public to serve their community. The release was picked up by media outlets including Orillia Matters, Midland Mirror, Collingwood Today, and more.

The Huronia CPA Ontario Association and Simcoe County Law Association were contacted and asked to highlight the opportunity to their membership.

A total of 14 letters of interest were received prior to the July 8, 2022 deadline.

Committee Selection

The Clerk (or designate) from each participating municipality was invited to assist on the interview panel as part of the selection committee. A meeting was held on July 8, 2022 to review the 14 applications received and shortlist those to be invited for an interview.

Interviews took place on July 25 and July 26. The selection committee consisted of Tara Reynolds (Town of Bradford-West Gwillimbury), Becky Dahl (Town of Collingwood), Kristine Preston (City of Orillia), Alison Gray (Township of Severn), and Jonathan Magill (County of Simcoe).

The following questions were asked:

1. Tell us a little bit about your professional background.
2. What made you decide to apply to be a member of the Joint Compliance Audit Committee?

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3. What is your understanding of municipal elections and how does the compliance audit fit into that process?
4. Audit findings and recommendations are sometimes contentious. Have you dealt with that type of conflict in a previous role? If so, how did you handle the situation?
5. If you are appointed as a JCAC member:
 - o You cannot be a family member of a candidate running for office.
 - o You cannot be connected to a candidate through an employment, contractual, business or partnership relationship.
 - o You cannot have been a candidate in the past two regular elections.
 - o You cannot have conducted an audit or provided financial or legal advice in respect of either a candidate or registered third party during the past two regular elections.
 - o You cannot provide assistance to any candidate or registered third party as a volunteer or for compensation during the term of this committee.

Are you able to comply with the above?

6. (If applicable) Should you be chosen to be a member of the JCAC you will be required to agree in writing that you have not undertaken and shall not undertake the audit or preparation of financial statements of any candidates seeking election or registered third party advertisers during the term of the committee.
Are you able to comply?

During the interviews candidates were also asked about their availability and to consent to having their name appear publicly.

The interview panel took into consideration written submissions, interview performance and experience and qualifications of each candidate. The panel believes the recommended membership contains diverse experience and qualifications that will benefit the ability of the Committee to perform its mandate. The criteria contained in the Committee Terms of Reference was applied in selecting membership.

The panel has selected five individuals below as successful candidates being recommended for appointment as members on the Committee:

- Robert (Bob) Adam (Town of Bradford-West Gwillimbury)
- Clive Algie (Township of Oro-Medonte)
- Peter Anderson (Township of Oro-Medonte)
- Ruben Rosen (Town of Collingwood)
- Doug Taylor (Town of Penetanguishene)

In addition, the panel is recommending the appointment of one alternate member. The alternate member may be contacted and asked to fill a position in the case a vacancy arises on the Committee. The panel is recommending the one individual below for appointment as an alternate member on the Committee:

- Lynn Worthington (Township of Essa)

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THE CORPORATION OF THE TOWNSHIP OF ESSA

BY-LAW 2022 – xx

Being a By-law to establish and appoint a Joint Compliance Audit Committee.

WHEREAS Section 8 (1) of the *Municipal Act*, 2001, S.O. 2001, c.25, herein referred to as “the Act” provides that the powers of a municipality under this or any other Act shall be interpreted broadly so as to confer broad authority on the municipality to enable the municipality to govern its affairs as it considers appropriate and to enhance the municipality’s ability to respond to municipal issues; and

WHEREAS Section 23.1(1) of the Act provides that without limiting Sections 9, 10 and 11 of the Act, those sections authorize a municipality to delegate its powers and duties under this or any other Act to a person or body subject to the restrictions set out in this Part; and

WHEREAS Section 88.37 of the *Municipal Elections Act*, 1996, S.O. 1996, c. 32 provides that a Council shall establish a Compliance Audit Committee before October 1st of an election year for the purposes of the *Municipal Elections Act*, and 2022 is an election year; and

WHEREAS Section 88.37(6) of the *Municipal Elections Act* provides that the Clerk of the municipality shall establish administrative practices and procedures for the committee and shall carry out any other duties required under this Act to implement the committee’s decisions; and

WHEREAS at its meeting of December 15, 2021, Council of the Township of Essa passed Resolution CW150-2021 thereby approving participation in the Compliance Audit Committee facilitated by the County of Simcoe for the upcoming 2022 Municipal and School Board Election; and

WHEREAS Section 228 (4) of the Act provides that the Clerk may delegate in writing to any person, other than a member of Council, any of the Clerk’s powers and duties under this and any other Act, and the Clerk has delegated the powers required to the County Clerk, or designate, to administer and execute all necessary duties to support the Joint Compliance Audit Committee;

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

1. That Council hereby establishes the Joint Compliance Audit Committee with the municipalities of Adjala-Tosorontio, Bradford-West Gwillimbury, Clearview, Collingwood, Essa, Innisfil, Midland, New Tecumseth, Oro-Medonte,

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Penetanguishene, Ramara, Severn, Springwater, Tay, Tiny, Wasaga Beach, and the City of Orillia.

2. That the Joint Compliance Audit Committee Terms of Reference attached hereto as Schedule 1 to this By-law, are hereby adopted.
3. That the following persons are hereby appointed as members of the Joint Compliance Audit committee for the 2022-2026 term of Council:
 - a) Robert (Bob) Adam (Town of Bradford-West Gwillimbury);
 - b) Clive Algie (Township of Oro-Medonte);
 - c) Peter Anderson (Township of Oro-Medonte);
 - d) Ruben Rosen (Town of Collingwood);
 - e) Doug Taylor (Town of Penetanguishene).
 - f) Alternate Member – Lynn Worthington (Township of Essa)
4. That Council confirms that the Clerk has delegated in writing the Clerk's powers and duties to the County Clerk with respect to the Joint Compliance Audit Committee under the Municipal Elections Act.
5. That this By-law shall come into force and effect upon the date of passing thereof.

READ A FIRST, AND TAKEN AS READ A SECOND AND THIRD TIME AND FINALLY PASSED on this the 7th day of September, 2022.

DRAFT

Sandie Macdonald, Mayor

Lisa Lehr, Manager of Legislative Services

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2022-2026 Joint Compliance Audit Committee Terms of Reference

The Participating Municipalities will select Committee members jointly. In the event a Participating Municipality receives an application for a compliance audit, the County Clerk will be responsible for meeting administration while the Municipal Clerk for the Participating Municipality will be responsible for payment of all costs associated with the Committee, including audits, if required.

1. Definitions

"Act" means the *Municipal Elections Act, 1996*, S.O. 1996, c. 32, as amended from time to time.

"Applicant" means the individual who submitted the application requesting a Compliance Audit.

"Auditor" means a person appointed by the Committee, licensed under the *Public Accounting Act, 2004*, to conduct a Compliance Audit of a Candidate's election campaign finances pursuant to Section 88.33(10) and (11) of the Act.

