

**THE CORPORATION OF THE TOWNSHIP OF ESSA
VIRTUAL COMMITTEE OF THE WHOLE MEETING
WEDNESDAY, DECEMBER 15, 2021
6:00 p.m.**

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

AGENDA

- 1. OPENING OF MEETING BY THE MAYOR**

- 2. DISCLOSURE OF PECUNIARY INTEREST**

- 3. DELEGATIONS / PRESENTATIONS / PUBLIC MEETINGS**
 - a. Presentation – HGR Graham Partners LLP**
re: Angus Food Bank Donation

 - b. Presentation – Derek McKeever – Retirement**
re: Essa Public Library Board - Chair

STAFF REPORTS

- 4. PLANNING AND DEVELOPMENT**

- 5. PARKS AND RECREATION / COMMUNITY SERVICES**
 - p. 1 **a. Staff Report PR010-21 submitted by the Manager of Parks and Recreation,**
re: Robson Pedestrian Bridge.

Recommendation: *Be it resolved that Staff Report PR010-21 be received: and That Council direct Staff to pursue and investigate as suggested in this Report for funding opportunities and plan to add a bridge to the 2023 Parks and Recreation Capital Budget for Council's Consideration.*

- p. 6 **b. Staff Report PR011-21 submitted by the Manager of Parks and Recreation,**
re: BIA Planter Watering.

Recommendation: *Be it resolved that Staff Report PR011-21 be received: and That Council direct the BIA to hire an independent external contractor for the watering of their flowers in Angus Township.*

- 6. FIRE AND EMERGENCY SERVICES**

7. PUBLIC WORKS

- p. 10 a. **Correspondence from the Manager of Public Works to Azimuth Environmental Consulting Inc. and Brookfield Properties dated December 7, 2021, re: Final Phase 3 Report for the Baxter Class EA.**

Recommendation: *Be it resolved that the Correspondence be received for information.*

8. FINANCE

9. CLERKS / BY-LAW ENFORCEMENT / IT

- p. 36 a. **Staff Report C034-21 submitted by the Manager of Legislative Services, re: Municipal Election – Joint Compliance Audit Committee.**

Recommendation: *Be it resolved that Staff Report C034-21 be received; and That Council approve participation in the Compliance Audit Committee facilitated by the County of Simcoe for the upcoming 2022 Municipal Election and School Board Election, and direct Staff to confirm its participation with the County Clerk.*

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

- p. 39 a. **Staff Report CAO054-21 submitted by the Chief Administrative Officer, re: OCWA Agreement, 2022 and 2023.**

Recommendation: *Be it resolved that Staff Report CAO054-21 be received; and That Council authorize continuing their service agreement with the Ontario Clean Water Agency (OCWA) for a period of 2 years to expire December 31st, 2023, for the operation and maintenance of the Township's water and wastewater treatment and distribution systems, and That Council adopt a by-law authorizing the Mayor and Clerk to execute the agreement attached to this report.*

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 19th day of January, 2022 at 6:00 p.m.*



TOWNSHIP OF ESSA STAFF REPORT

STAFF REPORT NO.: PR010-21
DATE: December 15, 2021
TO: Committee of the Whole
FROM: Jason Coleman, Manager of Parks and Recreation
SUBJECT: Robson Pedestrian Bridge

RECOMMENDATION

That Staff Report PR010-21 be received; and
That Council direct Staff to pursue and investigate as suggested in this Report for funding opportunities and plan to add a bridge to the 2023 Parks and Recreation Capital Budget for Council consideration.

BACKGROUND

A Timber Bridge deck (1.8 metres in width x 6.4 metres in length) was installed in Robson Park in Angus by a resident to cross over a creek for people to gain access to stores, schools, and community amenities faster and easier as opposed to walking around the entire subdivision. The latest installed bridge deck was installed/supported on the creek banks with no structure supports such as straight shaft concrete piles or concrete foundation slab.

The Township at no time over the years was required to inspect this bridge since it was not constructed or assumed by the Township. The only encounter Staff from the Township ever had in this area was that they were instructed to investigate an old bridge deck structure a few times and have it removed due to it being unsafe, violating the Ontario Building Code and structural engineering standards which requires the installation of a barrier for any structure over 0.6 metres difference in grade (the latest removed bridge is over 1.8 metres in height above the creek with no barrier or rail attached to it and no adequate foundation to support the overall bridge performance). Recently the Parks Department was instructed once again to remove the Timber Bridge, however, the Parks Department did not have the proper equipment, so the Public Works Department removed the old bridge.

COMMENTS AND CONSIDERATIONS

The latest informal Timber Bridge deck was not safe and did not meet Building Code standards and the Township has been served with a lawsuit over an injury that occurred on the Bridge. Since, the Township has removed the Timber Bridge as it was deemed unsafe because it did not meet safety standards. Since the Bridge was removed,

residents in the area have sent letters to Council requesting that a new, safe bridge be built and installed. Residents have indicated it is a great shortcut for many in the area to either access stores, school or other community amenities.

Based on the above, Staff is proposing an Engineered Timber Arche Bridge (2.0 metres in width X 6.4 metres in length) to be constructed by a contractor to span over the creek to include adequate barriers and a bridge concrete foundation to support the overall bridge performance and to ensure the safety of all residents.

Below is the breakdown of the cost estimate which Staff recommends proposing to Council in the 2023 Parks and Recreation Capital Budget in the amount of \$113,3000 (including 10% overall contingency & excluding applicable tax).

Contract Items	Cost
Structural Engineering Design and Inspection	\$12,000.00
Bridge Concrete Foundation to be determined by the Structural Engineer	\$21,000.00
Bridge Backage and Installation	\$65,000.00
QA/QC	\$5,000.00
Subtotal	\$103,000.00
Contingency (10%)	\$10,300.00
Total (Excluding H.S.T.)	\$113,300.00

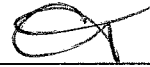
Note that this estimate does not necessarily include any possible costs that may be required in order to obtain a permit from the NVCA.



FINANCIAL IMPACT

It is estimated to construct and build a new bridge including all applicable permits that would meet the current Building Code and safety standards would be at a cost to the municipality of \$ **\$113,3000 (including 10% overall contingency & excluding applicable tax).**

The proposed capital budget amount may be able to be funded from **DC funds** allocated to trails. Staff will also investigate other funding opportunities throughout 2022 such as the **ICIP Community Resilience Program** Funding. Unfortunately, the Age-friendly Funding of the County cannot be used for this proposed capital project, but Staff will, as mentioned, throughout 2022, investigate other funding opportunities



Manager of Finance

SUMMARY/OPTIONS

Council may:

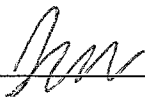
1. **Pursue investigation as suggested in this Report for funding opportunities and plan to add a proposed bridge to the 2023 Parks and Recreation Capital Budget for Council consideration.**
2. Take no further action and continue to seek out costs and funding opportunities prior to a Council commitment being made.
3. Direct Staff in another course of action.

CONCLUSION

Option 1 is recommended.

Respectfully submitted,

Reviewed by,



Jason Coleman,
Manager of Parks and Recreation

Colleen Healey-Dowdall,
Chief Administrative Officer

Attachment: 1
Previous Robson Bridge Location



Previous Robson bridge that was removed in October 2021



Letter from resident

All

October 26, 2021

Dear Council Members

My name is Janet Geisel and I am a resident of Angus living in the area of _____ Street. I am writing this request on behalf of myself and my neighbours also residing in this area.

It has recently been discovered that the bridge over the creek leading to Robson Park has been removed. This bridge (in one form or another) has been present for at least the 18 years I have lived in Angus. The most recent version was dedicated to a local resident's dog "Bella". Bella's Bridge was not just a beautiful memorial to a much-loved companion, but a necessary short-cut for the residents around the area. From seniors living in the Sandsprings subdivision who rely on the bridge to get to Giant Tiger as well as to Pharmasave, to kids from the highschool using the bridge to make it home in time for lunch, the removal of Bella's bridge is having a negative impact on many in the community.

We ask that you please consider options for replacement of the bridge and, at the same time, we ask that you consider investing into Robson Park. This playground has been neglected for many years and is actually in a state of disrepair. As Angus grows and as more families are attracted to our beautiful older neighbourhood, we would love to be able to boast an updated, safe park to be enjoyed by residents of all ages within a short walking distance.

We realize that improvements of this nature can be very costly and require much planning. However, improvements such as these can only strengthen our community. Making the plaza more accessible by adding a safe bridge may even help to attract more businesses to this end of town. There are many in our community (including myself) who would be happy to help with fundraising should it be required as many truly believe this project would be highly beneficial to those in the area.

Thank you for your consideration, I look forward to learning how we can work together to make the reinstallation of Bella's Bridge and revitalization of Robson's Park a reality.

Janet Geisel

Letter from resident

All

October 26, 2021

Dear Council Members

My name is Janet Geisel and I am a resident of Angus living in the area of _____ Street. I am writing this request on behalf of myself and my neighbours also residing in this area.

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Thank you for your consideration, I look forward to learning how we can work together to make the reinstallation of Bella's Bridge and revitalization of Robson's Park a reality.

Janet Geisel



TOWNSHIP OF ESSA STAFF REPORT

STAFF REPORT NO.: PR011-21
DATE: December 15, 2021
TO: Committee of the Whole
FROM: Jason Coleman, Manager of Parks and Recreation
SUBJECT: **BIA Planter Watering**

RECOMMENDATION

That Staff Report PR010-21 be received; and

That Council consider directing the BIA to hire an independent external contractor for the watering of their flowers in Angus.

BACKGROUND

The Business Improvement Area (BIA) – Angus, Board of Management is a board selected by members of the Business Improvement Area by vote, which is followed by a formal appointment of Council for a four-year term. The BIA Board is comprised of four members from the designated BIA boundary who are current business owners and/or commercial tenants within the designated BIA, in addition to one member of Council who is appointed to sit on the Board.

Their mandate is to work as a line of communication between businesses and the Township of Essa Council, while encouraging Council to pursue policies and initiatives to promote business. It is to also work cooperatively with local businesspeople with the support of the municipality to organize, finance and carry out improvement initiatives to increase the effectiveness and contribution to the economic, cultural and social well being of the community.

In previous years, the BIA created a flower Watering Contract and hired 1 Township Staff Member to perform watering of approximately 76 planters in 18 different locations on a specific, mapped route which is listed below for reference (the BIA independently coordinates the purchase, planting and installation of the flowers that are allotted for the 76 planters around Angus, to beautify the downtown centre):

<u>Location of Planters</u>	<u>Number</u>
Angus Arena	2
NPSS High School Exit	5
Vernon St	6
Giant Tiger	2
Car wash	1
Clock Tower	16
Dominoes Pizza	2
Don n Ron's Auto	2
Tim Hortons	2
TD bank	1
Sobeys	5
Peacekeepers	7
No Frills	3
Naturally for You	2
Pizza Pizza	4
Circle K	2
Mr. Sub	2
Mill St. Bridge	12
Total	76

Note that the Township Staff Member(s) would drive a municipal vehicle, utilize municipal equipment and work prior to a regular shift, for the BIA as opposed to the municipality. Note as well that there must be a Staff Member willing to take on the additional time and duties for the BIA.

Upon discussions with the Township's insurance provider, it has been brought to the Township's attention, and strongly advised, to **not** continue to allow these types of agreements due to WSIB concerns, liability exposure, as well as associated safety risks with carrying out work performance of this nature especially on roadsides.

The Township itself cannot afford to assign Staff Members to this duty during a regular shift as currently all staff are already assigned to tasks to maintain parks and facilities in good condition. Council could consider that the Township hire 2 additional Staff Members to water Angus, Thornton and Baxter plants and increase service levels to include additional garbage pick up and banner installations, however, instead, the BIA is encouraged to utilize its own forces, vehicle, and equipment, through the coordination of an alternative solution.

COMMENTS AND CONSIDERATIONS

The list of steps in previous years' procedure for watering the planters in Angus are as follows:

- Retrieve work vehicle from operations building and perform circle check
- Load truck with equipment (125-gallon water barrel, water pump, 55-gallon barrel, safety vest, watering can and hoses)
- Fill 125-gallon water barrel and 55-gallon barrel with water
- Begin watering route starting at the Angus Arena
- Complete watering at Arena, Giant Tiger entrance, high school laneway, and Vernon Street
- Return to Arena and refill 125-gallon barrel to ensure enough water to complete entirety of remainder of route
- Proceed to route, complete carwash planters then around town and finish at Circle K/Mr. Sub intersection
- Return to Arena, unload all equipment and return, park work vehicle. Sign off paperwork.

