



Township of East Garafraxa
Council Meeting Agenda
Meeting to be Held Electronically/Virtually
Tuesday, June 11, 2024 at 2:00 P.M.
[Zoom Meeting Registration Link](#)

1. Opening of Meeting

2. Approval of Agenda

Recommended Motion:

BE IT RESOLVED THAT: The agenda be approved as circulated.

3. Disclosure of Pecuniary Interest and General Nature Thereof

4. Approval of Minutes

4.1 Council Meeting Minutes

Recommended Motion:

BE IT RESOLVED THAT: Council do hereby adopt the minutes of the Regular Council Meeting held on May 28, 2024, as circulated.

4.2 Business arising from Minutes

5. Public Question Period 2:00 p.m.

*Questions to be sent by email to the Clerk at clerks@eastgarafraxa.ca no later than Monday, June 10, 2024, at noon.

6. Delegation(s) / Presentation(s) / Petition(s)

6.1 **Proclamation**

6.1.1 Multicultural Day – June 27, 2024

6.2 **2:05 p.m. 2023 Municipal Audit - RLB Chartered Professional Accountants (Township Auditors); Murray Short**

6.2.1 2023 Financial Statements Presentation

6.2.2 Management Letter

6.2.3 Draft Consolidated Financial Statements for the Year Ended December 31, 2023

Recommended Motion:

BE IT RESOLVED THAT:

Council do hereby accept the 2023 Financial Audit Report and approve the 2023 Financial Statements as presented by RLB Chartered Professional Accountants.

7. Statutory Public Meeting(s)

Nothing at this time.

8. Unfinished Business

Nothing at this time.

9. Notice of Motion(s)

9.1 Provincial Water Testing Services for Private Drinking Water (Mayor Gardhouse)

9.1.1 Township of Amarnath Resolution

9.1.2 Town of Shelburne Resolution

Motion for Consideration:

BE IT RESOLVED THAT:

WHEREAS private water systems (example: wells) are not protected through legislated requirements under The Safe Drinking Water Act 2002 and The Clean Water Act 2006, but are more likely to contribute to cases of gastrointestinal illness than municipal systems; and

WHEREAS the 2023 Ontario Auditor General's value-for-money audit of Public Health Ontario (PHO) recommended that PHO, in conjunction with the Ontario Ministry of Health, begin the gradual discontinuance of free private drinking water testing; and

WHEREAS in the County of Dufferin, many households do not receive water from municipal systems, with many relying on a private drinking water system, including wells; and

WHEREAS the Walkerton Inquiry Report Part II, concluded the privatization of laboratory testing of drinking water samples contributed directly to the E. coli outbreak in Walkerton, Ontario in May 2000; and

Whereas all Ontarians deserve safe, clean water, and free well-water testing is a way to help ensure that residents on private wells continue to have barrier-free access to well water testing.

THEREFORE BE IT RESOLVED THAT the Township of East Garafraxa call on the Province to not phase out free well-water testing as part of the proposed streamlining efforts of public health laboratory operations in the province; and

FURTHER THAT this resolution be circulated to the Hon. Sylvia Jones, Minister of Health; Hon. Lisa Thompson, Minister of Agriculture, Food and Rural Affairs; Hon. Andrea Khanjin, Minister of the Environment, Conservation and Parks.

9.2 Wind Turbine Projects (Renewable Energy) (Mayor Gardhouse)

9.2.1 Request for Support – Proposed Motion

Motion for Consideration:

BE IT RESOLVED THAT:

WHEREAS the Independent Electrical System Operator (the IESO) has proposed to move forward with three RFPs where new wind turbine projects can receive a contract from the IESO;

and WHEREAS people living near existing wind turbines report considerable impacts on their lives due to noise and other emissions from the wind turbines;

and WHEREAS there are gaps in the enforcement of key terms of the Renewable Energy Approvals governing existing projects relative to noise standards and resolution of complaints;

and WHEREAS municipal approval is required to locate one of these projects in the Township of East Garafraxa;

THEREFORE BE IT RESOLVED THAT the Council does not support the establishment of any new wind turbine projects within the municipality; and THAT the IESO be directed to advise potential applicants of this resolution.

10. Staff / Consultant Report(s)

10.1 **Draft 2024 Asset Management Plan**

10.1.1 Staff Report dated June 3, 2024

Recommended Motion:

BE IT RESOLVED THAT:

Council receive the Draft 2024 Asset Management Plan for information;

and THAT Council place this item for decision at the June 25, 2024 meeting.

10.2 **Ontario Land Tribunal (OLT) Decision OLT-22-004307**

10.2.1 Staff Report dated June 5, 2024

Recommended Motion:

BE IT RESOLVED THAT:

Council receive the staff report dated June 5, 2024 with respect to the Ontario Land Tribunal (OLT) OLT-22-004307 decision for information;

and that Council authorize the Township Development Review Team to proceed to implement the attached approvals;

and further that Council assign a number, for record keeping purposes, to the approved Township Zoning By-Law Amendment.

10.3 **Respect in the Workplace – Preventing Violence, Harassment and Discrimination Policy**

10.3.1 Staff Report dated May 30, 2024

Motion for Consideration:

BE IT RESOLVED THAT: The report dated May 30, 2024, titled Respect in the Workplace – Preventing Violence, Harassment and Discrimination Policy, be received;

AND THAT the attached Respect in the Workplace – Preventing Violence, Harassment and Discrimination Policy be approved as presented;

And FURTHER THAT the Harassment and Respectful Workplace policy and the Prevention of Violence in the Workplace policy be repealed.