"Auditor's Report" means a report prepared by an auditor for the Committee pursuant to Section 88.33(12) of the Act.

"Candidate" means the candidate whose election campaign finances are the subject of an application for a Compliance Audit.

"Clerk" means, as the context provides, the Clerk of any of the Participating Municipalities, or his or her designate.

"Committee" means the Joint Compliance Audit Committee established pursuant to Section 88.37(1) of the Act.

"Compliance Audit" means an audit of a Candidate's election campaign finances conducted by an Auditor appointed by the Committee.

"Council" means, as the context provides, the Council of any of the Participating Municipalities.

"County Clerk" means the Clerk of The Corporation of the County of Simcoe or their designate.

"Family Member" means a child, parent and spouse of a Committee member, as defined in the *Municipal Conflict of Interest Act*, and shall also include mother, father, sister, brother, daughter-in-law, son-in-law, step-child, sibling, grand-child, aunt, uncle, niece, nephew and first cousins.

"Meeting" means a meeting of the Committee in accordance with section 5.1 of the Act.

"Municipal Conflict of Interest Act" means the *Municipal Conflict of Interest Act*, R.S.O. 1990, c. M.50, as amended from time to time.

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2022-2026 Joint Compliance Audit Committee – Terms of Reference

“Participating Municipalities” means all or some of the following municipalities participating in the Joint Compliance Audit Committee process: Township of Adjala-Tosorontio, Town of Bradford-West Gwillimbury, Township of Clearview, Town of Collingwood, Township of Essa, Town of Innisfil, Town of Midland, Town of New Tecumseth, City of Orillia, Township of Oro-Medonte, Town of Penetanguishene, Township of Ramara, Township of Severn, Township of Springwater, Township of Tay, Township of Tiny and the Town of Wasaga Beach.

“Pecuniary Interest” means a direct or indirect interest within the meaning of the Municipal Conflict of Interest Act.

“Private Session” means any portion of the meeting that is closed to the public for confidential deliberation in accordance with the Act.

“Reasonable Notice” means the posting of the meeting agenda on the County website and the applicable participating municipalities’ website and advising the Applicant, Candidate, Contributor or Registered Third Party Advertiser, as applicable, by email, telephone or by regular mail seven (7) calendar days in advance of the meeting.

“Registered Third Party Advertiser” means an individual resident in Ontario, a corporation carrying on business in Ontario or trade union who has filed with the clerk of the municipality responsible for conducting an election a notice of registration to be a registered third party advertiser for the election pursuant to Section 88.6 of the Act.

“Selection Committee” means the committee, composed of the Clerks of the Participating Municipalities that will choose the members of the Committee.

“Simcoe County” means The Corporation of the County of Simcoe.

“Trade Union” means a trade union as defined in the *Labour Relations Act, 1995* or the *Canada Labour Code (Canada)* and includes a central, regional or district labour council in Ontario.

2. Enabling Legislation

Section 88.37(1) of the Act requires that before October 1st in an election year, Council establish a compliance audit committee for the purposes of Section 88.33 of the Act relative to a possible contravention of the Act’s election campaign finance provisions.

3. Mandate

This Committee is an investigative/adjudicative body created to enforce provincially enacted laws related to municipal election campaign funding.

4. Roles and Responsibilities

The Committee shall:

	Timeline/Section of the Act
Consider Compliance Audit applications for Candidates and/or Registered Third Parties and decide whether they should be granted or rejected.	Within 30 days after receipt of the application - s. 88.33(7)
Provide written reasons for the decision to grant or reject the applications.	s. 88.33(8)
If an application is granted, appoint an Auditor to conduct a Compliance Audit of the Candidate's election campaign finances.	s. 88.33(10) and (11)
Receive the Auditor's Report.	s. 88.33(14)
(i) Once the Auditor's Report is received, consider the Report if it contains a conclusion of apparent contravention of the Act, and decide whether to commence a legal proceeding against the candidate for the apparent contravention.	Within 30 days of receipt of the Auditor's Report - s. 88.33(17)
Receive a Clerk's Report identifying any contributor to a Candidate or Registered Third Party Advertiser who appears to have contravened established contribution limits.	s. 88.34(4) s. 88.36(4)
Once the Clerk's Report is received, consider the Report and decide whether to commence a legal proceeding against the Contributor for the apparent contravention.	Within 30 days of receipt of the Clerk's Report - s. 88.34(8), s. 88.36(5)
<p>In addition, the Committee shall:</p> <ul style="list-style-type: none"> -Participate in the selection of an Auditor in response to the request for quotation process; -Provide instructions to the selected Auditor about the scope of each Compliance Audit, as needed; -Determine a timeline for the Auditor to complete each Compliance Audit. 	

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5. Term

The term of the appointment is concurrent with the term of Council. Upon the term's expiry, Committee members may reapply to the Selection Committee to serve additional terms.

6. Composition

The Committee shall be composed of not fewer than three (3) and not more than seven (7) members and shall not include:

- (a) employees or officers of the Participating Municipalities;
- (b) members of Council of the Participating Municipalities;
- (c) any persons who are Candidates in the election for which the Committee is established, or Family Members of same, or any person connected to a candidate through an employment, contractual, business or partnership relationship;
- (d) any persons who have participated as a Candidate for an office or Registered Third Party Advertiser in the Participating Municipalities in the past two regular elections, or who have conducted audits or provided financial or legal advice in respect of such campaigns;
- (e) any persons who do or intend to assist any Candidate or Registered Third Party, as a volunteer or for compensation, in the election for which the Committee is established.

7. Selection of Members

Information pertaining to the Committee, including the terms of reference and an application for appointment to the Committee will be posted on the websites of the Participating Municipalities.

Committee membership will be drawn from the following groups:

- accounting and audit – accountants or auditors, preferably with experience in preparing or auditing the financial statements of municipal candidates;
- academic – college or university professors with expertise in political science or local government administration;
- legal; and
- other individuals with knowledge of the campaign financing provisions of the Act.

The following criteria may be considered in the selection of members:

- demonstrated knowledge and understanding of the Act's municipal election campaign financing provisions;
- experience in administrative law;
- proven analytical and decision-making skills;
- experience working on a committee, task force or in a similar setting;
- availability and willingness to attend meetings;

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2022-2026 Joint Compliance Audit Committee – Terms of Reference

- demonstrated oral and written communication skills; and
- any other criteria as may be prescribed under the Act.

The Clerks from the Participating Municipalities shall be responsible for the recruitment of applicants. All applicants will be required to submit an application form outlining their qualifications and experience to the County Clerk by a specified deadline. After the deadline has passed, the Selection Committee will meet to review the applications, interview and appoint Committee members.