If weather calls for rain, the individual will not perform the watering, however, there are times with hot and dry spells when the individual would be required to go out more frequent than 3 times a week to keep the flowers alive.

Issues that have been brought to the Township of Essa's attention are as follows:

1. Traffic and Safety - The task is currently performed by 1 individual which is not optimal when considering road safety concerns. A Traffic Accommodation Strategy (TAS) should be implemented and in this case would require at least 1 additional person along with proper road signage.
2. Temperature – It's not ideal to water the flowers in the extreme heat of the day as it could cause damage to the plants. The watering duties should be performed early in morning or later in the evening which is not always possible for staff to accommodate.

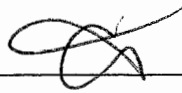
FINANCIAL IMPACT

The BIA Watering Contract currently is for a total duration of 5 months with payment of \$600 per month. Starting May 15 to October 15, for an annual total of \$3,000 to be paid from the BIA to the 1 individual carrying out the watering. The Staff Member conducting the watering for the BIA is not permitted to claim overtime. Moving forward, to follow proper protocols, 2 Staff Members utilizing municipal vehicles and/or equipment would be required to perform the work safely, which would be a total of \$6,000 in wages a year and \$1,500 for proper road signage.

If the Township added 2 Staff Members to accommodate for watering and other duties as mentioned above, additional wages would be required to be included in the 2022 Parks operating budget. 2 part-time employees could be added at a cost of approximately \$30,000 to cover 6 hours a day, 5 days a week for 5 months. Also, an

additional \$1,500 would be required for proper road signage and the municipality would need to ensure the availability of a vehicle.

Alternatively, it is recommended that the Angus BIA arrange for its own watering to occur, without the use of Township Staff, vehicles, or equipment in order to comply with the advice of the municipal insurer.



Manager of Finance

SUMMARY/OPTIONS

Council may:


1. Proceed with directing the BIA to hire an external contractor to water their flowers in Angus, with no use of municipal resources.
2. Take no further action and continue to allow the BIA to hire 2 existing Township Staff Members if staff are willing and agree to work extra hours, prior to a regular shift or following, putting the municipality at risk of liability.
3. Direct Staff in another course of action, such as hiring 2 additional employees to assist with watering across the Township.

CONCLUSION

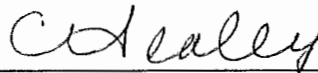
Option 1 is recommended for reasons of the safety of staff in adhering to proper traffic safety standards and as well to protect the municipality from risk of liability.

Respectfully submitted,

Reviewed by,



Jason Coleman
Manager of Parks and Recreation



Colleen Healey-Dowdall,
Chief Administrative Officer

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December 7, 2021

DELIVERED VIA EMAIL ON December 7, 2021

Mike Jones
Azimuth Environmental Consulting Inc.
642 Welham Road
Barrie, Ontario
L4N9A1

and to:

Rayna Thompson / David Murphy
Brookfield Properties
3381 Steels Avenue, Suite 100
Toronto, ON
M2H3S7

Dear Mike & Rayna and David:

Background

On October 11, 2021 , the Township of Essa provided Azimuth Environmental Consulting Inc. (Azimuth) and Brookfield Properties (the developer) with a letter detailing review comments and concerns on the final Phase 3 report, prepared by Azimuth for the Baxter Class EA (attached). Subsequently, Azimuth provided responses to the Township’s review comments and concerns letter on November 9, 2021. Please find attached below , the Township’s feedback to Azimuth’s comments of November 9 , 2021;

ITEM # 1

ITEM #	TOWNSHIP REVIEW COMMENT	AZIMUTH RESPONSE
1.	<ul style="list-style-type: none"> Azimuth emailed revised Criteria A and B before conducting PIC #2, however, they did not send a revised overall scoring for the 5 precincts. As a result, the Township of Essa was not aware what proposed preferred alternative location Azimuth was going to present to the public at the PIC and in the updated Phase 3 report. 	<ul style="list-style-type: none"> The revised Criteria A and B sections identified the revised proposed scoring for the criteria in written form. The scoring provided in the written sections of the circulated Criteria A and B sections were consistent with the scoring provided in Table 8 of the EA Report presented at PIC #2. The Phase III EA report that was posted on Azimuth's website on September 3, 2021, approximately 2.5 weeks in advance of the PIC. The Phase III Report contained updated tables that summarized the scorings for the various criteria.

10

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Township Response:

- No further comments other than that stated above by the Township as per our July 8, 2021 virtual meeting.

ITEM # 2

ITEM #	TOWNSHIP REVIEW COMMENT	AZIMUTH RESPONSE																								
2.	<ul style="list-style-type: none"> Concern related to the potential negative impacts on the surrounded residents with respect to the centralized location of Precinct no. 2 and no. 1 to the existing and future residents if a negative situation arose at the plant regardless of the separation distance 	<ul style="list-style-type: none"> The MECP minimum recommended separation distance for a STP of 500m³/day (2x larger than proposed Baxter STP) is 100m. As noted in the report, the MECP routinely approves separation distances of less than 100m. For a STP of 500m³/day to 25,000m³/day (2x to 110x larger than the proposed Baxter STP) <ul style="list-style-type: none"> The MECP minimum required separation distance is 100m. The MECP minimum recommended separation distance is 150m. We have revised Table 2 to differentiate between houses within the Baxter settlement area and houses in the rural area. For a STP within the footprint of Precinct #2, a separation distance of 265m is provided from the nearest existing house in the settlement area, 190m to the nearest house in the rural area and 190m to the nearest house in the new subdivision. Table 2 is revised as follows: <table border="1" data-bbox="760 800 1279 1018"> <caption>Table 2: Summary of Separation Distances by Candidate Precinct</caption> <thead> <tr> <th>Suitable Footprint in Candidate Precinct</th> <th>Distance to Closest House Within Settlement Boundary</th> <th>Distance to Closest Home Outside of the Settlement Boundary</th> <th>Distance to Closest House in the Brookfield Marshall Subdivision</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>230m to the southwest</td> <td>170m to the northwest</td> <td>130m to the west</td> </tr> <tr> <td>2</td> <td>265m to the southwest</td> <td>190m to the northwest</td> <td>190m to the west</td> </tr> <tr> <td>3</td> <td>430 to the south</td> <td>600m to the west</td> <td>750 to the west</td> </tr> <tr> <td>4</td> <td>300 to the northeast, 106m to the baseball diamond and 215m to the outdoor skating rink</td> <td>240m to the north</td> <td>Not applicable since not adjacent</td> </tr> <tr> <td>5</td> <td>900m to north</td> <td>260m to the west</td> <td>Not applicable since not adjacent</td> </tr> </tbody> </table> The minimum required and recommended separation distances recommended by the MECP for STPs over 100x the size of the proposed Baxter plant are being proposed. The odour modelling report contained in the Appendix of the EA and referred to in Section 7.1 of the EA 	Suitable Footprint in Candidate Precinct	Distance to Closest House Within Settlement Boundary	Distance to Closest Home Outside of the Settlement Boundary	Distance to Closest House in the Brookfield Marshall Subdivision	1	230m to the southwest	170m to the northwest	130m to the west	2	265m to the southwest	190m to the northwest	190m to the west	3	430 to the south	600m to the west	750 to the west	4	300 to the northeast, 106m to the baseball diamond and 215m to the outdoor skating rink	240m to the north	Not applicable since not adjacent	5	900m to north	260m to the west	Not applicable since not adjacent
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5	900m to north	260m to the west	Not applicable since not adjacent																							

BROOKFIELD PROPERTIES 5

AZIMUTH RESPONSE
<p>Report, is high biased as the odour modelling is based on a facility approximately 215x larger, contains almost 2ha of open air tanks. The odour modelling indicates that the maximum area of impact was predicted to be between 75m-90m. The conclusion of the odour modelling is that a minimum separation distance of 90m is recommended.</p> <ul style="list-style-type: none"> Based on the MECP guidelines, odour modelling, and professional experience, the proposed setbacks for the proposed STP in Precinct #2 to the existing and proposed sensitive uses within the community are more than sufficient to protect the municipality and their residents. It is understood that the Township would like to have the facility be located as far from the existing and proposed residents as possible, preferably to Precinct #3. Due to the flat nature of the surrounding lands, high ground water conditions, construction limitations, etc. it is impractical to service a STP in Precinct #3 by gravity. As a result, the construction of a STP in Precinct #3 would also necessitate the construction of a standalone SPS to convey sewage to the STP. It is expected that the SPS would remain in its previously approved location immediately within the Park Block, and approximately 65m from existing residences. A SPS is a generator of odours as they are released from the headspace of the wet well as the chamber fills with raw sewage.

11

Township Response:

- Page 5 of the odour report states, ***“Overall, the greater the separation distance between the proposed WWTP and any existing and proposed sensitive land uses, the lower the potential for odour impacts and possible complaints.”*** The Township’s preference for Precinct 3 is in line with this statement.
- The provided revised scoring of the precincts (page 4 of 14 Azimuth November 9, 2021 comments) scored 10 points to both precinct 2 and precinct 3 while the provided revised Table 2 shows that the closest homes to precinct 3 are almost 2 to 3 times further in distance to the closest property boundary for residential housing when compared to precinct 2 . It seems that precinct 3 should receive 10 points while precinct 2 shall receive 7 points.
- The Township would appreciate receiving a map identifying each of the properties mentioned in Table 2 (closest houses within the settlement boundary, existing houses outside the settlement boundary and houses in the Brookfield Marshall Subdivision) and the proximity to each precinct, in particular precinct 2 and 3. The Township would also appreciate knowing the source of these measurements such as (google maps, survey....) and the level of accuracy utilized (+/- 1 meters, +/- 3 meters, etc).
- The Township notes that the Phase 3 report indicates that the developer has agreed to address odour in the design of the treatment plant. However, it is not clear if they intend to install an odour treatment system and/or employ techniques such as covering tankage. Under the criteria for Odour and Noise Potential (page 20), following Table 2, it states, ***“Brookfield has committed to controlling off-gases and the design of odour mitigation techniques for the Preferred Design.”*** An odour mitigation “technique” may not be the same as an odour treatment “system”. The Township of Essa requires clarity to this point to ensure the installation of an odour treatment system.

ITEM # 3

ITEM #	TOWNSHIP REVIEW COMMENT	AZIMUTH RESPONSE
3.	<ul style="list-style-type: none"> ▪ Concern related to potential negative impacts on the new park land (distance is in the range of 100 – 200 meters between both proposed facilities). 	<ul style="list-style-type: none"> • As noted above, a STP of this scale is not expected to have an area of impact beyond 75m to 90m. • A park is not considered to be a sensitive use. • Refer to Table 2 in the Odour Report, as well as the response to Ainley’s comment #1.

Township Response:

- Refer to Table 2 below, of the Odour Report which lists soccer fields as ***“human receptors”*** when considering separation distance. A public park shall be in this category as a soccer field. The Odour Report also states, “ The MECP has decided to apply odour-based standards to locations ***“where human activities regularly occur”*** , which is generally accepted to be places that would be considered sensitive residences and public meeting places. The Township expect that a public park would be categorized as public meeting place and subject to the MECP’s

requirement for mitigation (odour/noise) if the facility is less than the MECP's guidelines on set-back.

The MECP has decided to apply odour-based standards to locations "where human activities regularly occur at a time when those activities regularly occur," which is generally accepted to be places that would be considered sensitive such as residences and public meeting places. As a guide, the MECP has provided proposed clarification of human odour receptors, as shown in the following table:

Table 2: Proposed Clarification of Human Receptors (MECP 2008)

Receptor Category	Examples	Exposure Type	Type of Assessment
Permanent potential 24-hour sensitivity	Anywhere someone could sleep including any resident or house, motels, hospitals, senior citizen homes, campgrounds, farmhouse, etc.	Individual likely to receive multiple exposures	Considered sensitive 24 hours per day
Permanent daily hours but with definite periods of shutdown/closure	Schools, daycares, community centres, soccer fields, farmland, churches, bicycle paths, hiking areas, lakes, commercial or institutional facilities (with consideration of hours of operation such as night clubs, restaurants, etc.)	Individual could receive multiple exposures	Nighttime or daytime exclusion only (consider all other hours)
Seasonal variations with clear restrictions on accessibility during the off season	Golf courses, amusement parks, ski hills, other clearly seasonal private property	Short term potential for exposure	Exclusions allowed for non-seasonal use
Transient	Open fields, roadways, easements, driveways, parking lots, pump houses	Very short term potential for exposure, may not be a single resident exposed to multiple events	Generally would not be included as human receptors unless otherwise specified.