11. County of Dufferin Business

11.1 County Council Meeting(s)

11.1.1 June 13, 2024 County Council Meeting Agenda

12. Local Boards and Committees

12.1 Grand River Conservation Authority Board

12.1.1 General Meeting Summary – May 24, 2024

12.2 Grand Valley & District Fire Board

12.2.1 May 6, 2024 Minutes

12.3 Grand Valley & District Medical Dental Board

12.3.1 April 16, 2024 Minutes

13. General Business and Correspondence

(Includes Municipalities within Dufferin County)

13.1 Plant Based Treaty

13.1.1 Endorsement Request

14. New Business

14.1 AMO Annual Conference

14.1.1 Municipal Delegation Request Form - Deadline June 7, 2024

14.1.2 [Conference Dates - August 18 to 21, 2024](#)

15. Closed Meeting

Recommended Motion:

BE IT RESOLVED THAT: a Closed Meeting of Council be held pursuant to Section 239 of the Municipal Act, 2001, as amended, for the following reason(s):

15.1 By-Law Enforcement Matter

Personal matters about an identifiable individual, including municipal or local board employees;

Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; and

Advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

15.2 Legal Contract

A position, plan, procedure, criteria, or instruction to be applied to negotiations.

15.3 Closed Meeting Minutes for May 28, 2024

Recommended Motion:

BE IT RESOLVED THAT: Council do hereby resume regular business in open session. Staff and Consultant(s) instructed in accordance with the Closed Meeting discussions.

16. By-Law(s)

Notice of the intention to pass the following:

16.1 Numbering of Zoning By-Law Amendment (OLT Decision OLT-22-004307)

Recommended Motion:

BE IT RESOLVED THAT: Leave be given to introduce a By-Law, being a By-law to number Zoning By-Law Amendment for the lands described as Part Lot 5 Concession 14, Township of East Garafraxa, and that it be given the necessary readings and be passed and numbered 24-2024.

16.2 Road Widening (Consent Application File B1-22 – Lammerding)

Recommended Motion:

BE IT RESOLVED THAT: Leave be given to introduce a By-Law, being a By-law to establish and lay out as part of the highway on which it abuts, Part Lot 12, Concession 13, being Parts 3 and 4 on RP 7R-6787; in the Township of East Garafraxa, County of Dufferin, and that it be given the necessary readings and be passed and numbered 25-2024.

17. Confirming By-Law

Recommended Motion:

BE IT RESOLVED THAT: Leave be given to introduce a By-Law, being a By-Law to Confirm the Proceedings of the Council of the Corporation of the Township of East Garafraxa at its meeting held on June 11, 2024, and that it be given the necessary readings and be passed and numbered 26-2024.

18. Adjournment

Recommended Motion:

BE IT RESOLVED THAT: Council do now adjourn to meet again for the Special Council Meeting on Tuesday, June 18, 2024, at 4:00 p.m. and the Regular Electronic Council Meeting on Tuesday, June 25, 2024, at 4:00 p.m., or at the call of the Chair.



Township of East Garafraxa
Electronic Council Meeting Minutes
Tuesday, May 28, 2024

The Council of the Township of East Garafraxa held an Electronic/Virtual Meeting of Council by video conference at 4:00 p.m. on May 28, 2024.

Members Present: Mayor Guy Gardhouse
Deputy Mayor John Stirk
Councillor Lenora Banfield
Councillor Dave Halls
Councillor Jeremy Zukowski

Staff/Consultants Present: Peter Avgoustis, CAO
Jessica Kennedy, Clerk
Alan Selby, Treasurer
Dave Knight, Director of Public Works
Shannon Peart, Administration/Clerk's Dept.

1. Opening of Meeting

Meeting called to order.

2. Approval of Agenda

Resolution

MOVED BY BANFIELD, SECONDED BY HALLS

BE IT RESOLVED THAT:

The agenda be approved as circulated.

CARRIED

3. Disclosure of Pecuniary Interest and General Nature Thereof

Nothing at this time.

4. Approval of Minutes

4.1 Council Meeting Minutes

Resolution

MOVED BY HALLS, SECONDED BY ZUKOWSKI

BE IT RESOLVED THAT:

Council do hereby adopt the minutes of the Regular Council Meeting held on May 14, 2024 as circulated.

CARRIED

4.2 Business arising from Minutes – None.

5. Public Question Period

Nothing at this time.

6. Delegation(s) / Presentation(s) / Petition(s)

Nothing at this time.

7. Statutory Public Meeting(s)

Nothing at this time.

8. Unfinished Business

Nothing at this time.

9. Notice of Motion(s)

Nothing at this time.

10. Staff / Consultant Report(s)

10.1 Engineering Consulting Appointments

10.1.1 Staff Report dated May 21, 2024

Discussion ensued regarding the matter. R.J. Burnside & Associates to remain as a Township Engineer additional firms to be appointed on a roster for the Township. It has not yet been determined how projects will be divided between engineering firms.

Resolution

MOVED BY BANFIELD, SECONDED BY STIRK

BE IT RESOLVED THAT:

Council receives the Engineering Consultant Appointment Staff Report for information; and

That Council appoint the following firms as part of and Engineering Consultants Firm Roster:

1. Concept Dash Inc
2. Green PI Inc
3. RC Spencer Associates Inc

CARRIED

10.2 Marsville Hall Asset Decision

10.2.1 Staff Report dated May 21, 2024

Resolution

MOVED BY STIRK , SECONDED BY ZUKOWSKI

BE IT RESOLVED THAT:

Council receive the Marsville Hall Asset Decision report and THAT;

Council declare Marsville Hall, a surplus asset and direct the Administration to proceed with the process of disposing municipal property as per Township By-Law No. 17-2003.

CARRIED

10.3 Future Capital Project Plans

10.3.1 Staff Report dated May 21, 2024

Alan Selby, Treasurer, noted the critical aspect being the time sensitivity of the funding received that is to be spent on capital projects. The Township needs to start moving forward with capital projects in order of priority based on engineering reports.

Draft Asset Management Plan will be included on the next Council meeting agenda.

Resolution

MOVED BY HALLS, SECONDED BY BANFIELD

BE IT RESOLVED THAT:

Township Council endorse the draft Capital Project Plan, Tables 2A and 2B, for purposes of inclusion in the 2024 Asset Management Plan, the 2024 Development Charge calculations, and the draft 2025 budget.