To avoid possible conflicts of interest, any auditor or accountant appointed to the Committee must agree in writing that they have not undertaken and shall not undertake the audits or preparation of financial statements of any Candidates seeking election to Councils or Registered Third Parties in the Participating Municipalities during the term of the Committee. In addition, any lawyer or other legal professional appointed to the Committee must agree in writing that they have not provided and will not provide legal advice to any Candidates seeking election to Councils or to any Registered Third Parties or Contributors to Candidates and Registered Third Parties in the election in the Participating Municipalities during the term of the Committee.

8. Notice

The County Clerk shall give notice of a Committee meeting to the Committee by email, telephone or by regular mail in advance of the notice to the public.

The County Clerk and applicable Municipal Clerk shall give reasonable notice of the meeting by posting the meeting agenda on their websites. This will serve as public notice of the Committee meeting.

Where an application will be considered at the meeting, the County Clerk shall give reasonable notice to the Applicant and Candidate or Registered Third Party Advertiser of the time, place and purpose of the Committee meeting, and further advise that if either party fails to attend the meeting, the Committee may proceed in the party's absence and the party will not be entitled to further notice concerning the meeting.

Where a Municipal Clerk's Report regarding contribution limit exceedances will be considered at the meeting, the County Clerk shall give reasonable notice to the Contributor and Candidate or Registered Third Party Advertiser of the time, place and purpose of the Committee meeting, and of the fact that if either party fails to attend the meeting, the Committee may proceed in the party's absence and the party will not be entitled to further notice concerning the meeting. The notice shall include the content of the application.

9a

9. Meetings

The County Clerk shall call a meeting of the Committee when he or she receives an application for a Compliance Audit or when he or she receives a report under Section 88.34 from the participating municipalities Clerk. The Applicant, Candidate, Registered Third Party Advertiser or their representative will be provided with an opportunity to address the Committee and provide written submissions.

Meeting dates, start times, locations and agendas shall be set by the County Clerk. Meetings may be held in-person or virtually. The agenda shall provide an opportunity for any member to declare a conflict of interest.

Committee meetings will be open to the public, but the Committee may deliberate in private, as noted in Section 88.33(5.1). No votes may be taken in private session.

10. Quorum

A quorum shall be a majority of Committee members.

If a quorum is not present within fifteen (15) minutes of the time fixed for the commencement of the meeting, the Committee meeting will be rescheduled to a future date.

11. Selection of the Chair

The Chair shall be selected from among the Committee members at the first meeting of the Committee for the term of office. If there is no consensus on a Chair, selection will be carried out by way of nomination and vote of the Committee members present.

If the Chair of the Committee resigns as the Chair or as a member of the Committee, the Committee shall appoint another member as Chair for the balance of the term of Council.

12. Duties of the Chair

The Chair shall:

- (a) call Committee meetings to order when there is a Quorum, preside over Committee discussions, facilitate Committee business, follow meeting procedures, identify the order of proceedings and speakers and rule on points of order;
- (b) participate as an active and voting member; and,
- (c) encourage participation by all members.

If the Chair is not present within the first ten minutes of a Committee meeting or is absent through illness or otherwise, the Committee shall select another member as Acting Chair. While presiding, the Acting Chair shall have all the powers of the Chair. Selection of the Acting Chair will be made by resolution.

13. Duties of Committee Members

The duties of Committee members are as follows:

- a) Carry out all statutory obligations of the Committee in accordance with the Act.
- b) Attend all Committee meetings, sending regrets otherwise.
- c) Understand their role, the Committee's mandate and meeting procedures.
- d) Declare any pecuniary interest in any matter prior to consideration by the Committee the member shall leave the meeting during all discussion on the matter including a private session.
- e) Where the pecuniary interest of a member has not been disclosed by reason of the member's absence from the meeting, the member shall disclose the pecuniary interest and otherwise comply with subsection (d) at the first meeting of the Committee attended by the member after the meeting referred to in subsection (d).
- f) Participate as an active and voting member, asking questions, and seeking clarification through the Chair.
- g) Provide the reasons for a decision in writing, as applicable.
- h) Develop and maintain a climate of mutual support, trust, courtesy and respect.
- i) Work together to utilize the knowledge, expertise and talents of all members.
- j) Respect the decisions of the Committee and that such decisions reflect the majority view.

14. Selection of an Auditor

Committee members will participate in the selection of an Auditor in response to the request for quotation. The Auditor will be appointed by resolution of the Committee at their first meeting. An engagement letter will be prepared and executed by the County Clerk, on behalf of the Participating Municipalities, which will indicate that the Auditor has been retained by the Committee following appointment.

15. Resources

The County Clerk will provide administrative support to the Committee, including the taking of minutes, the distribution of minutes and agendas, and the coordination of meetings.

16. Committee Records

The County Clerk will co-ordinate and retain certified true copies of the Committee records including agendas and minutes with original documents being retained by the appropriate Participating Municipalities.

9a

17. Declaration of Interest

Legislated requirements as set out in the Municipal Conflict of Interest Act shall apply to all Committee members. It is the responsibility of each member to disclose any pecuniary interest prior to discussion of a particular matter. Members are encouraged to seek independent legal advice if they are unsure of whether or not they have a pecuniary interest in a matter. Staff from the County or the Participating Municipalities will not provide advice or interpretation related to declarations.

18. Compensation

Members will receive the applicable County per diem and mileage for attendance at each meeting with each Participating Municipality being responsible to cover their share of the costs for each meeting.

19. Practices and Procedures

The Clerks of the Participating Municipalities along with the County Clerk shall establish administrative practices and procedures for the Committee in accordance with Section 88.37(6) of the Act and shall carry out any other duties required under the Act to implement the Committee's decisions.

The Clerks of the Participating Municipalities along with the County Clerk are delegated the authority to make administrative changes to these Terms of Reference that may be required from time to time due to legislative changes, or if, in the opinion of the Clerks, the amendments do not impact the intent of the Terms of Reference.

July 8, 2022

2022-2026 Joint Compliance Audit Committee Procedures

1. Application Process

- a) All applications for a compliance audit under the *Municipal Elections Act* shall be submitted in writing to the applicable Municipalities' Clerk on the Application for a Compliance Audit form (Appendix 1).
- b) All applications shall contain the name, contact information and qualifying address of the applicant.
- c) All applications shall outline the reasons and background information they considered by the applicant when determining there was reasonable grounds to believe the candidate or registered third party advertiser contravened a provision of the *Municipal Elections Act* related to campaign finances.
- d) Upon receipt of the completed application, the applicable participating Municipalities' Clerk shall review the application and complete the date filed portion of the application, sign and email same to the County Clerk within two working days.
- e) The County Clerk shall provide the application along with a covering memo (informal notice) to the Committee members within 10 calendar days of the date filed. The memo shall request their availability to meet within 30 days of receipt of the application. Members shall respond within 48 hours by email and/or telephone.
- f) The County Clerk shall provide the application to the candidate or registered third party advertiser along with a covering memo (informal notice) within 10 calendar days of the date filed. The memo shall advise the candidate or registered third party advertiser they can provide written comments regarding the application to the County Clerk within 20 calendar days from the date on the memo for inclusion on the agenda.
- g) The County Clerk shall schedule a meeting of the Committee and prepare the related agenda with the meeting being held within 30 days after the date the Committee received the application (informal notice). The purpose of the meeting will be to determine whether to grant or reject the application.
- h) The County Clerk shall provide the meeting agenda to the applicable Participating Municipalities' Clerk for posting on their website 7 calendar days in advance of the meeting. In addition the County Clerk shall post the agenda on the County website 7 calendar days in advance of the meeting.
- i) The County Clerk shall provide notice of the meeting to the applicant, candidate, contributor or registered third party advertiser by email, telephone or by regular mail 7 calendar days in advance of the meeting.
- j) The Committee shall consider the application and decide whether it should be granted or rejected.