- The Township is not sure how the proposed park location is not considered a sensitive land/use.
- The Township would appreciate receiving a map identifying the proposed new park location and the proximity of the proposed park to each precinct, in particular precinct 2 and 3. The Township would also appreciate knowing the source of these measurements such as (google maps, survey....) and the level of accuracy utilized (+/- 1 meters, +/- 3 meters, etc).

ITEM # 4

ITEM #	TOWNSHIP REVIEW COMMENT	AZIMUTH RESPONSE
4.	<ul style="list-style-type: none"> The Township will not support utilizing the storm pond for emergency containment for Precinct 1 and 2. 	<ul style="list-style-type: none"> The Township's comment is acknowledged. Reference to the potential to use the SWM facility for emergency containment will be removed from the report.

Township Response:

- No further comments.

ITEM # 5

ITEM #	TOWNSHIP REVIEW COMMENT	AZIMUTH RESPONSE																																																						
5.	<ul style="list-style-type: none"> Based on the above and all attachments and since the Township of Essa will be taking over the operation and ownership of the facility, the Township of Essa <u>will not</u> support Precinct no. 1 or Precinct no. 2 as the location for the local package plant. Based on Ainley's comments the revised scoring for the locations shows a tie between Precinct no. 2 and Precinct no. 3. The Township will support Precinct no. 3 as the location for the local package plant. 	<ul style="list-style-type: none"> Based on the review of the comments provided by Ainley Group and rectification of scoring discrepancies, the scoring of the precincts does not result in a tie, but rather with Precinct #2 leading by 5 points over Precinct #3. The table is provided below. <table border="1"> <thead> <tr> <th>ATTRIBUTE</th> <th>Precinct 1</th> <th>Precinct 2</th> <th>Precinct 3</th> <th>Precinct 4</th> <th>Precinct 5</th> </tr> </thead> <tbody> <tr> <td>A Noise & Odour Potential</td> <td>8</td> <td>10</td> <td>10</td> <td>10</td> <td>10</td> </tr> <tr> <td>B Separation Distance to Residences</td> <td>5</td> <td>10</td> <td>10</td> <td>10</td> <td>10</td> </tr> <tr> <td>C Protection of Natural Environment</td> <td>10</td> <td>10</td> <td>6</td> <td>9</td> <td>6</td> </tr> <tr> <td>D Suitability of Current Land Use Zoning</td> <td>10</td> <td>10</td> <td>10</td> <td>10</td> <td>10</td> </tr> <tr> <td>E Additional Infrastructure Requirements</td> <td>10</td> <td>10</td> <td>8</td> <td>4</td> <td>5</td> </tr> <tr> <td>F Suitability if Future Expansion is Required</td> <td>10</td> <td>10</td> <td>10</td> <td>7</td> <td>7</td> </tr> <tr> <td>G Construction Disruption</td> <td>6</td> <td>8</td> <td>9</td> <td>3</td> <td>6</td> </tr> <tr> <td></td> <td>59</td> <td>68</td> <td>63</td> <td>53</td> <td>54</td> </tr> </tbody> </table> <ul style="list-style-type: none"> It is acknowledged that Michael Mikael does not find Precinct #2 favourable over Precinct #3. Based on the analysis undertaken in the EA, and the fact that the minimum recommended and required setbacks for facilities over 100x larger than the proposed Baxter STP, Brookfield is prepared to finalize the EA and submit the ESR document to the Ministry. 	ATTRIBUTE	Precinct 1	Precinct 2	Precinct 3	Precinct 4	Precinct 5	A Noise & Odour Potential	8	10	10	10	10	B Separation Distance to Residences	5	10	10	10	10	C Protection of Natural Environment	10	10	6	9	6	D Suitability of Current Land Use Zoning	10	10	10	10	10	E Additional Infrastructure Requirements	10	10	8	4	5	F Suitability if Future Expansion is Required	10	10	10	7	7	G Construction Disruption	6	8	9	3	6		59	68	63	53	54
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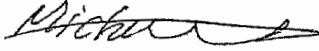
Township Response:

- It seems that the provided revised scoring of the precincts shall be adjusted based on above and Ainley's feedback to Azimuth's comments of November 9, 2021.
- Please note that the comments and concerns provided by Michael Mikael as the Township's representative in this Class EA are those of the Corporation of Essa Township.***

Finally, for Criteria B, on page 26, it states that plant appearance is not an issue because "this [plant appearance] is not a factor in Baxter as the plant appearance would be suitable". The Township assumes that by "suitable" the developer means that the facility's architecture will be the same architectural style as the new homes in the development, however, it is not explicitly stated as such in the report. The Township wishes that the developer commits to designing the architectural style of the treatment facility to match the style of the homes in the developer's new development. The Township would appreciate clarification on this point.

7a

Please contact the undersigned if you have any questions.



Michael Mikael
Manager of Public Works on behalf of the Township of Essa



Colleen Dowdall, CAO
Chief Administrative Officer on behalf of the Township of Essa

Attachment:

Attachment no.1 Ainley Group Class EA Peer Review

Attachment

at

ITEM #	SECTION & TEXT	AINLEY REVIEW COMMENT (Oct 8, 2021)	AZIMUTH RESPONSE (Attached) (Nov 9, 2021)	AINLEY COMMENT (Nov 29, 2021)
1.	Existing baseball diamond and outdoor skating rink are not considered sensitive land uses	<ul style="list-style-type: none"> The Town may not wish to have the WWTP close to an area that will be used by residents for recreational purposes 	<ul style="list-style-type: none"> The focus on sensitive land use has always been residential or areas where people routinely spend a large amount of time, and they have to do so in the absence of being able to go somewhere else. Table 2 in the Odour Modelling Report contained in Appendix 5 of the Phase III Report provides clarification of human odour receptors. The STP siting in Precinct #4 is 108m south of the southern limit of the existing baseball diamond, which is situated to the south of the outdoor pad. The Odour Modelling Report identified a 120m area of impact for a STP in this location, which infringes on the southeastern corner of the outfield as illustrated in Figure No. 6 of the Odour Modelling Report. The outdoor skating pad is 215m from Precinct 4. Therefore, the ball diamond and the outdoor skating rink both meet the MECF recommended separation distance for sensitive land uses. 	No further comment.
2.	Criteria B (separation to residences (Aesthetics))	<ul style="list-style-type: none"> In Table 3, a listing of the number of houses within various distances from the proposed locations is presented but the information is not used in the evaluation. Instead, the evaluation is based on separation distances, which is addressed in criteria A. 	<ul style="list-style-type: none"> Table 3 contains a listing of the number of houses within various distances from the proposed locations. The scoring metric for this criteria is based on separation distance and proximity to existing and proposed houses. <ul style="list-style-type: none"> Separation distance to homes >150m = 10 Separation distance to homes >100m but <150m = 8 Separation distance to homes <100m = 5 If facility cannot be shielded, subtract 1 from scoring If homes are within 100m, subtract 1 from scoring As there were no homes within the 100m area, further subtractions were not made. 	<ul style="list-style-type: none"> The intent of the comment was that separation distance was used as the metric to evaluate Criteria A (Noise and Odour Potential), so it cannot be used again as the basis for scoring of another criteria. The Ainley's and the Township's comment on the draft Phase 3 report was that consideration should be given to the number of residences that would be impacted if there were a negative incident/situation at the plant. Table 3 presents the information required to evaluate based on this metric but the evaluation instead uses separation distance alone. The number of houses within the 150m limit should be used so that the location with the greatest number of houses within a specified radius would receive the lowest score and the location(s) with no houses within the radius would score 10.
3.		<ul style="list-style-type: none"> The Town and Ainley have requested that the number of residents that could potentially be impacted by the plant odours/noise or plant operations, such as trucking traffic, or esthetics be taken into account with this criteria or criteria A. 	<ul style="list-style-type: none"> Consideration can be given to revising scoring to further deduct scoring on a per unit basis (e.g. 1 point for every house within 100m, 1pt for every 2 houses within 150m). It is noted that this will only impact on the scoring for Precinct 1, as all other precincts provide a separation distance of greater than 150m. 	<ul style="list-style-type: none"> The proposed approach would be acceptable to capture the intent of this criteria. Table 3 is slightly confusing because the distance headings in the columns overlap i.e., the columns for 100-150m and 150-200m separation both have the key distance of 150m. Consider revising to remove these overlaps. As it is, our interpretation of precinct 1, for example, is that there could be up to 14 houses within or right at the 150m radius mark. Since separation distance is a key consideration in multiple evaluations, it would offer clarity if there were maps showing the distances from existing and new homes to each proposed location. The estimated footprint of the treatment plant should also be noted in the evaluations. Recognizing that SBR is the recommended treatment technology, the footprint could be based on that. A proposed plant layout would be required in the ESR, so one needs to be developed at some point.

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4.		<ul style="list-style-type: none"> From Table 3 and looking at the total number of existing homes and new subdivision homes, there are 6 homes in precinct 1 that will be within 150m, 1 home in precinct 2 within 150m, 0 homes in precinct 3 within 150m. 	<ul style="list-style-type: none"> Table 3 identifies 0 homes within 100m in all precincts Table 3 identifies 5 homes within 150m of the STP location in Precinct #1; 0 homes within 150m of the STP location in all other precincts. Table 3 included below for information. <p>Table 3: Proximity of Proposed STP Above-Ground Structures within Candidate Precincts to Homes</p> <table border="1"> <thead> <tr> <th rowspan="2">Candidate Precinct</th> <th colspan="5"># existing homes within specified distance</th> <th colspan="5"># in new subdivision within specified distance</th> <th rowspan="2"># homes within 150m</th> </tr> <tr> <th>0-100</th> <th>100-150</th> <th>150-200</th> <th>200-250</th> <th>250-300</th> <th>0-100</th> <th>100-150</th> <th>150-200</th> <th>200-250</th> <th>250-300</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>0</td> <td>0</td> <td>1</td> <td>2</td> <td>2</td> <td>0</td> <td>5</td> <td>8</td> <td>10</td> <td>25</td> <td>5</td> </tr> <tr> <td>2</td> <td>0</td> <td>0</td> <td>1</td> <td>0</td> <td>4</td> <td>0</td> <td>0</td> <td>3</td> <td>10</td> <td>13</td> <td>0</td> </tr> <tr> <td>3</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> </tr> <tr> <td>4</td> <td>0</td> <td>0</td> <td>1</td> <td>1</td> <td>5</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> </tr> <tr> <td>5</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> <td>3</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> </tr> </tbody> </table>	Candidate Precinct	# existing homes within specified distance					# in new subdivision within specified distance					# homes within 150m	0-100	100-150	150-200	200-250	250-300	0-100	100-150	150-200	200-250	250-300	1	0	0	1	2	2	0	5	8	10	25	5	2	0	0	1	0	4	0	0	3	10	13	0	3	0	0	0	0	0	0	0	0	0	0	0	4	0	0	1	1	5	0	0	0	0	0	0	5	0	0	0	0	3	0	0	0	0	0	0	<ul style="list-style-type: none"> The scoring will need to be revisited after the requested clarifications in the table and information on separation distance is made available.
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5.		<ul style="list-style-type: none"> Based on Table 3 and the request to incorporate the number of residents that would be impacted if a negative situation arose at the plant, the scoring below might be more appropriate: <ul style="list-style-type: none"> -precinct 1 = 5 -precincts 2 = 8 -precinct 3 = 10 -precinct 4 = 8 -precinct 5 = 10 	<ul style="list-style-type: none"> Based on the information contained in Table 3, as well as the additional scoring deduction proposed above, we would propose the following scoring: <ul style="list-style-type: none"> -precinct 1 = 5 -precinct 2 = 10 -precinct 3 = 10 -precinct 4 = 10 -precinct 5 = 10 	<ul style="list-style-type: none"> Revisit scoring after comments above are addressed. 																																																																																		
6.	Criteria C (Protection of the Natural Environment)	<ul style="list-style-type: none"> The discussion indicates that the stormwater pond could be used for emergency containment for precinct 1. However, the Town indicated that they would not accept such an option. Recommendations based on such use of the stormwater facility may not receive support. 	<ul style="list-style-type: none"> It is acknowledged that the Township is not supportive of the SWM facility being considered as a potential opportunity for emergency containment in the event of an overflow or failure of the STP. Reference to the potential use of the SWM facility for containment will be removed from the report. 	<ul style="list-style-type: none"> In the ESR, the MECP requires a discussion of what mitigation measures will be in place to address climate change concerns, one of which are events involving exceptionally high levels of precipitation. In order to meet that MECP requirement, the study will need to indicate what measures are proposed for all locations to address high flows or situations where flows are beyond the plant's peak-flow design. For Precinct 1 and 2, if the stormwater pond is not available, will a separate containment/tanks be incorporated into the plant or will trucking to another facility be the emergency measure? If additional tankage is the proposed option, the criteria for infrastructure requirements may need to be revisited. 																																																																																		