CARRIED

11. County of Dufferin Business

- 11.1 **County Council Meeting(s)**
- 11.1.1 [May 9, 2024 Council Meeting Video \(YouTube\)](#)
- 11.2 **Committee Meetings Agendas – May 23, 2024**
- 11.2.1 Infrastructure and Environmental Services – 9:00 a.m.
- 11.2.2 General Government Services – Cancelled
- 11.2.3 Health & Human Services – 1:00 p.m.
- 11.2.4 Community Development and Tourism – 3:00 p.m.
- 11.3 **Diversity, Equity and Inclusion Community Advisory Committee**
- 11.3.1 Meeting May 30, 2024 - 7:00 p.m.

12. Local Boards and Committees

- 12.1 **Grand Valley Public Library Board**
- 12.1.1 Meeting Minutes April 10, 2024
- 12.2 **Grand Valley & District Community Centre Board**
- 12.2.1 Meeting Minutes April 10, 2024

13. General Business and Correspondence

(Includes Municipalities within Dufferin County)

- 13.1 **Town of Mono**
- 13.1.1 Media Release New Accessible Tennis Courts & Infrastructure at Mono Centre Park (Grant Recognition)
- 13.2 **Township of Amaranth**
- 13.2.1 Provincial Water Testing Services for Private Drinking Water
- Motion of support to be considered at the next Council meeting.
- 13.2.2 Notice of Public Meeting for Zoning By-Law Amendment Application Z04-2024
- 13.3 **Town of Orangeville**
- 13.3.1 Committee of Adjustment Notices
 - 13.3.1.1 A-03/24 – 74 Church Street
 - 13.3.1.2 A-04/24 – 5-7 Buena Vista Drive
 - 13.3.1.3 A-05/24 – 52 Cameron Court
- 13.4 **Town of Shelburne**
- 13.4.1 Notice of Schedule 'B' Municipal Class Environmental Assessment - Public Information Center No. 2
- 13.5 **Town of Caledon**
- 13.5.1 Notice of Study Completion – Environmental Assessment Study (Winston Churchill)
- 13.6 **Dufferin County Multicultural Foundation Event**
- 13.6.1 [Museum of Dufferin - June 8, 2024](#)
- 13.7 **Banning of Roundup**
- 13.7.1 Email Correspondence and Information

14. New Business

- 14.1 **East Garafraxa Public School**
- 14.1.1 Grade 8 Graduation – Top Academic Award Sponsorship Request

Resolution

MOVED BY BANFIELD, SECONDED BY STIRK

BE IT RESOLVED THAT:

Council do hereby approve the East Garafraxa Public Elementary School Top Academic Award sponsorship request for the Grade 8 graduation in the amount of \$25.00;

And further that Deb Halls or Guy Gardhouse will attend the graduation ceremony on Tuesday, June 25, 2024 to present the award.

14.2 Independent Electrical System Operator (IESO)

14.2.1 Wind Turbine Projects – Motion of Support

Discussion ensued regarding the matter. Previously the Township has not been willing hosts for green energy projects, wind turbines. Matter to be discussed further.

Motion of support of opposition of wind turbine projects to be considered at the next Council meeting.

15. Closed Meeting – 4:40 p.m. to 6:05 p.m.

Resolution

MOVED BY HALLS, SECONDED BY ZUKOWSKI

BE IT RESOLVED THAT:

Council do hereby move to into Closed Meeting pursuant to Section 239 of the Municipal Act, 2001, as amended for the following reason(s):

15.1 By-Law Enforcement Updates

Personal matters about an identifiable individual, including municipal or local board employees;

Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; and

Advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

15.2 Legal Contracts/Agreement

A position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.

15.3 Closed Meeting Minutes for May 14, 2024

CARRIED

Resolution

MOVED BY BANFIELD, SECONDED BY ZUKOWSKI

BE IT RESOLVED THAT:

Council do hereby resume regular business in open session.

CARRIED

16. By-Law(s)

16.1 Appointment of Engineers to Engineering Consultants Roster

Resolution
MOVED BY BANFIELD, SECONDED BY HALLS
BE IT RESOLVED THAT:

Leave be given to introduce a By-Law, being a By-law to appoint firms to an Engineering Consultants Roster for the Corporation of the Township of East Garafraxa for Engineering Services, and that it be given the necessary readings and be passed and numbered 21-2024.

CARRIED

16.2 **Establishing and Regulating the Grand Valley & District Fire Department**

Resolution
MOVED BY STIRK , SECONDED BY HALLS
BE IT RESOLVED THAT:

Leave be given to introduce a By-Law, being a By-Law to establish & regulate the Grand Valley & District Fire Department and to repeal By-Law number 19-2023, and that it be given the necessary readings and be passed and numbered 22-2024.

CARRIED

17. **Confirming By-Law**

Resolution
MOVED BY HALLS, SECONDED BY ZUKOWSKI
BE IT RESOLVED THAT:

Leave be given to introduce a By-Law, being a By-Law to Confirm the Proceedings of the Council of the Corporation of the Township of East Garafraxa at its meeting held on May 28, 2024, and that it be given the necessary readings and be passed and numbered 23-2024.

CARRIED

18. **Adjournment**

Resolution
MOVED BY HALLS, SECONDED BY ZUKOWSKI
BE IT RESOLVED THAT

Council do now adjourn to meet again for the Regular Electronic Council Meeting on Tuesday, June 11, 2024, at 2:00 p.m. and the Special Council Meeting on Tuesday, June 18, 2024, at 4:00 p.m., or at the call of the Chair.

CARRIED

Clerk

Head of Council



TOWNSHIP OF EAST GARAFRAXA
065371 DUFFERIN COUNTY ROAD 3 • UNIT 2
EAST GARAFRAXA • ON • L9W 7J8
T: 226-259-9400 • TOLL FREE: 877-868-5967 • F: 1-226-212-9812
www.eastgarafraxa.ca

Proclamation

Multicultural Day

June 27, 2024

WHEREAS Canada is a thriving diverse nation that reflects on its history in an effort to strengthen its societal unity;

AND WHEREAS the Township of East Garafraxa recognizes the numerous cultures that its residents represent and contribute to the economic and social advancement of this municipality;

AND WHEREAS the Township of East Garafraxa welcomes cultural expressions that enrich our community to create thriving and inclusive neighbourhoods that treat all members of our community with equity, equality and respect;

AND WHEREAS the Township of East Garafraxa remains committed to supporting our cultural diversity and inclusion through educational, historical, recreational and business opportunities for all residents;

NOW THEREFORE I Mayor Guy Gardhouse, on behalf of Council, do hereby proclaim June 27, 2024 as Multicultural Day in the Township of East Garafraxa.