Joint Compliance Audit Committee - Procedures

- k) The County Clerk shall provide notice of the decision of the Committee to the applicable Participating Municipalities' Clerk, applicant and candidate/registered third party advertiser including details regarding how to appeal.
- l) If the Committee rejects the application the decision of the Committee may be appealed to the Superior Court of Justice within 15 days of the decision.
- m) If the Committee grants the application, it shall forward all related documentation to the appointed auditor who will conduct a compliance audit of the candidate or registered third party advertisers' election campaign finances. The decision of the Committee may be appealed to the Superior Court of Justice within 15 days of the decision.
- n) The Auditor shall provide their Report to the applicable participating Municipalities' Clerk, County Clerk, applicant, candidate/registered third party advertiser and Committee members.
- o) The County Clerk shall date stamp the Report and provide it along with a covering memo (informal notice) to the Committee members within 10 days of the date filed. The memo shall request their availability to meet within 30 days of the date the report was received. Members shall respond within 48 hours by email and/or telephone.
- p) The County Clerk shall schedule a meeting of the Committee and prepare the related agenda with the meeting being held within 30 days of the date the report was received to determine whether to commence a legal proceeding.
- q) The County Clerk shall provide the meeting agenda to the applicable Participating Municipalities' Clerk for posting on their website 7 calendar days in advance of the meeting. In addition, the County Clerk shall post the agenda on the County website 7 calendar days in advance of the meeting.
- r) The County Clerk shall provide notice of the meeting to the applicant, candidate, contributor or registered third party advertiser by email, telephone or by regular mail 7 calendar days in advance of the meeting.
- s) If the Auditor's report concludes that the candidate/registered third party advertiser appears not to have contravened a provision of the Act the Committee will receive the report for information.
- t) If the Auditor's report concludes that the candidate/registered third party advertiser appears to have contravened a provision of the Act, the Committee shall decide whether to commence a legal proceeding against the candidate/registered third party advertiser.
- u) If the Committee agrees to commence a legal proceeding, they will appoint a Prosecutor. The County Clerk shall provide all related documentation to the Prosecutor.
- v) The County Clerk shall forward a notice of the Committee's decision to the applicable Participating Municipalities' Clerk, applicant and the candidate/registered third party advertiser.

2. Clerks Report Process for Contributors

- a) Should a participating Municipalities' Clerk prepare a report identifying a **contributor** to a candidate/registered third party advertiser that appears to have contravened any of the contribution limits, they shall forward the report to the County Clerk.
- b) The County Clerk shall provide the report along with a covering memo to the Committee members within 10 days of the date filed. The memo shall request their availability to meet within 30 days of receipt of the report(s). Members shall respond within 48 hours by email and/or telephone.
- c) The County Clerk shall provide the report to the contributor and the applicable candidate or registered third party advertiser along with a covering memo within 10 days of the date filed.
- d) The County Clerk shall schedule a meeting of the Committee and prepare the related agenda with the meeting being held within 30 days of the date the report was filed. The purpose of the meeting will be to determine whether to commence legal proceedings against a contributor for an apparent contravention.
- e) The County Clerk shall provide the meeting agenda to the applicable participating Municipalities' Clerk for posting on their website 7 calendar days in advance of the meeting. In addition, the County Clerk shall post the agenda on the County website 7 calendar days in advance of the meeting.
- f) The County Clerk shall provide notice of the meeting to the contributor and the applicable candidate/registered third party advertiser by email, telephone or by regular mail 7 calendar days in advance of the meeting.
- g) The Committee shall consider the report and decide whether to commence legal proceedings against a contributor for an apparent contravention.
- h) The County Clerk shall provide notice of the decision of the Committee to the applicable participating Municipalities' Clerk, contributor and candidate/registered third party advertiser.
- i) If the Committee decides to commence legal proceedings against a contributor, they will appoint a Prosecutor. The County Clerk shall provide all related documentation to the Prosecutor.

3. Committee Agendas

- a) Before each meeting, the County Clerk shall provide an agenda (Appendix 2) and applicable documents to each member of the Committee, applicant, candidate/registered third party advertiser, contributor and Participating Municipalities' Clerk.
- b) The agenda package shall include any written submissions made by the applicant, candidate or registered third party advertiser along with any reports from the Participating Municipalities' Clerk.

- c) The first matter of business on each agenda shall be the declaration of any conflict of interest.
- d) The Committee shall select a Chair for the term of office at their first meeting.
- e) The Committee shall by written motion at their first meeting, appoint an auditor licensed under the *Public Accounting Act, 2004* to conduct a compliance audit of the candidate or registered third parties' election campaign finances if required.

4. Committee Procedures When Application Received

a) Opening Statement

Where the agenda includes consideration of an Application, the Chair will read an opening statement (Appendix 3a) outlining the procedures and format of the Committee meeting.

b) Committee Agenda

Prior to consideration of an item on the Committee Agenda, the Chair will identify for those present the agenda item to be considered.

c) Applicant/Candidate Statements

If the agenda includes a consideration of an application, after reading the opening statement, the Chair will entertain any statements from the applicant, candidate/registered third party advertiser or their agent. Statements will provide an overview of their written submissions. The Committee members may, through the Chair, ask questions of the applicant, candidate/registered third party advertiser or their agent.

d) Committee Statements

Upon completion of the statements of the applicant, candidate/registered third party advertiser or their agent, the Chair will entertain any statements from the Committee members.

e) Committee Decision

The Committee will then deliberate the merits of the application and determine if the application shall be granted, rejected or if the matter requires deferral pending receipt of additional information. The Committee will have an opportunity to ask additional questions for clarification (if required). The deliberation may be conducted in private. The decision of the Committee shall be done by formal motion (Appendix 4).

5. Rules of Debate

- a) The Procedural by-law of the County shall apply. Where the Procedural by-law is silent Roberts Rules of Order shall apply.