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ITEM #	SECTION & TEXT	AINLEY REVIEW COMMENT (Oct 8, 2021)	AZIMUTH RESPONSE (Attached) (Nov 9, 2021)	AINLEY COMMENT (Nov 29, 2021)
7.	Criteria E (Infrastructure requirements)	<ul style="list-style-type: none"> Scoring in table does not match the description in the text. Scoring in the table is in line with previous discussions with the Town and Ainley. 	<ul style="list-style-type: none"> Ainley is correct in that the scoring in Table 8 does not match that in the text. Azimuth and Brookfield disagree that the scoring in the table is in line with previous discussions with the Township and Ainley. The draft Phase III Report dated May 12, 2021 provided scoring of 10, 9, 5, 5, 5 for Precincts 1 through 5 respectively. Ainley's comments of June 4, 2021 identified that revised scoring should be considered. Township's comments of June 21, 2021 indicated that scoring for all precincts should be the same. The Meeting Minutes of July 8, 2021 identify that Ainley suggested a scoring for this criteria of 10, 10, 7 or 8, 4, 5 for Precincts 1 through 5 respectively. The scoring in the text section identifies 10, 10, 8, 4, 5, which is in keeping with the Meeting Minutes of July 8, 2021. Table 8 will be updated to reflect the scoring in the text of the report. 	<ul style="list-style-type: none"> in Ainley's email of Aug 20 (after the meeting minutes were finalized), we proposed that scoring for Precinct 2 and 3 should be the same, after providing detailed metrics to be considered for the evaluation. The scoring proposed was P1=8, P2=10, P3=10, P4=4, P5=6. The costs presented in Table 6 show that the capital cost of the raw sewage SPS alone as 6.5 times that of a lift station (\$3M vs \$460,000). A \$3M cost estimate for an SPS is more in line for SPSs that pump approximately 14,000 m³/d, including a building to house pumps and controls and standby power. The Baxter SPS is expected to pump approximately 1,000 m³/d. It is unclear why there is such a big difference between the SPS and the lift station. The report cites that a separate structure would be needed for a stand-alone "SPS", however, smaller SPSs, such as Baxter's would not require a drywell (above-ground structure). The pumps would be submersible pumps, housed in a below-ground wetwell, and the controls would be housed in a weatherproof control panel enclosure, mounted at grade beside the wetwell. A more detailed breakdown of how the cost estimates were developed (pumps, controls, standby power, etc.) is needed in order to review this cost-based evaluation. The proposed infrastructure requirements for Precincts 1 and 2 considers that pumping of raw sewage will not be required. Please clarify if flow from the collection system into the SBR equalization tank and then into the SBR react chamber will be by gravity alone.
8.	Criteria G (Construction Disruption)	<ul style="list-style-type: none"> Table 7 seems to contradict information in Table 3. Table 3 shows that there are existing residents within 150-200m of precincts 1, 2, and 4, so Table 7 should deduct 1 point from the score of those precincts. 	<ul style="list-style-type: none"> Table 7 will be updated to reflect the necessary deductions. Revised scoring is provided below. 	<ul style="list-style-type: none"> Table 7 may need to be revisited after the review comments above are addressed.

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9.		<ul style="list-style-type: none"> The scoring discussed in this section does not match the final scorings shown in Table 8. Per the discussion in the text, including the corrections on precincts 1, 2, and 4 discussed above, the scoring for precincts 1, 2, 3, 4, and 5 would be 7, 8, 9, 3, and 6 respectively. 	<ul style="list-style-type: none"> The text and table will be updated to ensure consistency with Table 3. Proposed scoring is provided below, with modified cells highlighted in yellow. <p>Revised Table 7 - Construction Disruption</p> <table border="1" data-bbox="493 440 1236 686"> <thead> <tr> <th>Precinct</th> <th>Minor Road Closure (-1)</th> <th>Major Road Closure (-2)</th> <th>Construction of SPS (-1)</th> <th>STP 150-200m from existing Residents (-1)</th> <th>STP 100-150m from existing Residents (-2)</th> <th>Staging 150m-200m from ex. Residents (-1)</th> <th>Staging 100-150m from ex. Residents (-2)</th> <th>Score</th> </tr> </thead> <tbody> <tr> <td>1</td> <td></td> <td></td> <td></td> <td></td> <td>-2</td> <td></td> <td>-2</td> <td>6</td> </tr> <tr> <td>2</td> <td></td> <td></td> <td></td> <td>-1</td> <td></td> <td>-1</td> <td></td> <td>8</td> </tr> <tr> <td>3</td> <td></td> <td></td> <td>-1</td> <td></td> <td></td> <td></td> <td></td> <td>9</td> </tr> <tr> <td>4</td> <td></td> <td>-4</td> <td>-1</td> <td>-1</td> <td></td> <td>-1</td> <td></td> <td>3</td> </tr> <tr> <td>5</td> <td></td> <td>-2</td> <td>-1</td> <td></td> <td></td> <td>-1</td> <td></td> <td>6</td> </tr> </tbody> </table> <p>Based on addressing the above noted comments, the final scoring in Table 8 is provided below.</p> <table border="1" data-bbox="493 764 1236 1040"> <thead> <tr> <th>ATTRIBUTE</th> <th>Precinct 1</th> <th>Precinct 2</th> <th>Precinct 3</th> <th>Precinct 4</th> <th>Precinct 5</th> </tr> </thead> <tbody> <tr> <td>A Noise & Odour Potential</td> <td>8</td> <td>10</td> <td>10</td> <td>10</td> <td>10</td> </tr> <tr> <td>B Separation Distance to Residences</td> <td>5</td> <td>10</td> <td>10</td> <td>10</td> <td>10</td> </tr> <tr> <td>C Protection of Natural Environment</td> <td>10</td> <td>10</td> <td>6</td> <td>9</td> <td>6</td> </tr> <tr> <td>D Suitability of Current Land Use Zoning</td> <td>10</td> <td>10</td> <td>10</td> <td>10</td> <td>10</td> </tr> <tr> <td>E Additional Infrastructure Requirements</td> <td>10</td> <td>10</td> <td>8</td> <td>4</td> <td>5</td> </tr> <tr> <td>F Suitability if Future Expansion is Required</td> <td>10</td> <td>10</td> <td>10</td> <td>7</td> <td>7</td> </tr> <tr> <td>G Construction Disruption</td> <td>6</td> <td>8</td> <td>9</td> <td>3</td> <td>6</td> </tr> <tr> <td></td> <td>59</td> <td>68</td> <td>63</td> <td>53</td> <td>54</td> </tr> </tbody> </table>							Precinct	Minor Road Closure (-1)	Major Road Closure (-2)	Construction of SPS (-1)	STP 150-200m from existing Residents (-1)	STP 100-150m from existing Residents (-2)	Staging 150m-200m from ex. Residents (-1)	Staging 100-150m from ex. Residents (-2)	Score	1					-2		-2	6	2				-1		-1		8	3			-1					9	4		-4	-1	-1		-1		3	5		-2	-1			-1		6	ATTRIBUTE	Precinct 1	Precinct 2	Precinct 3	Precinct 4	Precinct 5	A Noise & Odour Potential	8	10	10	10	10	B Separation Distance to Residences	5	10	10	10	10	C Protection of Natural Environment	10	10	6	9	6	D Suitability of Current Land Use Zoning	10	10	10	10	10	E Additional Infrastructure Requirements	10	10	8	4	5	F Suitability if Future Expansion is Required	10	10	10	7	7	G Construction Disruption	6	8	9	3	6		59	68	63	53	54	<ul style="list-style-type: none"> Table 7 may need to be revisited after the review comments above are addressed.
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Ainley & Associates Limited
195 County Court Boulevard, Brampton, ON L6W 4P7
Tel: (905) 452-5172
E-mail: brampton@ainleygroup.com

**Brookfield
Properties**

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ITEM #	SECTION & TEXT	AINLEY REVIEW COMMENT	AZIMUTH RESPONSE
1.	Existing baseball diamond and outdoor skating rink are not considered sensitive land uses	<ul style="list-style-type: none"> The Town may not wish to have the WWTP close to an area that will be used by residents for recreational purposes. 	<ul style="list-style-type: none"> The focus on sensitive land use has always been residential or areas where people routinely spend a large amount of time, and they have to do so in the absence of being able to go somewhere else. Table 2 in the Odour Modelling Report contained in Appendix 5 of the Phase III Report provides clarification of human odour receptors. The STP siting in Precinct #4 is 108m south of the southern limit of the existing baseball diamond, which is situated to the south of the outdoor pad. The Odour Modelling Report identified a 120m area of impact for a STP in this location, which infringes on the southeastern corner of the outfield as illustrated in Figure No. 6 of the Odour Modelling Report. The outdoor skating pad is 215m from Precinct 4. Therefore, the ball diamond and the outdoor skating rink both meet the MECP recommended separation distance for sensitive land uses.
2.	Criteria B (separation to residences (Aesthetics))	<ul style="list-style-type: none"> In Table 3, a listing of the number of houses within various distances from the proposed locations is presented but the information is not used in the evaluation. Instead, the evaluation is based on separation distances, which is addressed in criteria A. The Town and Ainley have requested that the number of residents that could potentially be impacted by the plant odours/noise or plant operations, such as trucking traffic, or esthetics be taken into account with this criteria or criteria A. 	<ul style="list-style-type: none"> Table 3 contains a listing of the number of houses within various distances from the proposed locations. The scoring metric for this criteria is based on separation distance and proximity to existing and proposed houses. <ul style="list-style-type: none"> Separation distance to homes >150m = 10 Separation distance to homes >100m but <150m = 8 Separation distance to homes <100m = 5 If facility cannot be shielded, subtract 1 from scoring If homes are within 100m, subtract 1 from scoring As there were no homes within the 100m area, further subtractions were not made. Consideration can be given to revising scoring to further deduct scoring on a per unit basis (e.g. 1 point for every house within 100m, 1pt for every 2 houses within 150m). It is noted that this will only impact on the scoring for Precinct 1, as all other precincts provide a separation distance of greater than 150m.