Dated in Council on this 11th Day of June 2024

Mayor Guy Gardhouse
Corporation of the Township of East Garafraxa

Township of East Garafraxa

2023 Financial Statements

Presented by Murray Short



TOWNSHIP OF
EAST GARAFRAXA





AGENDA



- Audit Overview
- Audit Report
- Financial Statements
- Next Steps

Audit Overview

- Final materiality = \$170,000
- No change in key audit areas, risks or planned procedures since communicated in Pre-Audit Communication Letter
- No significant internal control deficiencies to communicate
- No known independence issues
- Four routine adjusting entries identified and communicated – one to capitalize tangible capital asset additions, one to adjust gravel inventory, two for proportionate consolidation of the Grand Valley Fire Board and Grand Valley Medical Centre
- Three trivial unadjusted differences

Audit Report

- The financial statements present fairly, in all material respects, the financial position, result of operations and cash flows of the Township of East Garafraxa in accordance with Canadian public sector accounting standards
- Audit conducted in accordance with Canadian generally accepted auditing standards

Statement of Financial Position

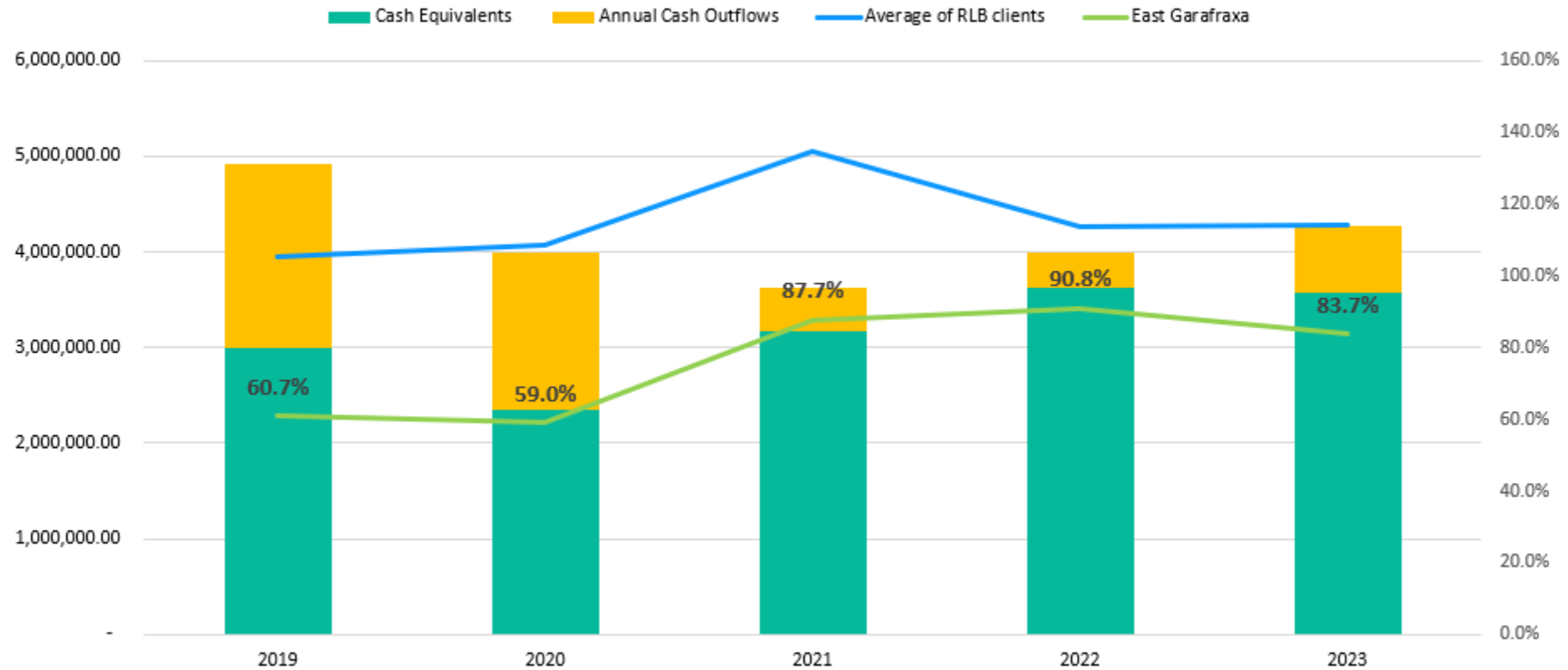
- The Statement of Financial Position (similar to a Balance Sheet for non-public entities) is a snapshot of the municipality's assets, liabilities and accumulated surplus at a point in time
- Key areas:
 - Cash equivalents
 - Taxes receivable
 - Tangible capital assets
 - Accumulated surplus

Statement of Financial Position

	2023	2022
FINANCIAL ASSETS		
Cash	\$ 3,073,021	\$ 3,501,489
Portfolio investments	500,000	125,000
Taxes receivable	858,015	603,204
Accounts receivable	<u>408,761</u>	<u>216,451</u>
	<u>4,839,797</u>	<u>4,446,144</u>
LIABILITIES		
Accounts payable and accrued liabilities	1,064,664	1,113,881
Obligatory reserve funds (schedule 3)	1,337,975	1,367,883
Deferred revenue	<u>600</u>	<u>600</u>
	<u>2,403,239</u>	<u>2,482,364</u>
NET FINANCIAL ASSETS	<u>2,436,558</u>	<u>1,963,780</u>
NON-FINANCIAL ASSETS		
Tangible capital assets (schedule 2)	13,795,362	14,413,810
Inventory	3,925,520	3,962,427
Prepaid expenses	<u>155,898</u>	<u>70,267</u>
	<u>17,876,780</u>	<u>18,446,504</u>
ACCUMULATED SURPLUS (schedule 4)	<u>\$ 20,313,338</u>	<u>\$ 20,410,284</u>