6. Minutes

- a) The County Clerk shall prepare minutes of each meeting of the Committee.
- b) If the meeting includes the hearing of an application the meeting will be audio recorded and a transcript will be prepared following the meeting. The transcript will become part of the official minutes for the meeting.
- c) The County Clerk shall provide members with a copy of the minutes as soon as the minutes are available.
- d) The Committee members shall review minutes to confirm that the minutes reflect the Committee's actions.
- e) The Chair and the County Clerk shall sign the minutes once approved.
- f) The approved minutes will be posted on the County website and a copy provided to the Participating Municipalities' Clerk for posting on their website.

Appendix 1	Application for a Compliance Audit Form
Appendix 2	Agenda Template
Appendix 3A	Chair Script - Meeting Related to an Application
Appendix 3B	Chair Script - Meeting Related to a Clerk's Report
Appendix 4	Resolution Form

9a

APPENDIX 1 APPLICATION FOR A COMPLIANCE AUDIT

TO THE CLERK OF	
Municipality*	

*Must relate to one of the following members of the Joint Compliance Audit Committee being the Township of Adjala-Tosorontio, Town of Bradford-West Gwillimbury, Township of Clearview, Town of Collingwood, Township of Essa, Town of Innisfil, Town of Midland, Town of New Tecumseth, City of Orillia, Township of Oro-Medonte, Town of Penetanguishene, Township of Ramara, Township of Severn, Township of Springwater, Township of Tay, Township of Tiny or Town of Wasaga Beach.

BY THE APPLICANT	
Name of applicant	
Mailing address	
Qualifying municipal address	
Phone number	E-mail

REQUESTING COMPLIANCE AUDIT OF ELECTION CAMPAIGN FINANCES OF	
Name of candidate or registered third party advertiser	
Candidate position	Municipality where they were registered

I, the undersigned applicant, an elector who is entitled to vote in an election, have reasonable grounds to believe that the above noted candidate or registered third party advertiser has contravened a provision of the *Municipal Elections Act, 1996* relating to election campaign finances.

9a

The reasonable grounds are: (attach additional sheets if necessary)

I believe the facts and information submitted on this application to be true, and I hereby request a compliance audit of the candidate's election campaign finances.

Date

Signature of applicant

INTERNAL USE ONLY	
Date filed	Signature of Clerk/Designate
Date of Committee Review	Application Number
Decision of Committee	

This form contains information collected and maintained specifically for the purpose of creating a record available to the general public and may be inspected by any person at the Clerk's Office at a time when the office is open pursuant to Subsection 88 (5) of the *Municipal Elections Act, 1996*.

Ca

APPENDIX 2 JOINT COMPLIANCE AUDIT COMMITTEE MEETING AGENDA

(Insert Date)

(Insert Meeting Location)

(Insert Start Time)

1. Call to Order
2. Disclosure of Pecuniary Interest
3. Election of Chair (only at first meeting)
4. Opening Statement by the Chair
5. Appointment of Auditor(s) (only at first meeting)
6. Application(s) for Compliance Audit
 - i. Applicant (insert name) for a compliance audit of (insert candidate or registered third party advertisers name), candidate for (insert position), in the (insert municipality) - (attached documents would be the application and related financial statement)
 - ii. Presentation by the Application (insert name).
 - iii. Committee members may ask questions of the Applicant or their agent regarding their presentation.
 - iv. Presentation by the candidate/registered third party advertiser (insert name) or their agent.
 - v. Committee members may ask questions of the candidate/registered third party advertiser or their agent regarding their presentation.
 - vi. Committee members may make statement regarding the application before them.
 - vii. Committee consideration of application and decision
 - a. Deliberations may occur in private
 - b. Committee may ask additional questions for clarification (if required)
 - c. Decision of Committee
7. Clerk's Report

9a

- i. Clerk's Report of (insert candidate or registered third party advertisers name), candidate for (insert position), in the (insert municipality) - (attached document would be the Clerks Report)
- ii. Presentation by the Clerk (insert name).
- iii. Statement by the (insert candidate or registered third party advertisers name).
- iv. Committee members may ask questions of the (insert candidate or registered third party advertisers name) regarding their statement.
- v. Statement by the Contributor (insert name).
- vi. Committee members may ask questions of the (insert contributors name) regarding their statement.
- vii. Committee members may make statement regarding the Clerk's report before them.
- viii. Committee consideration of application and decision
 - a. Deliberations may occur in private
 - b. Committee may ask additional questions for clarification (if required)
 - c. Decision of Committee

8. Adjournment

APPENDIX 3A CHAIR SCRIPT

JOINT COMPLIANCE AUDIT COMMITTEE MEETING

Related to an Application

Opening Statement by the Chair

Welcome, to the Joint Compliance Audit Committee meeting of (insert date). This meeting has been called to an application/applications for a compliance audit by an elector with respect to election campaign finances of a candidates and/or registered third party advertiser within (insert municipality/municipalities) for the recent election.

This Committee is an administrative tribunal body created to apply provincially enacted laws related to municipal election campaign funding.

The format of the meeting will be as follows:

1. The applicant will be given an opportunity to provide an overview of their application through the Chair; and
2. The candidate/registered third party advertiser who is subject to the application, or their agent, will be given an opportunity to provide an overview of their response to the application or request for clarification through the Chair on the application; and
3. The members of the Committee will be given an opportunity to express their views on the application and to ask any clarifying questions of either the applicant or candidate/registered third party advertiser or their agent.

The Committee will then do one of three things:

- (1) Determine whether the application should be granted or rejected;
- (2) If granted, appoint an auditor to conduct a compliance audit of the candidate's/registered third party advertiser's election campaign finances for further consideration; or
- (3) Defer the matter pending receipt of additional information.

Applicant's Statement

Does the applicant have a statement or additional information to provide to the Committee in addition to the information submitted in their application?

9a

Questions of the Committee

Do any members of the Committee have any questions for the applicant regarding the application before you?

Candidate's Registered Third Party Advertiser's Statement

Does the candidate/registered third party advertiser or their agent have a statement or additional information to provide to the Committee?

Questions of the Committee

Do any members of the Committee have any questions for the candidate/registered third party advertiser or their agent regarding the application before you?

Committee Statements

Do any members of the Committee have any questions for the candidate/registered third party advertiser or their agent regarding the application before you?

Committee Deliberations

- COMMITTEE DELIBERATIONS MAY OCCUR IN PRIVATE -

Committee Questions for Clarification (if required)

Do any members of the Committee have any additional questions for clarification on the application before you?

Committee Decision

-DECISION MADE BY THE COMMITTEE BY WAY OF A WRITTEN MOTION-

Adjournment

Ask for a mover and seconder to adjourn the meeting and read out the resolution inserting the time of adjournment.

APPENDIX 3B CHAIR SCRIPT

JOINT COMPLIANCE AUDIT COMMITTEE MEETING

Related to a Clerk's Report

Opening Statement by the Chair

Welcome, to the Joint Compliance Audit Committee meeting of (insert date). This meeting has been called to consider a Clerks Report from the (insert municipality name) with respect to election campaign finances of a candidate/registered third party advertiser.