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ITEM #	SECTION & TEXT	AINLEY REVIEW COMMENT	AZIMUTH RESPONSE																																																																																		
		<ul style="list-style-type: none"> From Table 3 and looking at the total number of existing homes and new subdivision homes, there are 6 homes in precinct 1 that will be within 150m, 1 home in precinct 2 within 150m, 0 homes in precinct 3 within in 150m. 	<ul style="list-style-type: none"> Table 3 identifies 0 homes within 100m in all precincts Table 3 identifies 5 homes within 150m of the STP location in Precinct #1; 0 homes within 150m of the STP location in all other precincts. Table 3 included below for information. Table 3: Proximity of Proposed STP Above-Ground Structures within Candidate Precincts to Homes <table border="1"> <thead> <tr> <th rowspan="2">Candidate Precinct</th> <th colspan="5"># existing homes within specified distance</th> <th colspan="5"># in new subdivision within specified distance</th> <th rowspan="2"># homes within 150m</th> </tr> <tr> <th>0-100</th> <th>100-150</th> <th>150-200</th> <th>200-250</th> <th>250-300</th> <th>0-100</th> <th>100-150</th> <th>150-200</th> <th>200-250</th> <th>250-300</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>0</td> <td>0</td> <td>1</td> <td>2</td> <td>2</td> <td>0</td> <td>5</td> <td>8</td> <td>10</td> <td>25</td> <td>5</td> </tr> <tr> <td>2</td> <td>0</td> <td>0</td> <td>1</td> <td>0</td> <td>4</td> <td>0</td> <td>0</td> <td>3</td> <td>10</td> <td>13</td> <td>0</td> </tr> <tr> <td>3</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> </tr> <tr> <td>4</td> <td>0</td> <td>0</td> <td>1</td> <td>1</td> <td>5</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> </tr> <tr> <td>5</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> <td>3</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> </tr> </tbody> </table>	Candidate Precinct	# existing homes within specified distance					# in new subdivision within specified distance					# homes within 150m	0-100	100-150	150-200	200-250	250-300	0-100	100-150	150-200	200-250	250-300	1	0	0	1	2	2	0	5	8	10	25	5	2	0	0	1	0	4	0	0	3	10	13	0	3	0	0	0	0	0	0	0	0	0	0	0	4	0	0	1	1	5	0	0	0	0	0	0	5	0	0	0	0	3	0	0	0	0	0	0
Candidate Precinct	# existing homes within specified distance					# in new subdivision within specified distance					# homes within 150m																																																																										
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5	0	0	0	0	3	0	0	0	0	0	0																																																																										
		<ul style="list-style-type: none"> Based on Table 3 and the request to incorporate the number of residents that would be impacted if a negative situation arose at the plant, the scoring below might be more appropriate: <ul style="list-style-type: none"> -precinct 1 = 5 -precincts 2 = 8 -precinct 3 = 10 -precinct 4 = 8 -precinct 5 = 10 	<ul style="list-style-type: none"> Based on the information contained in Table 3, as well as the additional scoring deduction proposed above, we would propose the following scoring: <ul style="list-style-type: none"> -precinct 1 = 5 -precinct 2 = 10 -precinct 3 = 10 -precinct 4 = 10 -precinct 5 = 10 																																																																																		
3.	Criteria C (Protection of the Natural Environment)	<ul style="list-style-type: none"> The discussion indicates that the stormwater pond could be used for emergency containment for precinct 1. However, the Town indicated that they would not accept such an option. Recommendations based on such use of the stormwater facility may not receive support 	<ul style="list-style-type: none"> It is acknowledged that the Township is not supportive of the SWM facility being considered as a potential opportunity for emergency containment in the event of an overflow or failure of the STP. Reference to the potential use of the SWM facility for containment will be removed from the report. 																																																																																		
4.	Criteria E (Infrastructure Requirements)	<ul style="list-style-type: none"> Scoring in table does not match the description in the text. Scoring in the table is in line with previous discussions with the 	<ul style="list-style-type: none"> Ainley is correct in that the scoring in Table 8 does not match that in the text. Azimuth and Brookfield disagree that the scoring in the table is in line with previous discussions with the Township and Ainley. 																																																																																		

ITEM #	SECTION & TEXT	AINLEY REVIEW COMMENT	AZIMUTH RESPONSE																																																				
		Town and Ainley.	<ul style="list-style-type: none"> The draft Phase III Report dated May 12, 2021 provided scoring of 10, 9, 5, 5, 5 for Precincts 1 through 5 respectively. Ainley's comments of June 4, 2021 identified that revised scoring should be considered. Township's comments of June 21, 2021 indicated that scoring for all precincts should be the same. The Meeting Minutes of July 8, 2021 identify that Ainley suggested a scoring for this criteria of 10, 10, 7 or 8, 4, 5 for Precincts 1 through 5 respectively. The scoring in the text section identifies 10, 10, 8, 4, 5, which is in keeping with the Meeting Minutes of July 8, 2021. Table 8 will be updated to reflect the scoring in the text of the report. 																																																				
5.	Criteria G (Construction Disruption)	<ul style="list-style-type: none"> Table 7 seems to contradict information in Table 3. Table 3 shows that there are existing residents within 150-200m of precincts 1, 2, and 4, so Table 7 should deduct 1 point from the score of those precincts. 	<ul style="list-style-type: none"> Table 7 will be updated to reflect the necessary deductions. Revised scoring is provided below. 																																																				
		<ul style="list-style-type: none"> The scoring discussed in this section does not match the final scorings shown in Table 8. Per the discussion in the text, including the corrections on precincts 1, 2, and 4 discussed above, the scoring for precincts 1, 2, 3, 4, and 5 would be 7, 8, 9, 3, and 6 respectively. 	<ul style="list-style-type: none"> The text and table will be updated to ensure consistency with Table 3. Proposed scoring is provided below, with modified cells highlighted in yellow. <p>Revised Table 7 - Construction Disruption</p> <table border="1"> <thead> <tr> <th>Precinct</th> <th>Minor Road Closure (-1)</th> <th>Major Road Closure (-2)</th> <th>Construction of SPS (-1)</th> <th>STP 150-200m from existing Residents (-1)</th> <th>STP 100-150m from existing Residents (-2)</th> <th>Staging 150m-200m from ex. Residents (-1)</th> <th>Staging 100-150m from ex. Residents (-2)</th> <th>Score</th> </tr> </thead> <tbody> <tr> <td>1</td> <td></td> <td></td> <td></td> <td></td> <td>-2</td> <td></td> <td>-2</td> <td>6</td> </tr> <tr> <td>2</td> <td></td> <td></td> <td></td> <td>-1</td> <td></td> <td>-1</td> <td></td> <td>8</td> </tr> <tr> <td>3</td> <td></td> <td></td> <td>-1</td> <td></td> <td></td> <td></td> <td></td> <td>9</td> </tr> <tr> <td>4</td> <td></td> <td>-4</td> <td>-1</td> <td>-1</td> <td></td> <td>-1</td> <td></td> <td>3</td> </tr> <tr> <td>5</td> <td></td> <td>-2</td> <td>-1</td> <td></td> <td></td> <td>-1</td> <td></td> <td>6</td> </tr> </tbody> </table>	Precinct	Minor Road Closure (-1)	Major Road Closure (-2)	Construction of SPS (-1)	STP 150-200m from existing Residents (-1)	STP 100-150m from existing Residents (-2)	Staging 150m-200m from ex. Residents (-1)	Staging 100-150m from ex. Residents (-2)	Score	1					-2		-2	6	2				-1		-1		8	3			-1					9	4		-4	-1	-1		-1		3	5		-2	-1			-1
Precinct	Minor Road Closure (-1)	Major Road Closure (-2)	Construction of SPS (-1)	STP 150-200m from existing Residents (-1)	STP 100-150m from existing Residents (-2)	Staging 150m-200m from ex. Residents (-1)	Staging 100-150m from ex. Residents (-2)	Score																																															
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4		-4	-1	-1		-1		3																																															
5		-2	-1			-1		6																																															

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Based on addressing the above noted comments, the final scoring in Table 8 is provided below.

	ATTRIBUTE	Precinct 1	Precinct 2	Precinct 3	Precinct 4	Precinct 5
A	Noise & Odour Potential	8	10	10	10	10
B	Separation Distance to Residences	5	10	10	10	10
C	Protection of Natural Environment	10	10	6	9	6
D	Suitability of Current Land Use Zoning	10	10	10	10	10
E	Additional Infrastructure Requirements	10	10	8	4	5
F	Suitability if Future Expansion is Required	10	10	10	7	7
G	Construction Disruption	6	8	9	3	6
		59	68	63	53	54

25

ITEM #	TOWNSHIP REVIEW COMMENT	AZIMUTH RESPONSE																								
1.	<ul style="list-style-type: none"> Azimuth emailed revised Criteria A and B before conducting PIC #2, however, they did not send a revised overall scoring for the 5 precincts. As a result, the Township of Essa was not aware what proposed preferred alternative location Azimuth was going to present to the public at the PIC and in the updated Phase 3 report. 	<ul style="list-style-type: none"> The revised Criteria A and B sections identified the revised proposed scoring for the criteria in written form. The scoring provided in the written sections of the circulated Criteria A and B sections were consistent with the scoring provided in Table 8 of the EA Report presented at PIC #2. The Phase III EA report that was posted on Azimuth's website on September 3, 2021, approximately 2.5 weeks in advance of the PIC. The Phase III Report contained updated tables that summarized the scorings for the various criteria. 																								
2.	<ul style="list-style-type: none"> Concern related to the potential negative impacts on the surrounded residents with respect to the centralized location of Precinct no. 2 and no. 1 to the existing and future residents if a negative situation arose at the plant regardless of the separation distance 	<ul style="list-style-type: none"> The MECP minimum recommended separation distance for a STP of 500m³/day (2x larger than proposed Baxter STP) is 100m. As noted in the report, the MECP routinely approves separation distances of less than 100m. For a STP of 500m³/day to 25,000m³/day (2x to 110x larger than the proposed Baxter STP) <ul style="list-style-type: none"> The MECP <u>minimum required</u> separation distance is 100m. The MECP <u>minimum recommended</u> separation distance is 150m. We have revised Table 2 to differentiate between houses within the Baxter settlement area and houses in the rural area. For a STP within the footprint of Precinct #2, a separation distance of 265m is provided from the nearest existing house in the settlement area, 190m to the nearest house in the rural area and 190m to the nearest house in the new subdivision. Table 2 is revised as follows: <table border="1" data-bbox="940 857 1749 1187"> <caption>Table 2: Summary of Separation Distances by Candidate Precinct</caption> <thead> <tr> <th>Suitable Footprint in Candidate Precinct</th> <th>Distance to Closest House Within Settlement Boundary</th> <th>Distance to Closest Home Outside of the Settlement Boundary</th> <th>Distance to Closest House in the Brookfield Marshall Subdivision</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>230m to the southwest</td> <td>170m to the northwest</td> <td>130m to the west</td> </tr> <tr> <td>2</td> <td>265m to the southwest</td> <td>190m to the northwest</td> <td>190m to the west</td> </tr> <tr> <td>3</td> <td>430 to the south</td> <td>600m to the west</td> <td>750 to the west</td> </tr> <tr> <td>4</td> <td>300 to the northeast, 108m to the baseball diamond and 215m to the outdoor skating rink</td> <td>240m to the north</td> <td>Not applicable since not adjacent</td> </tr> <tr> <td>5</td> <td>900m to north</td> <td>260m to the west</td> <td>Not applicable since not adjacent</td> </tr> </tbody> </table> The minimum required and recommended separation distances recommended by the MECP for STPs over 100x the size of the proposed Baxter plant are being proposed. The odour modelling report contained in the Appendix of the EA and referred to in Section 7.1 of the EA 	Suitable Footprint in Candidate Precinct	Distance to Closest House Within Settlement Boundary	Distance to Closest Home Outside of the Settlement Boundary	Distance to Closest House in the Brookfield Marshall Subdivision	1	230m to the southwest	170m to the northwest	130m to the west	2	265m to the southwest	190m to the northwest	190m to the west	3	430 to the south	600m to the west	750 to the west	4	300 to the northeast, 108m to the baseball diamond and 215m to the outdoor skating rink	240m to the north	Not applicable since not adjacent	5	900m to north	260m to the west	Not applicable since not adjacent
Suitable Footprint in Candidate Precinct	Distance to Closest House Within Settlement Boundary	Distance to Closest Home Outside of the Settlement Boundary	Distance to Closest House in the Brookfield Marshall Subdivision																							
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26

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ITEM #	TOWNSHIP REVIEW COMMENT	AZIMUTH RESPONSE
		<p>Report, is high biased as the odour modelling is based on a facility approximately 215x larger, contains almost 2ha of open air tanks. The odour modelling indicates that the maximum area of impact was predicted to be between 75m-90m. The conclusion of the odour modelling is that a minimum separation distance of 90m is recommended.</p> <ul style="list-style-type: none">• Based on the MECP guidelines, odour modelling, and professional experience, the proposed setbacks for the proposed STP in Precinct #2 to the existing and proposed sensitive uses within the community are more than sufficient to protect the municipality and their residents.• It is understood that the Township would like to have the facility be located as far from the existing and proposed residents as possible, preferably to Precinct #3. Due to the flat nature of the surrounding lands, high ground water conditions, construction limitations, etc. it is impractical to service a STP in Precinct #3 by gravity. As a result, the construction of a STP in Precinct #3 would also necessitate the construction of a standalone SPS to convey sewage to the STP. It is expected that the SPS would remain in its previously approved location immediately within the Park Block, and approximately 65m from existing residences. A SPS is a generator of odours as they are released from the headspace of the wet well as the chamber fills with raw sewage.
3.	<ul style="list-style-type: none">• Concern related to potential negative impacts on the new park land (distance is in the range of 100 – 200 meters between both proposed facilities).	<ul style="list-style-type: none">• As noted above, a STP of this scale is not expected to have an area of impact beyond 75m to 90m.• A park is not considered to be a sensitive use.• Refer to Table 2 in the Odour Report, as well as the response to Ainley's comment #1.
4.	<ul style="list-style-type: none">• The Township will not support utilizing the storm pond for emergency containment for Precinct 1 and 2	<ul style="list-style-type: none">• The Township's comment is acknowledged. Reference to the potential to use the SWM facility for emergency containment will be removed from the report.