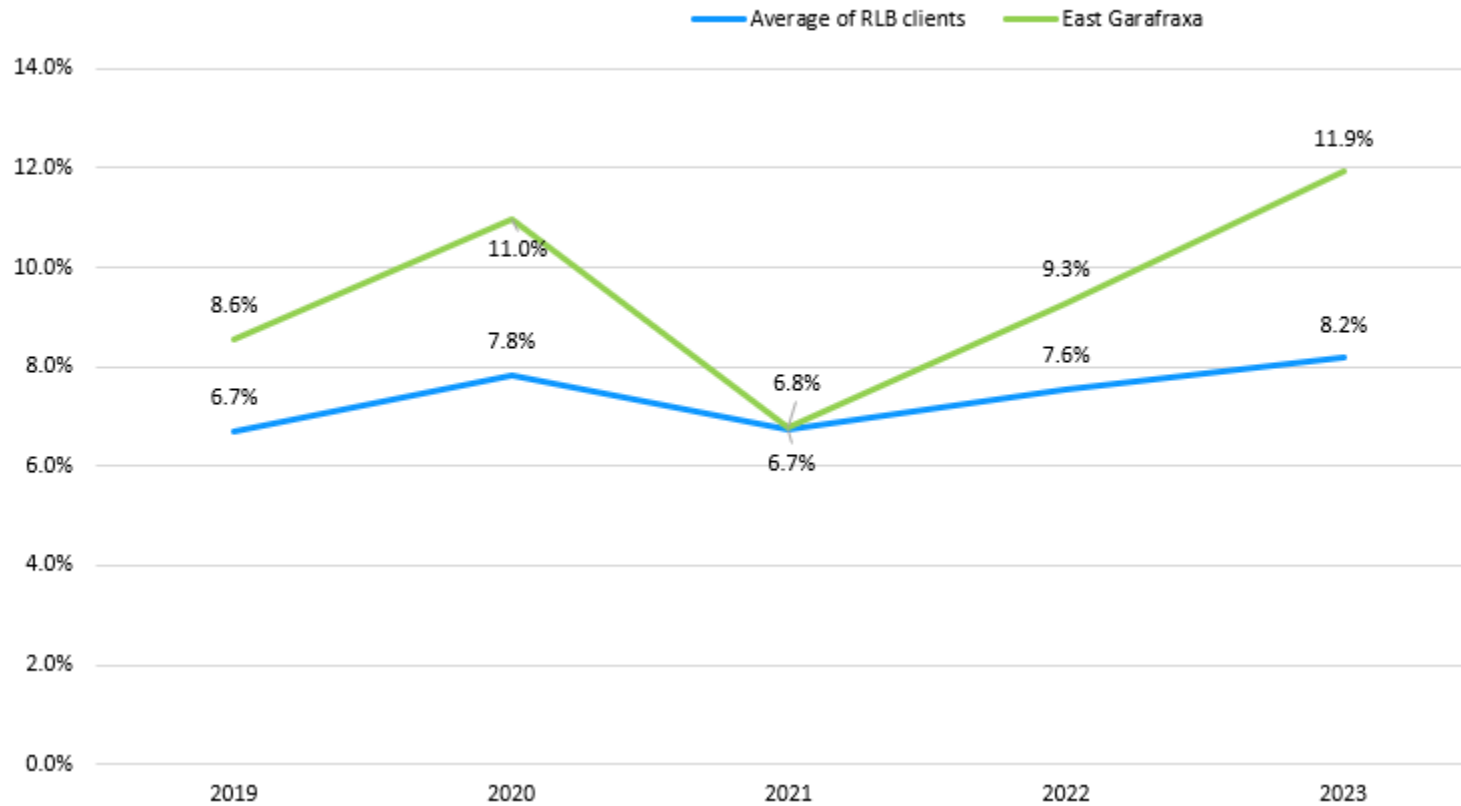
Cash Equivalents

Cash Equivalents as a % of Annual Cash Outflows



Taxes Receivable

Taxes Receivable as a % of Total Tax Levied

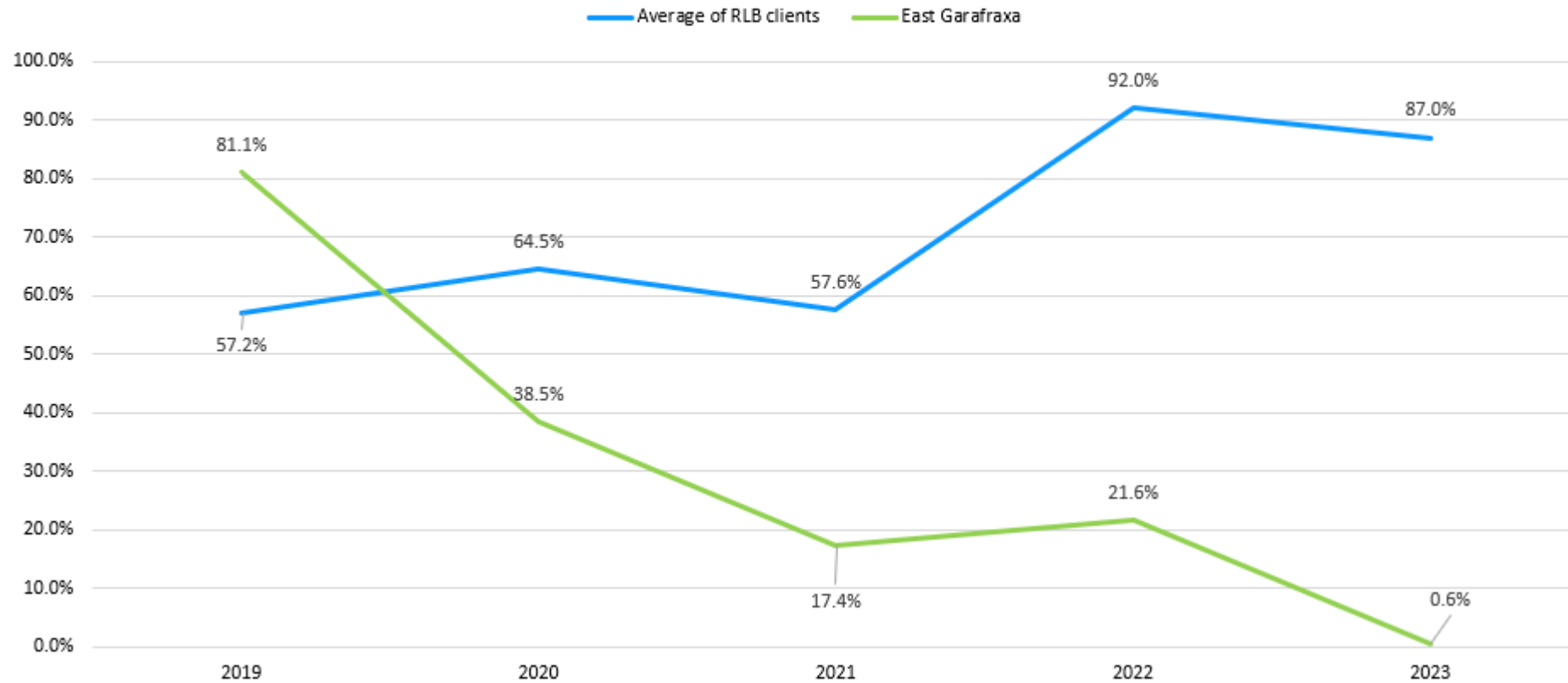


MMAH Level of Risk:

- Low < 10%
- Moderate 10 - 15%
- High >15%

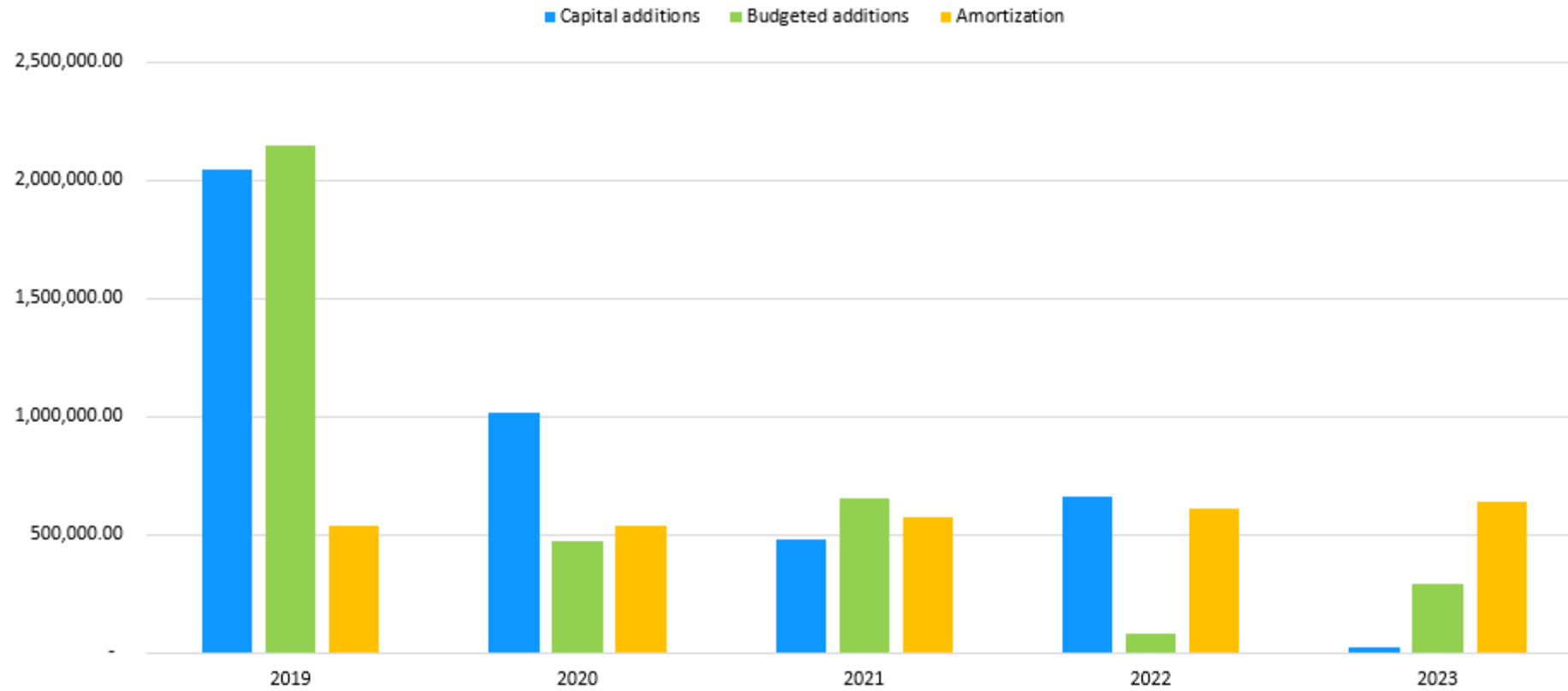
Tangible Capital Assets

Capital Additions as a % of Total Tax Revenue



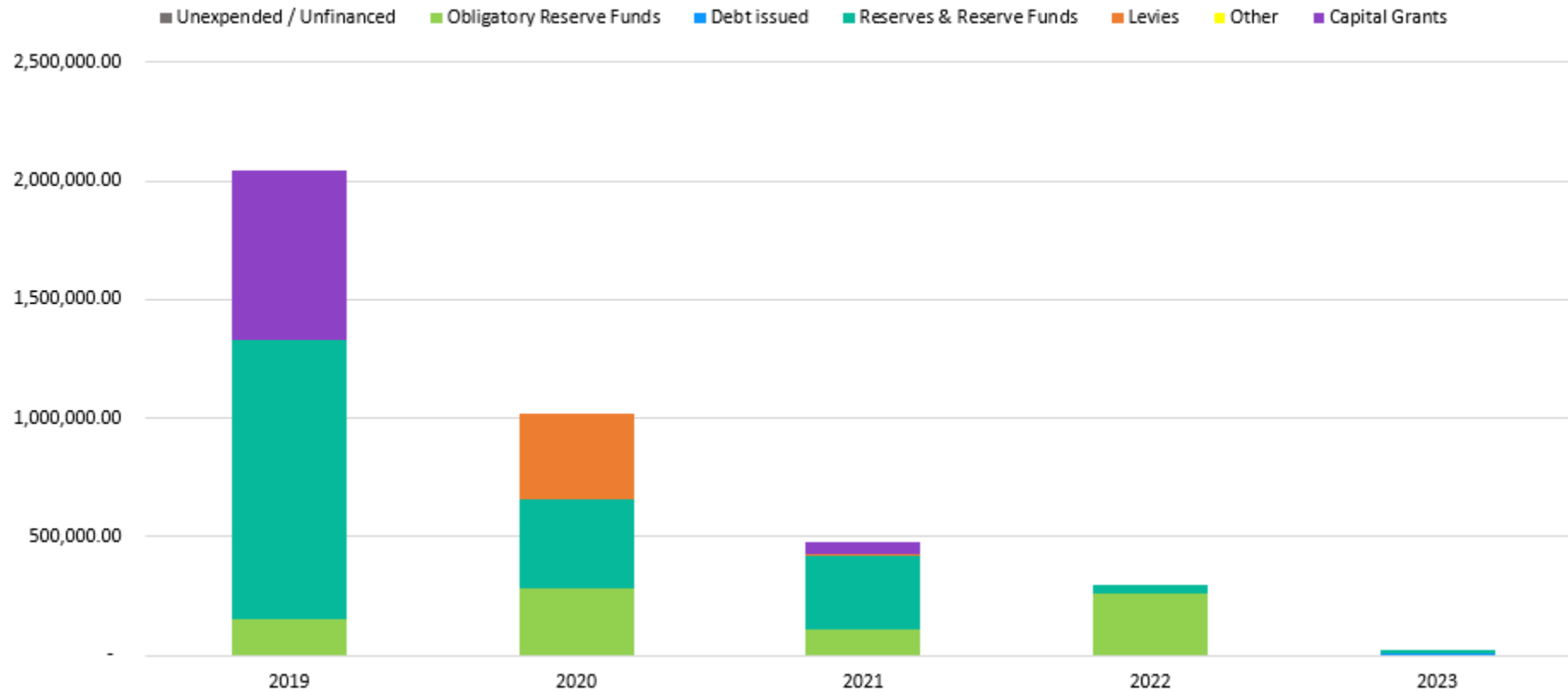
Tangible Capital Assets

Capital Additions vs. Budget vs. Amortization



Tangible Capital Assets