This Committee is an administrative tribunal body created to apply provincially enacted laws related to municipal election campaign funding.

The format of the meeting will be as follows:

1. The candidate/registered third party advertiser will be given an opportunity to respond to the Clerks Report through the Chair; and
2. The Contributor will be given an opportunity to respond to the Clerks Report through the Chair; and
3. The members of the Committee will be given an opportunity to express their views on the Clerks Report and to ask any clarifying questions of either the candidate/registered third party advertiser or the Contributor.

The Committee will then do one of three things:

- (1) Determine there is no apparent contravention against the Contributor and receive the Clerks Report;
- (2) Determine there is an apparent contravention and commence legal proceedings against the Contributor;
- (3) Defer the matter pending receipt of additional information.

Clerk's Report

Call on the Clerk from (insert municipality) to speak to their report.

Candidate's Statement

Does the Candidate have a statement or additional information to provide to the Committee?

9a

Questions of the Committee

Do any members of the Committee have any questions for the Candidate regarding the Clerks Report before you?

Contributor's Statement

Does the Contributor have a statement or additional information to provide to the Committee?

Questions of the Committee

Do any members of the Committee have any questions for the Contributor regarding the Clerk's Report before you?

Committee Statements

Do any members of the Committee have any statements regarding the Clerk's Report before you?

Committee Deliberations

- COMMITTEE DELIBERATIONS MAY OCCUR IN PRIVATE -

Committee Questions for Clarification (if required)

Do any members of the Committee have any additional questions for clarification on the Clerk's Report before you?

Committee Decision

-DECISION MADE BY THE COMMITTEE BY WAY OF A WRITTEN MOTION-

Adjournment

Ask for a mover and seconder to adjourn the meeting and read out the resolution inserting the time of adjournment.

APPENDIX 4 RESOLUTION FORM

JOINT COMPLIANCE AUDIT COMMITTEE Application No. XXXXX	Motion No.: 2022-XXXX Date: _____ CARRIED _____ WITHDRAWN _____ DEFEATED _____ DEFERRED _____
MOVED BY _____ SECONDED BY _____	

That

_____ Yea Nay

 (Insert Member Name), Chair

_____ Yea Nay

 (Insert Member Name)

_____ Yea Nay

 (Insert Member Name)

_____ Yea Nay

 (Insert Member Name)

_____ Yea Nay

 (Insert Member Name)



TOWNSHIP OF ESSA STAFF REPORT

STAFF REPORT NO.: CAO22-22

DATE: September 7, 2022

TO: Committee of the Whole

FROM: Colleen Healey-Dowdall, Chief Administrative Officer

SUBJECT: 152 Greenwood Drive
Rezoning of Land to Allow for a School

RECOMMENDATION

That Staff Report CAO22-22 be received for information; and

That Council **rezone** 152 Greenwood Drive from Open Space Park (OSP) Zone to Institutional (I) Zone **to allow for a school use**, and partial lands along Gold Park Gate from Environmental Protection (EP) Zone to Open Space Park (OSP) Zone to allow for **another park**, and to direct the Manager of Parks and Recreation to begin a public consultation program to collect ideas for parks and for consideration/construction beginning in 2023.

BACKGROUND

Council is considering rezoning 152 Greenwood Drive from Open Space Park (OSP) Zone to Institutional (I) Zone to allow for an **added use of a school** in addition to a park use, and partial lands along Gold Park Gate from Environmental Protection (EP) Zone to Open Space Park (OSP) Zone to allow for **another park**.

152 Greenwood Drive is legally described as Block 11 on Plan 51M-784 and vacant lands fronting Gold Park Gate are Block 146 of Plan 51M-1018. These lands are a part of a plan of subdivision which was draft plan approved by the OMB in 1995 for the developer, Stonemount Developments. Neighbours, at the time (early 1990's), had opposed the subdivision on the basis of poor traffic circulation, and the municipality and developer disagreed over development charges. When the OMB approved the 904-home subdivision in 1995, it imposed conditions to require different entry-roads or points of access, to allow for good traffic movements and circulation, and the construction of Willoughby Road and Bridge over the Nottawasaga River, to provide for a new road leading in and around Angus. Good connectivity is still a principle of good planning today with roadways now also intended to be shared with those walking or wheeling. The

original plan of subdivision contained 2 school sites with lands set out for both the public and catholic school boards.

Sometime later, in or about **2012**, the **developer approached both school boards and both agreed to relinquish the school blocks to the developer** although Essa Township opposed. The school boards employ their own Planners, and both rely on a long-established Ministry of Education formula for the planning of schools (which is not as far reaching a formula as municipal official plan documents which traditionally consider a 20-year horizon).

More recently, **approximately 5 years ago, the Simcoe County District School Board (SCDSB) reached out to municipal staff to make enquiry on lands available for another elementary school in Angus.** This staff member, the municipal Manager of Planning & Development of the day, provided school board staff with mapping to show all vacant lands in Angus, i.e., vacant lands existing on Huron Street, Vernon Street, Centre Street and on County Road 90. The SCDSB reached out to several landowners and carried out considerable inquiry and investigation on varying parcels. It was made clear to Essa staff that the SCDSB required a land holding of a certain size (2 hectares/5 acres) and they preferred the south end of Angus where most new growth is locating. It is anticipated that there will be four public elementary schools and another Catholic elementary school in Angus in the foreseeable future.

It should be noted that immediately adjacent to the Stonemount subdivision, and abutting to the south, lies another 350 homes in the Brownley Meadows subdivision (now built out), and immediately adjacent, and abutting to the north, lies another 100-home subdivision (now built out). There have been other further "build-outs" of considerable size nearby on Centre Street within 500 metres.

Good planning principles of the day remain based on the premise that: land use patterns should promote a mix of uses that increase the use of active transportation (i.e., walking); strong and healthy communities promote human health and social well-being and a resiliency to climate change; and intensification and redevelopment in built-up areas should occur in order to promote an efficient means of using infrastructure (Provincial Policy Statement, 2020).

Planning in the province today is governed by the Provincial Policy Statement, 2020; and A Place to Grow: Growth Plan for the Greater Golden Horseshoe. Planning in Essa Township is guided by the County of Simcoe Official Plan and Essa Township's Official Plan (OP). The entire Stonemount subdivision is designated as Residential – Future in Essa's OP. This designation is broadly applied throughout Angus to show where subdivisions are going and the subdivision or resulting neighbourhood may contain any one of amenities associated with residential neighbourhoods including schools, parks or neighbourhood plazas. This designation refers to the approved plan of subdivision to be more specific as is implemented by the Zoning By-law.