27

5. Based on the above and all attachments and since the Township of Essa will be taking over the operation and ownership of the facility, the Township of Essa **will not** support Precinct no. 1 or Precinct no. 2 as the location for the local package plant. Based on Ainley's comments the revised scoring for the locations shows a tie between Precinct no. 2 and Precinct no. 3. The Township will support Precinct no. 3 as the location for the local package plant.

Based on the review of the comments provided by Ainley Group and rectification of scoring discrepancies, the scoring of the precincts does not result in a tie, but rather with Precinct #2 leading by 5 points over Precinct #3. The table is provided below.

	ATTRIBUTE	Precinct 1	Precinct 2	Precinct 3	Precinct 4	Precinct 5
A	Noise & Odour Potential	8	10	10	10	10
B	Separation Distance to Residences	5	10	10	10	10
C	Protection of Natural Environment	10	10	6	9	6
D	Suitability of Current Land Use Zoning	10	10	10	10	10
E	Additional Infrastructure Requirements	10	10	8	4	5
F	Suitability if Future Expansion is Required	10	10	10	7	7
G	Construction Disruption	6	8	9	3	6
		59	68	63	53	54

It is acknowledged that Michael Mikael does not find Precinct #2 favourable over Precinct #3. Based on the analysis undertaken in the EA, and the fact that the minimum recommended and required setbacks for facilities over 100x larger than the proposed Baxter STP, Brookfield is prepared to finalize the EA and submit the ESR document to the Ministry.

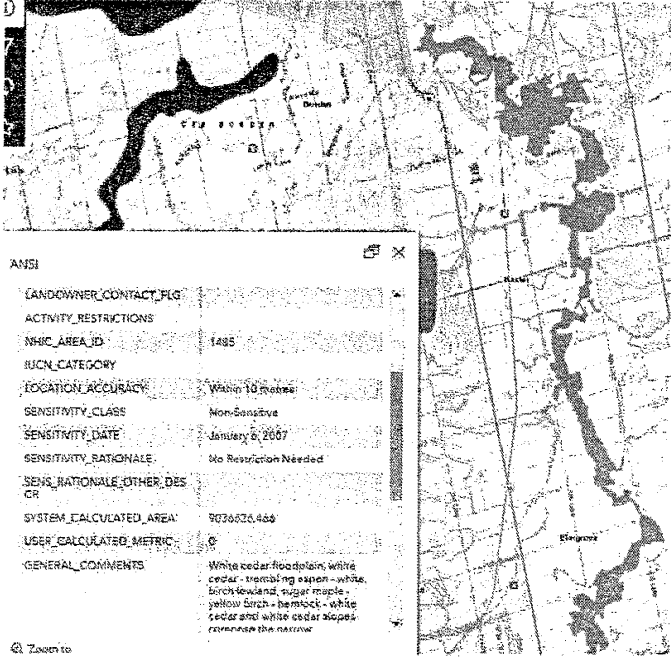
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ITEM #	JUNE HAMELIN REVIEW COMMENT	AZIMUTH RESPONSE
1.	<ul style="list-style-type: none"> Initial section discusses environmental aspects that relate to the Environmental Assessment (EA) Act evaluation of an undertaking and alleges that the report is missed the mark as they are not specifically addressed. 	<ul style="list-style-type: none"> Wastewater projects are evaluated through the Class Environmental Assessment (Class EA) process. The Class EA process is based on the identification of a challenge and the evaluation of alternatives to address those challenges and is summarized in Section 3 of the Phase 3 report. The environmental factors are addressed through consideration of protection of the natural environment, selection of suitable discharge locations, evaluation on aquatic habitat, effluent criteria, and assimilative capacity.
2.	<ul style="list-style-type: none"> Criteria A – noise and odour potential – given that the same technology is proposed at each location, the noise and odour potential should be the same at each location. We have given all of them a score of 10. 	<ul style="list-style-type: none"> Mr. and Ms. Hamelin are correct that the plant will incorporate noise and odour abatement measures. However, the focus of the evaluation is on potential impacts if the plant generates a nuisance, and the control measures fail. These aspects are required as part of the MECP approvals and there is an expectation that these factors are addressed in the Class EA, both by the regulators and the public. Odour modeling has been completed that recommends a separation distance of 90m for all of the possible precincts to prevent odour impacts. MECP D-2 guidelines provide a specific criteria based on separation distance, and in October, 2021, MECP concluded that the D-series guidelines did not need to be updated. For facilities with a capacity equal to or less than 500 m³/day, the recommended separation distance is 100 m. A smaller separation distance may be permitted if a qualified professional produces a study showing the feasibility of the distance based on implementing mitigation measures for noise, odour, and other contaminants. For facilities with a capacity between 500m³/day and 25,000m³/day, 100m is the MECP <u>minimum required</u> separation distance, and 150m is the MECP <u>minimum recommended</u> separation distance. Scoring in the Phase 3 Report is based on the D-2 distances. 150m is the MECP <u>minimum required</u> separation distance for plants greater than 25,000m³/day, compared to an ADF of 227m³/day for the proposed Baxter plant. We used this distance as a threshold as it represents a conservative approach.
3.	<ul style="list-style-type: none"> Criteria B – separation distance – It would seem that a higher score should be given to those locations with the greatest distance from the sensitive residential uses. The report gives a higher score to those options closest to the existing and future sensitive uses. We have scored those with the least potential to impact the highest, and those closest lower. 	<ul style="list-style-type: none"> Criteria B considers the aesthetic aspects whereby a plant could negatively affect the neighbouring community. The proposed WWTP is a small facility with buried tanks that are covered, and most or all infrastructure will be housed within a small building. Small WWTP's are considered by MECP to have low potential for nuisance impacts, with infrequent occurrence (MECP, Mar 2021 – Draft Land Use Compatibility Guidelines). The scoring in the Phase 3 Report was based on the distance between the plant and nearest neighbours, and that for distances greater than 150m, there was negligible incremental benefit to being at greater distance. The scoring process is being revised to reflect population within specific distances and will continue to include a maximum threshold distance of 150m.

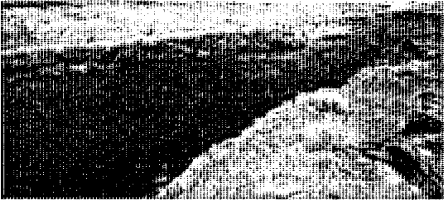
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ITEM #	JUNE HAMELIN REVIEW COMMENT	AZIMUTH RESPONSE
4.	<ul style="list-style-type: none"> Criteria C, protection of the natural environment – the report does not review the characteristics of the Nottawasaga River Area of Natural and Scientific Interest (ANSI) to determine it's significant features, and an appropriate setback. The report scoring also doesn't acknowledge that Precincts 3 and 5 are of sufficient area to accommodate a setback from the ANSI. All scenarios require an outlet to the river. Considering the criteria including these facts, precincts 3-5 all score a 10. In contrast, the overflow outlet for Precincts 1 and 2 are to the North Trib. This trib does not have sufficient base flow to accommodate fully treated effluent so a spill would have a detrimental impact and be incredibly difficult to access and clean up. It is also much closer to the community and residential units. Overflow outlets on the main river would have less impact given the main river has a much greater capacity to absorb the overflow and access to clean up is readily available from a number of locations up and downstream. Based on these facts, the scoring for protection of the natural environment should be reversed compared to those provided in the report. 	<ul style="list-style-type: none"> The ANSI was reviewed as part of the background review. An ANSI summary from MNRF follows below. The ANSI is based on landform and is identified by MNRF as being non-sensitive and not having restrictions based on sensitivity. Therefore, more restrictive aspects, such as effluent criteria and assimilative capacity were considered as being more relevant.  <ul style="list-style-type: none"> Surface drainage at Precinct 1 would flow northward towards the North Tributary. Precincts 2, 3 and 5 flow towards the east to the Main Branch of the Nottawasaga River. Precinct 4 flows towards the southeast. The North Tributary does have sufficient flow to receive treated effluent, as described in the Assimilative Capacity Study (ACS) Update, however, the North Tributary does have much less assimilative capacity than

30

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31

ITEM #	JUNE HAMELIN REVIEW COMMENT	AZIMUTH RESPONSE
		<p>the Main Branch of the Nottawasaga River.</p> <ul style="list-style-type: none"> The discharge to a stream or river does not rapidly mix with the river water. Instead, the plume will gradually mix with the river, which can cover considerable distance downstream. If the release had sufficiently high concentrations, then impact can potentially occur throughout this mixing zone.  <ul style="list-style-type: none"> If partially treated or raw sewage was to reach the Nottawasaga River, the water would reach Georgian Bay within a matter of hours. Therefore, clean up in the river is difficult. Clean-up is more feasible by stopping flow before it reaches the river. The scoring is based on the ability to control a release and prevent impact, and is not intended to rely on dilution in the river to ameliorate impacts. Precincts 3 and 5 received a lesser score because they are adjacent to the Main Branch valley and would have little opportunity for containment. Providing a lesser score for Precincts 3 and 5 is consistent with comments received from Ainley as part of their review of the Draft Phase 3 report in advance of PIC #2.
5.	<ul style="list-style-type: none"> Criteria D – zoning, is not captured within the definition of environment and is therefore not valid criteria upon which to evaluate the impact of the project. Zoning by-laws are amended all the time. 	<ul style="list-style-type: none"> Zoning was initially included as site-specific zoning is often implemented for a sewage treatment system. In addition, the Township previously required site-specific zoning of the Park Block to accommodate the SPS precinct. The Township has confirmed that Section 4.12 of the Zoning Bylaw allows township servicing under any zoning designation. Therefore, zoning does not pose a constraint and each precinct was scored the same. Inclusion of this criteria does not positively or negatively impact on the scoring of the various precincts.
6.	<ul style="list-style-type: none"> Criteria E – additional infrastructure – Scores provided for this criteria do not account for the location of existing designated land that also requires servicing in Baxter. It doesn't explore the potential for gravity feed to a sufficient level of detail. Gravity feed is the most desirable way to feed a plant and insufficient information is provided to determine the need for pumping stations vs gravity for all options to serve all uses within the settlement boundary. Although scores have 	<ul style="list-style-type: none"> Undeveloped areas of land within the Baxter settlement area that are designated for residential development are limited to fill-in lots and one parcel in the south that is less than 5 ha in area. Beyond that, additional lands would require a change in the settlement boundary. Because these lands represent a small allotment compared to the Brookfield-Marshall subdivision, the selection of a plant location will be biased towards a location that is most efficient to serve the Brookfield-Marshall subdivision. As part of the Class EA, the Township has provided input that the service area of the WWTP should focus only on the Brookfield-Marshall subdivision, as the existing homes do not exhibit significant issues with their