Capital Additions by Funding Source



Statement of Operations

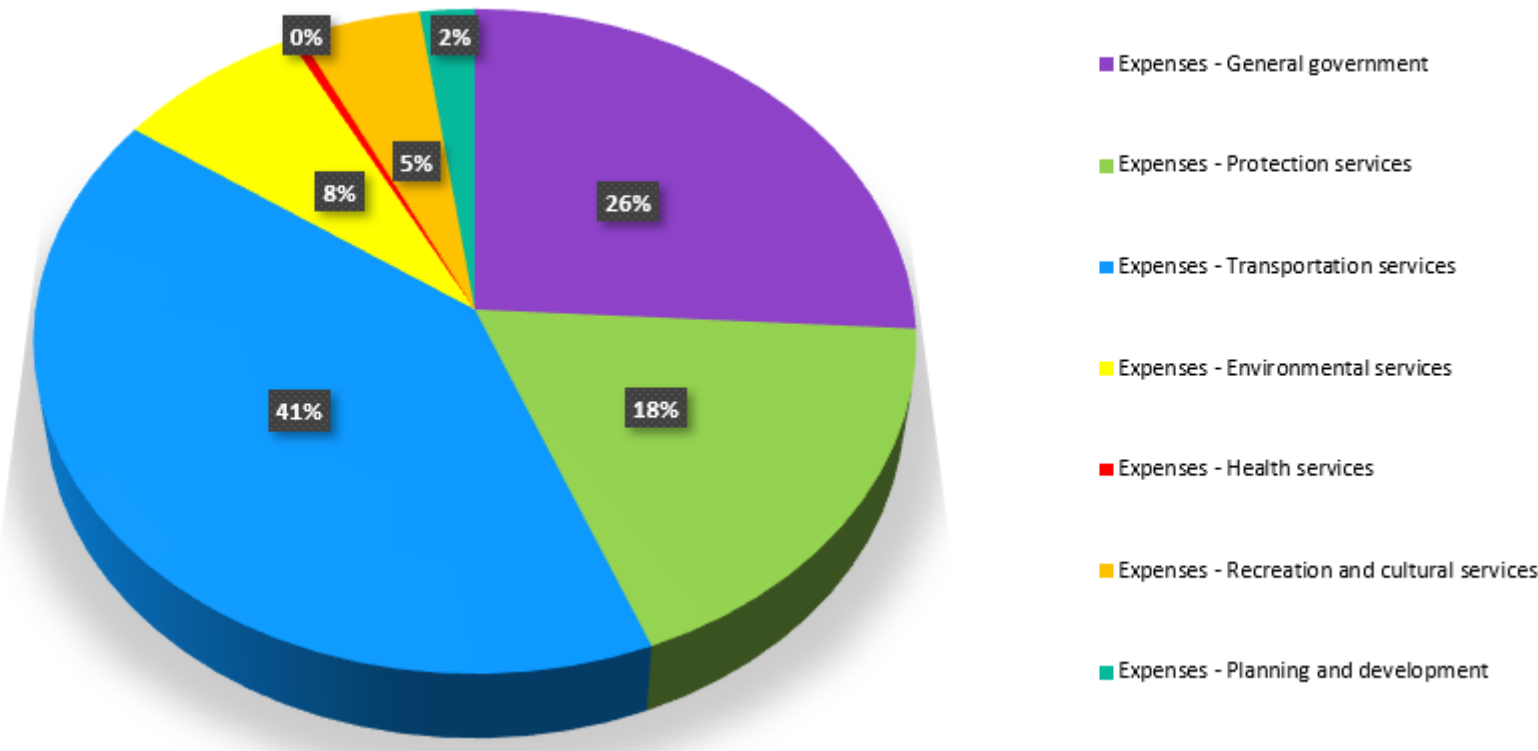
- The Statement of Operations reports the revenues less expenses resulting in the annual surplus of the municipality
- Key areas:
 - Budget vs. actual results
 - Expenditures by department
 - Annual surplus
 - Accumulated surplus