COMMENTS AND CONSIDERATIONS

In the case at hand, the subject lands lie in Angus, Essa Township’s primary urban centre, which contains the bulk of Essa’s population and where most growth has occurred over the past couple of decades and will continue to be focussed. Essa is in the midst of preparing a new OP document to guide future land use in Essa Township. The expectation that Angus will continue to be Essa’s primary growth centre is not likely to change with the foundation of community services and infrastructure investment already in place.

The lands lie within a primarily Residential area and a public elementary school is in keeping with the spirit and intent of the designation/zone wherein lands are set out for public purposes. The school, land and buildings, may be enjoyed by many in the neighbourhood since often, school yards are used for public park purposes after hours, i.e., equipped with outdoor basketball nets, fields are used for soccer games by soccer organizations, and gymnasiums are rented for activities including club meetings/events.

The current proposal, a joint venture of the Township and SCDSB, is one whereby the Township would sell an existing park at 152 Greenwood Drive to the SCDSB and where the Township would build new parks elsewhere, nearby, with the intent that the public will not be without a community park.

The current built portion of the parkland at 152 Greenwood Drive contains a parking lot, outdoor pad/rink, splash pad and play structures and **covers approximately 8,500 square metres of area.**

The Township owns approximately the same amount of cumulative area of vacant land at the following distances from 152 Greenwood Drive, land area which is usable for park purposes:

Location	Approx Area (sq. metres)	Approx Distance from 152 Greenwood Drive (m)
191 Maplewood Drive	6,435 sm	400 m
60 Mike Hart Drive	8,200 sm	1,200 m
Gold Park Gate	12,000 sm subject to rezoning	120 m
84 Greenwood Drive	700 sm	50 m
83 Greenwood Drive	800 sm	50 m
Total land available:	28,135 sm	

Refer to the mapping attached as Attachment 1.

The following was explained to the public at the statutory public meeting held on June 15, 2022:

“..... the municipality has arranged for an agreement with the SCDSB wherein the Board will be purchasing 152 Greenwood Dr for use for a future elementary school if funding becomes available. Until such time that funding for a school becomes available, the municipality will continue to offer the public the use of the lands as a park. All park equipment will remain intact until such time as a new school is supported by the Ministry of Education. The municipality plans to use other public lands nearby as shown on the map below, for park purposes. All equipment will be replaced with new equipment to be under warranty. As such, the parks dept may begin planning for new parks with public input, to provide for parks with equipment requested by our citizens.

The SCDSB has listed Angus as a top priority for a new elementary school although no one knows what year that funding may be approved. Once Ministry funding is approved, it could be a couple of years before a school is able to be constructed since the site will have to be cleared and a plan and design put in place. The site will have to be planned with the school itself placed closer to the south limit of the property than the north given that the north limit borders the County of Simcoe corridor set out for either rail or trail purposes. The County has asked that the Board respect a setback as if trains were using the rail line. A school will be designed to be in keeping with the neighborhood.

Once the site is able to be cleared, then siltation fencing will be erected along with construction fencing to minimize dust and to keep children safely off the construction site. It is hoped that the construction phase may only last 2 years.

The SCDSB is looking to secure other Angus locations for a fourth elementary school and the Simcoe Muskoka Catholic District School Board (SMCDSB) is also looking for land for an elementary school.

All funds received from the sale of parkland must, according to the Planning Act, be put towards park purposes. The municipality will be requiring the Board to design a site to accommodate for parent drop offs and pick ups and to include traffic calming in the site design. The municipality may wish to explore traffic calming on the street in connection with an overall traffic design study for the area.”

The municipality also plans to ask the SCDSB for a “first right of refusal” on the land to be sold to them.

There were 8 members of the public who spoke at the public meeting, 3 others (non-attendees) had emailed concerns in advance of the public meeting, and there have been 4 new emails received after the public meeting but in advance of writing this report. The concerns of the public can be summed up as follows:

1. Traffic

- Residents anticipate a lot of traffic in association with a new elementary school
 - More congestion/volume
 - Speeding
 - Parking problems on streets
 - Pick up/drop off
 - Concern for safety for children/pedestrians
2. Environmental
- Additional development can add to existing drainage problems/pavement can cause further/new drainage problems
 - Concern for floodplain/wetland/impact on aquifer on other lands
 - Cutting trees for the new park a concern – for reasons listed above
 - Grading concerns due to topography
3. People bought expecting a park at 152 Greenwood Drive and their children, or children being “babysat”, use the adjacent park
4. People paid a premium to buy onto vacant land nearby or beside the park/land value

As well, there were those who have acknowledged that a new school is needed (although many students will continue to require busing to a catholic school, french school and high schools) and that this opportunity could improve on walking and climate impact. As well, there was a comment to request new forms of parks with amenities geared to all ages.

Discussion of Comments and Concerns

This is a busy neighbourhood with approximately 1500 homes within a 1 km radius. Many people purchased expecting a park at 152 Greenwood Drive and prior to this, not that long ago, at least one school was expected/planned. In the overall scheme of things, the public will not lose community public space, albeit a specific park at 152 Greenwood Drive, and later, will surely be considered as “better off” with more parkland and facilities, and an improved range of amenities.

The Township intends to construct new parks and expand on existing parkland prior to the start of the new school. In fact, it could be, potentially, a minimum of 5 years before a school is started or complete at 152 Greenwood Drive, and with the SCDSB providing permission through an agreement to allow for the continued use of the property (152 Greenwood Drive) as a park, the Township and residents could have use of the original park plus replacement(s) and additional parks for some time.

As well, a school site itself serves somewhat in the same function or role as a park with the school yard available after school hours and use of a gymnasium often for rent.

“With so many students able to walk to school, the proposal has “endless benefits” for the community.”

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– School Committee Representative.

It has also been suggested by a neighbour/resident that the municipality could ask for a "re-purchasing option" should the SCDSB decide to sell, and the municipality has now put this idea forward to the Board.

Engineering design can remedy existing drainage and traffic problems with a new opportunity to improve on the existing situation. The Township's Engineer has commented:

"The Township is initiating a Transportation (and Trails) Master Plan this year; a part of the study will include transportation planning modeling for 5,10,15 and 20-year horizons through computer software such as Synchro/Visum. The school location and the transportation impact will be inserted into the computer model and this will produce a list of geometry, intersection, and parking lot standards that should be included into the new school site plan design. This approach should eliminate any traffic impact worries or concerns. Residents can provide comments during the public engagement sessions."

A preliminary concept for a portion of Gold Park Gate lands has been compiled by staff based on topographic data, and this concept should later be presented to the public for feedback and input. More specifically with respect to drainage and this site, concerns can be addressed during the detailed design of future parks – following the circulation of the concept and collection of additional information.

The walk to new parks will not be excessive but certainly a change for people. It is most likely that, in no case will anyone's land value have decreased since their purchase. The parking lot at the existing park is very small and often full. Additional amenities in more locations may help to take the pressure off one location.