ITEM #	JUNE HAMELIN REVIEW COMMENT	AZIMUTH RESPONSE
32	<p>been provided, these elements, as they relate to each precinct, should be more thoroughly researched and explained to better inform the score / report.</p>	<p>private services, and the Township does not intend to extend municipal services in the foreseeable future. This was also a position presented by members of the existing community that they did not wish to connect.</p> <ul style="list-style-type: none"> • Gravity feed is the desired way to move sewage from the Brookfield-Marshall subdivision to the plant. As noted in the Phase 3 Report, gravity drainage is available for Precincts 1 and 2 only; the other precincts would require a sewage pumping station. The analysis for gravity feed considered aspects including: <ul style="list-style-type: none"> - Higher ground water pressure present at the increased depths, resulting in greater potential for infiltration - Buoyancy concerns for manholes and pipes at that depth below ground water - Requirement for specialty construction methodology to construct and eventually repair/replace infrastructure, such as: <ul style="list-style-type: none"> • standard large excavator depth of excavation ~8m. Special measures would need to be in place to allow for construction/repair/replacement (i.e. excavate to lower working platform which takes up significantly more land area) • extensive dewatering for construction as well as future repair/replacement, such as deep eductors on both sides of trench • specialty manholes with extra base weight to counteract against buoyancy (similar to Denney Drive outfall) • concrete CL-140 pipe has 7m maximum depth of fill cover for construction in embankment conditions. Would need to ensure that construction and eventual repair/replacement is undertaken under confined trench conditions. This would involve special trench boxes to ensure no embankment conditions arise. - Additional land acquisition requirements to protect for future maintenance/repair/replacement of deep infrastructure - Potential for cleansing velocities not being achieved due to the installation of low flow fixtures within homes, particularly at minimum pipe slope. Gravity feed to WWTP in Precinct 3 would add ~1km of raw sewage flow. Raw sewage in pipes at low slopes are more susceptible to accumulation of solids in pipes than in forcemain or clean effluent gravity piping • At the current termination manhole on Gauley Drive, the sanitary sewer is at a depth of approximately 7.3m. • For a STP in Precinct 3 to be fed by gravity, the sanitary sewer depth at the facility would be over 11m based on providing minimum slopes. For a STP in Precinct 4 to be fed by gravity, the depth would be over 14m. For a STP in Precinct 5, the sewer depth would be over 15m.
7.	<ul style="list-style-type: none"> • Criteria F, suitability for future expansion – The scoring and review of this criteria fails to acknowledge that there are other lands in the Baxter 	<ul style="list-style-type: none"> • The Phase 3 report considers expansion of the proposed WWTP to double the current rating (to approximately 450m³/day) that would be capable of serving approximately 500 homes. A future expansion

72

ITEM #	JUNE HAMELIN REVIEW COMMENT	AZIMUTH RESPONSE
	<p>settlement area that are designated for development and the system could be expanded to accommodate their needs. Furthermore, how can a site closer to sensitive uses be more appropriate for expansion than one total removed from sensitive uses? The scoring is not accurate from this perspective. Expansion requires increased separation which is not possible if the plant is in proximity to sensitive uses. Adding capacity is more desirable than another small plant a short distance away in a few years.</p>	<p>would allow for connection of the existing community (approximately 130 homes) plus a potential additional 120 homes for future development.</p> <ul style="list-style-type: none"> • A plant of this size would remain below the MECP capacity threshold of 500m³/day, and therefore the required setbacks would remain the same. In addition, a plant expansion within this range would continue to have similar infrastructure requirements, and could be achieved by mainly adding additional buried, covered treatment tanks. • The scoring in the Phase 3 report reflects that an expansion of this magnitude could be readily accommodated within Precincts 1, 2 and 3, without changing setbacks or main infrastructure. Precincts 4 and 5 can be expanded but have further limitations, and were therefore given a lower score. Precinct 5 has space constraints because of the former landfill and the adjacent river valley.
8.	<ul style="list-style-type: none"> • Criteria G – construction disruption, is an impact for all scenarios and should score higher for the more community disruption caused. The closer the construction is to the community, the higher the score should be, not the other way around as espoused in the report. 	<ul style="list-style-type: none"> • The scoring for this criteria is directly related to how much community disruption is caused by the plant construction. Disruption would potentially be caused by: <ul style="list-style-type: none"> - plant construction, - construction of a sewage pumping station (SPS), - construction of forcemains that would cause road closures/lane restrictions, and - the location for construction staging and storage. • The greatest disruption to the community would be from the construction of forcemains that would cause major closures of Denney Drive and / or Murphy Road for extended periods of time. Precinct 4 would include construction along 1,200 m of the main roads, traversing most of the existing community. Precinct 5 would include construction along 1,600 m of Denney Drive, through the existing community and rural area to the south. Both would include re-paving and new driveway entrances along its length, taking several months to complete. • Construction of an SPS would involve construction approximately 60-85m from existing houses, and is within the park. Construction of the plant itself causes lesser disruption since it would be further away, however staging for plant construction can also cause disruption due to vehicles, activity, dust and noise. • Scoring for this criteria will be modified from the Phase 3 report, as the report incorrectly omitted factors for the STP or staging within 150-200m from existing residents. For the Precincts in numeric order, this criteria scoring will be updated to 6, 8, 9, 3 and 6. • A revised Table 7 is provided below

33

ITEM #	JUNE HAMELIN REVIEW COMMENT	AZIMUTH RESPONSE																																																													
		<p>Revised Table 7 - Construction Disruption</p> <table border="1"> <thead> <tr> <th data-bbox="907 496 987 670">Precinct</th> <th data-bbox="991 496 1121 670">Minor Road Closure (-1)</th> <th data-bbox="1125 496 1222 670">Major Road Closure (-2)</th> <th data-bbox="1226 496 1356 670">Construction of SPS (-1)</th> <th data-bbox="1360 496 1470 670">STP 150-200m from existing Residents (-1)</th> <th data-bbox="1474 496 1583 670">STP 100-150m from existing Residents (-2)</th> <th data-bbox="1587 496 1696 670">Staging 150m-200m from ex. Residents (-1)</th> <th data-bbox="1701 496 1810 670">Staging 100-150m from ex. Residents (-2)</th> <th data-bbox="1814 496 1890 670">Score</th> </tr> </thead> <tbody> <tr> <td data-bbox="907 673 987 699">1</td> <td data-bbox="991 673 1121 699"></td> <td data-bbox="1125 673 1222 699"></td> <td data-bbox="1226 673 1356 699"></td> <td data-bbox="1360 673 1470 699"></td> <td data-bbox="1474 673 1583 699">-2</td> <td data-bbox="1587 673 1696 699"></td> <td data-bbox="1701 673 1810 699">-2</td> <td data-bbox="1814 673 1890 699">6</td> </tr> <tr> <td data-bbox="907 703 987 729">2</td> <td data-bbox="991 703 1121 729"></td> <td data-bbox="1125 703 1222 729"></td> <td data-bbox="1226 703 1356 729"></td> <td data-bbox="1360 703 1470 729">-1</td> <td data-bbox="1474 703 1583 729"></td> <td data-bbox="1587 703 1696 729">-1</td> <td data-bbox="1701 703 1810 729"></td> <td data-bbox="1814 703 1890 729">8</td> </tr> <tr> <td data-bbox="907 732 987 758">3</td> <td data-bbox="991 732 1121 758"></td> <td data-bbox="1125 732 1222 758"></td> <td data-bbox="1226 732 1356 758">-1</td> <td data-bbox="1360 732 1470 758"></td> <td data-bbox="1474 732 1583 758"></td> <td data-bbox="1587 732 1696 758"></td> <td data-bbox="1701 732 1810 758"></td> <td data-bbox="1814 732 1890 758">9</td> </tr> <tr> <td data-bbox="907 761 987 787">4</td> <td data-bbox="991 761 1121 787"></td> <td data-bbox="1125 761 1222 787">-4</td> <td data-bbox="1226 761 1356 787">-1</td> <td data-bbox="1360 761 1470 787">-1</td> <td data-bbox="1474 761 1583 787"></td> <td data-bbox="1587 761 1696 787">-1</td> <td data-bbox="1701 761 1810 787"></td> <td data-bbox="1814 761 1890 787">3</td> </tr> <tr> <td data-bbox="907 790 987 816">5</td> <td data-bbox="991 790 1121 816"></td> <td data-bbox="1125 790 1222 816">-2</td> <td data-bbox="1226 790 1356 816">-1</td> <td data-bbox="1360 790 1470 816"></td> <td data-bbox="1474 790 1583 816"></td> <td data-bbox="1587 790 1696 816">-1</td> <td data-bbox="1701 790 1810 816"></td> <td data-bbox="1814 790 1890 816">6</td> </tr> </tbody> </table>								Precinct	Minor Road Closure (-1)	Major Road Closure (-2)	Construction of SPS (-1)	STP 150-200m from existing Residents (-1)	STP 100-150m from existing Residents (-2)	Staging 150m-200m from ex. Residents (-1)	Staging 100-150m from ex. Residents (-2)	Score	1					-2		-2	6	2				-1		-1		8	3			-1					9	4		-4	-1	-1		-1		3	5		-2	-1			-1		6
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<p>9.</p>	<ul style="list-style-type: none"> Revised Scoring - A revised scoring table is presented using the Hamelin's values that scores the Precincts in numeric order as 30, 36, 53, 41 and 52. "In contrast to the Phase 3 report, Precincts 3 and 5 come out on top. Further detail related to additional infrastructure requirements to ensure maximization of gravity feed as well as ability to serve the whole Baxter settlement area would assist to break the tie. They represent the most beneficial option in the long term for the whole community. The revised score better reflects the purpose of an EA as outlined above. Further work related to gravity feed capabilities for all precinct locations would assist to further inform the Townships decision to accept the servicing scheme being proposed." 	<ul style="list-style-type: none"> As we note in the responses, above, some of the criteria incorporate factors that were not considered and we have adjusted some of the criteria scoring. An updated scoring table is provided below. <table border="1" data-bbox="913 381 1921 673"> <thead> <tr> <th></th> <th>ATTRIBUTE</th> <th>Precinct 1</th> <th>Precinct 2</th> <th>Precinct 3</th> <th>Precinct 4</th> <th>Precinct 5</th> </tr> </thead> <tbody> <tr> <td>A</td> <td>Noise & Odour Potential</td> <td>8</td> <td>10</td> <td>10</td> <td>10</td> <td>10</td> </tr> <tr> <td>B</td> <td>Separation Distance to Residences</td> <td>5</td> <td>10</td> <td>10</td> <td>10</td> <td>10</td> </tr> <tr> <td>C</td> <td>Protection of Natural Environment</td> <td>10</td> <td>10</td> <td>6</td> <td>9</td> <td>6</td> </tr> <tr> <td>D</td> <td>Suitability of Current Land Use Zoning</td> <td>10</td> <td>10</td> <td>10</td> <td>10</td> <td>10</td> </tr> <tr> <td>E</td> <td>Additional Infrastructure Requirements</td> <td>10</td> <td>10</td> <td>8</td> <td>4</td> <td>5</td> </tr> <tr> <td>F</td> <td>Suitability if Future Expansion is Required</td> <td>10</td> <td>10</td> <td>10</td> <td>7</td> <td>7</td> </tr> <tr> <td>G</td> <td>Construction Disruption</td> <td>6</td> <td>8</td> <td>9</td> <td>3</td> <td>6</td> </tr> <tr> <td></td> <td></td> <td>59</td> <td>68</td> <td>63</td> <td>53</td> <td>54</td> </tr> </tbody> </table> <ul style="list-style-type: none"> Gravity drainage is limited is limited to Precincts 1 and 2 for the reasons set out in the response to comment 6. 		ATTRIBUTE	Precinct 1	Precinct 2	Precinct 3	Precinct 4	Precinct 5	A	Noise & Odour Potential	8	10	10	10	10	B	Separation Distance to Residences	5	10	10	10	10	C	Protection of Natural Environment	10	10	6	9	6	D	Suitability of Current Land Use Zoning	10	10	10	10	10	E	Additional Infrastructure Requirements	10	10	8	4	5	F	Suitability if Future Expansion is Required	10	10	10	7	7	G	Construction Disruption	6	8	9	3	6			59	68	63	53	54
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<p>CS</p>	<ul style="list-style-type: none"> "At the end of the day the Township will take ownership of the infrastructure, and deal with all the complaints and related maintenance and repair associated with the facility. It is ultimately the Townships decision to accept what is being proposed, not the MECP. The community will own it and therefore it should serve the community." 	<ul style="list-style-type: none"> The Class EA process is a proponent-driven process. After considerable input regarding the preferred role of the Township, the Township elected to be a participant in the Class EA process, and specifically decided not to be a co-proponent. While the Township has an enhanced role as an active participant, the Township does not make the decisions on the Class EA outcome. Brookfield will be the constructor for the proposed plant, and will be responsible for its commissioning and initial operations. The transition from Brookfield to the Township will occur as described in an agreement between the parties, and will only occur with the plant operating appropriately and as designed. To comply with the agreement, the Township will receive the plant in compliance with its MECP approval and in good working order. The Township has made it very clear to Brookfield that the STP is only to service the Brookfield-Marshall subdivision, and not the existing community. 																																																															



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.