Possibilities to Consider include:

Location	Approx Area (sq. metres)	Proposed Use
191 Maplewood Drive	6,435 sm	Children's equipment, splashpad, basketball, other.....?
60 Mike Hart Drive	8,200 sm	Outdoor pad, basketball, field, splashpad, other.....?
Gold Park Gate	12,000 sm Subject to rezoning	Nature Park (with outdoor pad), BMX/pump bicycle area, parking, dog park, trails, pavilions and benches, other.....with minimal impact on hazard lands

84 Greenwood Drive	700 sm	Micro-park with benches, flowers, art, dog run, other....?
83 Greenwood Drive	800 sm	Micro-park with benches, community info board, play equipment such as a swing set, other....?

FINANCIAL IMPACT

The municipality will gain financially from the sale of parkland and carrying through with the joint venture as proposed with the SCDSB. Monies gained can be used to assist with replacing and improving upon parks to the community's benefit. New traffic and safety measures can be implemented at the cost of the SCDSB.

SUMMARY/OPTIONS

Council may, after careful consideration of all comments:

1. Do nothing (in effect, not fulfilling the terms of the agreement with the Simcoe County District School Board), or
2. **Rezone** 152 Greenwood Drive from Open Space Park (OSP) Zone to Institutional (I) Zone **to allow for a school use**, and partial lands along Gold Park Gate from Environmental Protection (EP) Zone to Open Space Park (OSP) Zone to allow for **another park**, and to direct the Manager of Parks and Recreation to begin a public consultation program to collect ideas for parks and for consideration/construction beginning in 2023.

CONCLUSION

Option 2 is recommended to be taken at the earliest opportunity since the public school board (SCDSB) has offered to purchase 152 Greenwood Drive based on conditions to expire September 30th. Staff and Council have considered all issues and comments and it is believed that the sale of 152 Greenwood Drive and repositioning of parks and amenities nearby provides an opportunity for the municipality to improve on safety, engineering (traffic/drainage) and features offered to its residents.

Respectfully submitted:



Colleen Healey-Dowdall
CAO

Attachments:

Attachment 1 – Location Map, Zoning Schedule and Proposed Concept to be circulated for public comment

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PARKS AND OPEN SPACE IN VICINITY OF 152 GREENWOOD DRIVE



- 1. 152 GREENWOOD DRIVE
- 2. 191 MAPLEWOOD DRIVE
- 3. OPEN SPACE ON GOLDPARK GATE
- 4. 60 MIKE HART DRIVE
- 5. 83 GREENWOOD DRIVE
- 6. 84 GREENWOOD DRIVE

152 GREENWOOD DRIVE



AREA PARKS AND OPEN SPACE



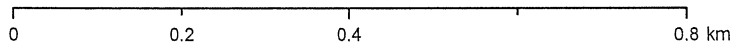
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Gold Park Gate Public Lands



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August 31, 2022

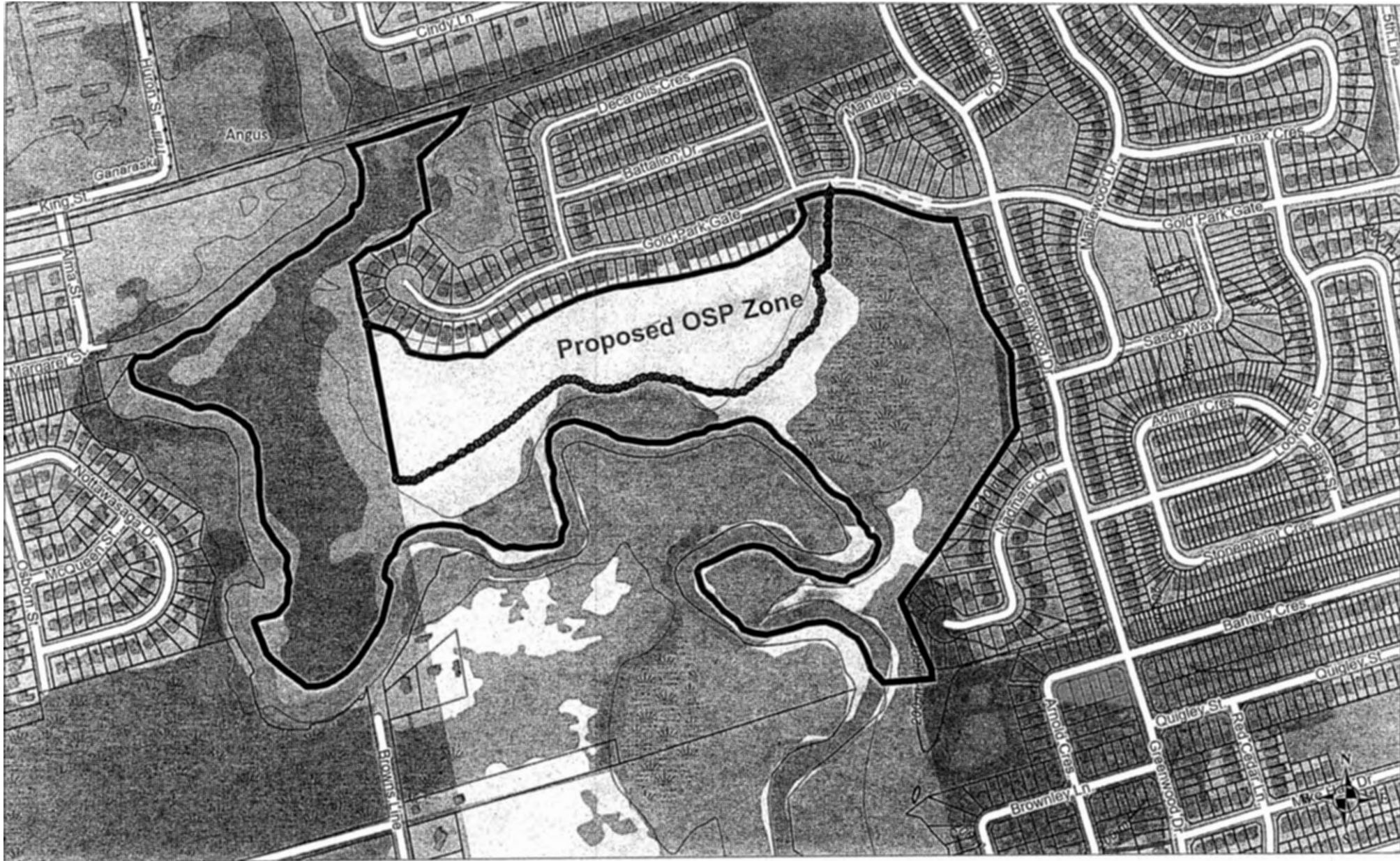


Gold Park Gate Public Lands

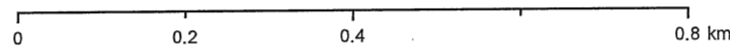
Approximated Area = 191,822 square meters



Proposed OSP Zone



1:9,028



September 1, 2022

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