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

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:

Colleen Healey-Dowdall
Chief Administrative Officer



TOWNSHIP OF ESSA STAFF REPORT

STAFF REPORT NO.: CAO057-21

DATE: December 15, 2021

TO: Committee of the Whole

FROM: Colleen Healey-Dowdall, Chief Administrative Officer

SUBJECT: OCWA Agreement, 2022 and 2023

RECOMMENDATION

That Staff Report CAO057-21 be received; and

That Council consider to continue their service agreement with the Ontario Clean Water Agency (OCWA) for a period of 2 years to expire December 31st, 2023, for the operation and maintenance of the Township's water and wastewater treatment and distribution systems, and adopt a by-law authorizing the Mayor and Clerk to execute the agreement attached to this report.

BACKGROUND

OCWA operates the municipal water and wastewater systems in Essa which means that they operate 3 drinking water treatment systems, 1 wastewater treatment facility and all associated distribution and collections systems.

Since the nineties, they have provided Essa with this service in order to ensure compliant and cost-effective systems. Their contract aims to address the following:

- Protect the public and environment and to provide good asset stewardship.
- Compliance excellence [Essa has a 100% inspection rating for 2020 from the Ministry of Environment, Conservation and Parks (MECP)].
- Risk management.

The existing contract with OCWA extends from January 1st, 2017 to December 31st, 2021. Their Report and Proposal of October, 2021 describes that they have engaged in capital repairs, swabbing of water lines, repairs of hydrant leaks, construction of storage garage, procurement of a disk filter for the Angus Wastewater Treatment Plant (WWTP), rebuilds of equipment such as aeration blowers, installation of a new blower, identification of faults in an aeration tank, rebuilding of pumps upgrading of monitoring and detection software and cleaning of reservoirs.

COMMENTS AND CONSIDERATION

OCWA has provided the municipality with a proposal to continue their services, to operate and maintain water and wastewater facilities, for a new term of two (2) years effective January 1st, 2022 until December 31st, 2023 and if both parties agree prior to the end of December 31st, 2023, the agreement may be extended for a successive three (3) year term.

The existing pricing for the current OCWA service agreement is as follows:

2017:	\$968,700 (year 1 of existing contract)
2018 - 2021:	For year 2 and subsequent years: \$986,700 plus CPI adjustment, plus an adjustment for maintaining insurance which is renewed annually by OCWA – each building on the year before
2021 Specific:	\$1,030,730

The new contract with OCWA will be an increase of \$146,453 to recognize the following:

- The increased cost of chemicals which are now at least 5% higher than the last base year of 2017. Note that OCWA did not raise their cost for chemicals over the past 5 years.
- Added costs for new systems such as the Baxter Water Treatment Plant.
- Rising insurance rates.
- PPE cost increases.
- The need for additional staff [Essa will benefit from $\frac{3}{4}$ of a new person (OCWA staff)].

Note that OCWA will not charge CPI inflation in 2022 and municipal staff is attempting to minimize their involvement in administering contracts for major maintenance and capital items.

As well note that the 2023 cost is subject to insurance increases and the biosolid disposal fee of \$35,000 will be moved to the major maintenance budget for improved accounting.

FINANCIAL IMPACT

The new contract with OCWA will cost the municipality \$1,177,183 in 2022 and approximately \$1,165,026.66 in 2023 (2% more after the biosolid is shifted to the major maintenance budget to better capture/report on costs). The proposed 2022 rate is \$146,453 over the 2021 rate. OCWA will be involved in major maintenance and capital projects in 2022 at a cost of \$456,000 for water projects and \$411,000 for wastewater projects not including the 2021 disk filter replacement project on-going at the Angus Wastewater Treatment Plant.

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Overall, combined, the total 2022 OCWA budget is proposed to be approximately \$80,000 less than in 2021 since the Manager of Public Works/Engineering Services has found efficiencies to the benefit of ratepayers.

Manager of Finance Approval:  _____

SUMMARY/OPTIONS

Council may:

1. Enter into a contract with OCWA for a period of 2 years for the operation and maintenance of the Township's water and wastewater treatment and distribution systems and adopt a by-law authorizing the Mayor and Clerk to execute the agreement.
2. Enter into a contract with OCWA for a period of 5 years for the operation and maintenance of the Township's water and wastewater treatment and distribution systems and adopt a by-law authorizing the Mayor and Clerk to execute the agreement.
3. Direct as Council deems appropriate.

CONCLUSION

Option #1 is recommended. A 2-year term will allow staff the opportunity to continue to seek savings moving forward. For example, the Township's insurer is willing to consider adding facilities and risk elements to the Township's insurance policy, however, OCWA has insurance for a much broader scope across Ontario.

Respectfully submitted:



Colleen Healey-Dowdall
CAO

Attachments:

OCWA's Renewal Proposal/Agreement

AMENDING AGREEMENT

THIS AMENDING AGREEMENT made as of the 1st day of January, 2022.

B E T W E E N

ONTARIO CLEAN WATER AGENCY/AGENCE ONTARIENNE DES EAUX,
a corporation established under the *Capital Investment Plan Act, 1993, c.23*, Statutes
of Ontario.

(referred to in this Amending Agreement as “OCWA”)

A N D

THE CORPORATION OF THE TOWNSHIP OF ESSA

(referred to in this Amending Agreement as “the Client”)

(Each a “Party” and together, “the Parties”)

BACKGROUND TO THIS AMENDING AGREEMENT

WHEREAS the Client and OCWA entered into an agreement effective **January 1st 2017** concerning the operation and maintenance of the Client’s Facilities (the “Existing Agreement”) attached as Appendix A to this Amending Agreement;

AND WHEREAS the Client and OCWA have agreed to amend the Existing Agreement, as described below;

AND WHEREAS the Council of the Client passed By-Law No. ____ on the _____ day of _____ 20__ authorizing the Client to enter into this Amending Agreement;

NOW, THEREFORE, in consideration of the mutual covenants contained in this Amending Agreement and other good and valuable consideration, the sufficiency of which is hereby irrevocably acknowledged, the Client and OCWA agree to the following amendments to the Existing Agreement:

1. Any capitalized terms not defined herein shall have the meaning ascribed to such term in the Existing Agreement.

2. *Section 4.1 of the Existing Agreement is hereby deleted and replaced with the following:*

“Section 4.1 – Initial Term of Agreement”

“This Agreement shall start on the Effective Date *January 1st 2022* and shall continue in effect for a term of two (2) years, ending on *December 31st 2023*(the “Renewal Term”) and then may be renewed for successive three (3)-year terms (each a “Renewal Term”) upon agreement between the Parties, subject to Sections 4.3 and 6.1 of this Agreement.”

3. *Schedule D – The Annual Price and Other Charges of the Existing Agreement is hereby deleted and replaced with a new “Schedule D”, which is attached to this Agreement:*

SCHEDULE D - The Annual Price And Other Charges

1. Annual Price for the Initial Term

In accordance with Section 4.2 and subject to any adjustments made pursuant to other provisions of this Agreement, the Client shall pay OCWA a price for the Services for each Year of the Initial Term in the following amounts (the “Annual Price”):

- (i) For Year One from January 1st 2022 through to December 31st 2022 inclusive: \$1,177,183.

Thornton Water Treatment	\$77,350.19
Angus Water Treatment	\$453,396.88
Baxter Water Treatment	\$74,668.42
Angus Wastewater Treatment Facility	\$571,767.51

- (ii) For Year Two: As per **5. Biosolids Costs, d**, the annual price will be \$1,142,183 plus a 2% Adjustment, plus an adjustment for maintaining the Insurance which is renewed annually by OCWA.

- (iii) As the market for **commodities** such as chemicals continues to be uncertain, OCWA proposes to share the risk of pricing with the Township. OCWA will guarantee the price of chemicals for the first two years using the base volumes (litres/kgs) from 2021.
A base year price and a base volume will be established at the start of the contract and be adjusted annually to reflect the 2% adjustment. At year three, a price

adjustment may be needed should the price per unit and/or volume for chemicals change by more than 5% from the base year price.

2. **Payment of the Annual Price**

In Year One of the Initial Term, the monthly payment of the Annual Price shall be \$98,098.58.

3. **Optional Services**

Unless otherwise agreed to in writing, fees for Optional Services which OCWA agrees to provide to the Client shall be billed directly to the Client on a time and materials basis at the following rates:

- (a) Labour rates on Business Days, Monday to Friday, (0800 to 1630) shall be billed at \$90.00/hour/person for an operations manager and assistant operations manager, and \$65.00/hour/person for an operator or mechanic;
- (b) Labour rates on statutory holidays shall be billed at \$132.50/hour/person for an operations manager and assistant operations manager, and \$87.50/hour/person for an operator or mechanic, with a minimum eight (8) hour charge;
- (c) Labour rates at all other times (after hours and on weekends) shall be billed at \$132.50/hour/person for an operations manager and assistant operations manager, and \$87.50/hour/person for an operator or mechanic, with a minimum four (4) hour charge;
- (d) Costs for parts, equipment and supplies, and outside labour charges (i.e., contractors), used by OCWA staff to provide the Optional Services shall be billed to the Client, and the Client will pay such costs together with a Service Fee.

4. **Service Fee**

“Service Fee” means an additional fee charged to the Client when OCWA purchases materials, supplies, equipment or contractor’s services on behalf of the Client. For any individual item or service purchased, the Service Fee shall be calculated as follows:

- (a) 15% on the first \$10,000; plus
- (b) 10% on the amount from \$10,000 to \$50,000; plus
- (c) 5% on the amount in excess of \$50,000.

For example, the Service fee associated with Major Maintenance which required \$56,000 in supplies and materials would be \$5,800 ($15\% \times \$10,000 + 10\% \times \$40,000 + 5\% \times \$6,000$).

5. Biosolids Costs

- (a) For the first year of the agreement OCWA's Annual Price is calculated based upon Biosolids management and haulage costs of \$35,000.00 however, unexpected adjustments may have to be made for Biosolids cost increases as follows:
 - i. If there is an increase in total annual Biosolids Costs over \$35,000.00 in any year of the Agreement then the Client shall pay OCWA the entire amount of the increase over and above the Annual Price.
 - ii. If there is a decrease in total annual Biosolids Costs over the \$35,000.00 in any year of the Agreement then the Client shall be compensated by OCWA for the entire amount of the decrease.
- (b) The calculations for the purpose of this section will take place as soon as it is reasonable possible after OCWA knows the annual Biosolids Costs for that year. At the end of each year of the Agreement, OCWA shall deliver an account to the Client. If the Client owes monies to OCWA under this section, then an invoice for that amount will be sent to the Client. If OCWA owes monies to the Client then a credit will be applied to the Client's account.
- (c) Should the decrease in total annual Biosolids be a direct result of an investment by OCWA then there shall be no credit under (b) above until such time as OCWA's investment is fully recovered. Such investment would be made in consultation and with the approval of the Client.
- (d) In the second year of the agreement, the Biosolids haulage cap of \$35,000 will be removed from the operating agreement and displayed in the Major Maintenance and Capital recommendations, decreasing the annual price to \$1,142,183.

6. Year End Invoicing

By January 27th of each contract year, OCWA will submit invoices pertaining to the previous year to the Township of Essa for final processing and payment. If OCWA is aware of any invoices that will surpass the date of January 27th, OCWA will inform the Township and provide a summary of outstanding invoices and when they will be submitted to the Township.

10a

IN WITNESS WHEREOF the Parties have duly executed this Amending Agreement.

ONTARIO CLEAN WATER AGENCY

Date of Signing

By:
(Authorized Signing Officer)

Date of Signing

By:
(Authorized Signing Officer)

**THE CORPORATION OF THE TOWNSHIP
OF ESSA**

Date of Signing

By:
(Authorized Signing Officer)

Date of Signing

By:
(Authorized Signing Officer)