Statement of Operations

	2023 Budget (note 4)	2023 Actual	2022 Actual
REVENUE			
Taxation revenue	\$ 3,527,453	\$ 3,579,104	\$ 3,053,085
Taxation from other governments	10,469	10,469	10,469
Fees and user charges	307,900	289,742	262,113
Sewer and water service charges	45,000	45,766	44,482
Canada grants	113,600	103,592	14,400
Ontario grants	270,493	270,661	293,144
Other income (note 5)	218,800	252,712	757,895
Obligatory reserve fund revenue recognized (schedule 3)	<u>388,750</u>	<u>243,889</u>	<u>273,865</u>
	<u>4,882,465</u>	<u>4,795,935</u>	<u>4,709,453</u>
EXPENSES (schedule 1)			
General government	1,243,500	1,268,342	1,091,030
Protection services	850,707	885,731	732,279
Transportation services	2,087,150	1,993,729	1,903,994
Environmental services	506,400	374,431	87,055
Health services	10,100	21,951	19,118
Recreation services	217,865	240,925	252,208
Planning and development	<u>246,200</u>	<u>107,772</u>	<u>220,906</u>
	<u>5,161,922</u>	<u>4,892,881</u>	<u>4,306,590</u>
NET (DEFICIT) SURPLUS for the year	<u>(279,457)</u>	<u>(96,946)</u>	<u>402,863</u>
Change in amounts to be recovered			
Change in capital outlay to be recovered in future years	<u>0</u>	<u>0</u>	<u>1,873</u>
ANNUAL SURPLUS (DEFICIT)	<u>\$ (279,457)</u>	<u>(96,946)</u>	<u>404,736</u>
ACCUMULATED SURPLUS, beginning of year		<u>20,410,284</u>	<u>20,005,548</u>
ACCUMULATED SURPLUS, end of year		<u>\$ 20,313,338</u>	<u>\$ 20,410,284</u>

Expenditures by Department

Expenditures by Department



Expenditures by Department

	2019	2020	2021	2022	2023
Expenses - General government	22.9%	24.5%	23.4%	25.3%	25.9%
Expenses - Protection services	19.6%	19.0%	18.8%	17.0%	18.1%
Expenses - Transportation services	48.0%	42.6%	46.3%	44.2%	40.7%
Expenses - Environmental services	1.1%	2.4%	1.9%	2.0%	7.7%
Expenses - Health services	0.3%	0.3%	0.5%	0.4%	0.4%
Expenses - Recreation and cultural services	4.8%	4.2%	5.3%	5.9%	4.9%
Expenses - Planning and development	3.3%	7.0%	3.7%	5.1%	2.2%

Statement of Changes in Net Financial Assets

- The Statement of Changes in Net Financial Assets reconciles the annual surplus to the change in net financial assets, removing the activity of the non-financial assets

Statement of Changes in Net Financial Assets

	2023 Budget (note 4)	2023 Actual	2022 Actual
ANNUAL (DEFICIT) SURPLUS	\$ <u>(279,457)</u>	\$ <u>(96,946)</u>	\$ <u>404,736</u>
Acquisition of tangible capital assets	(293,000)	(23,187)	(658,600)
Amortization of tangible capital assets	610,000	641,519	611,052
Loss on disposal of tangible capital assets	0	116	1,588
Consumption of gravel inventory	0	36,907	35,148
Increase in prepaid expense	0	(85,631)	2,785
	<u>317,000</u>	<u>569,724</u>	<u>(8,027)</u>
INCREASE (DECREASE) IN NET FINANCIAL ASSETS	\$ <u><u>37,543</u></u>	472,778	396,709
NET FINANCIAL ASSETS, beginning of year		<u>1,963,780</u>	<u>1,567,071</u>
NET FINANCIAL ASSETS, end of year		\$ <u><u>2,436,558</u></u>	\$ <u><u>1,963,780</u></u>

Statement of Cash Flows

- The Statement of Cash Flows breaks down the change in cash equivalents through the year between operating and capital sources

Statement of Cash Flows

	2023	2022
CASH PROVIDED BY (USED IN) OPERATING ACTIVITIES		
Annual surplus (deficit)	\$ (96,946)	\$ 404,736
Items not requiring an outlay of cash		
Amortization of tangible capital assets	641,519	611,052
Loss on disposal of tangible capital assets	116	1,588
Consumption of gravel inventory	<u>36,907</u>	<u>35,148</u>
	<u>581,596</u>	<u>1,052,524</u>
Net changes in non-cash working capital		
Taxes receivable	(254,811)	(190,372)
Accounts receivable	(192,310)	25,502
Prepaid expenses	(85,631)	2,785
Accounts payable and accrued liabilities	(49,217)	238,527
Obligatory reserve funds	(29,908)	(5,704)
Deferred revenue	<u>0</u>	<u>(15,150)</u>
	<u>(611,877)</u>	<u>55,588</u>
	<u>(30,281)</u>	<u>1,108,112</u>
CASH USED IN CAPITAL ACTIVITIES		
Acquisition of tangible capital assets	<u>(23,187)</u>	<u>(658,600)</u>
CASH PROVIDED BY (USED IN) INVESTING ACTIVITIES		
Portfolio investments	<u>(375,000)</u>	<u>975,000</u>
NET (DECREASE) INCREASE IN CASH	(428,468)	1,424,512
CASH, beginning of year	<u>3,501,489</u>	<u>2,076,977</u>
CASH, end of year	<u>\$ 3,073,021</u>	<u>\$ 3,501,489</u>

Schedule of Accumulated Surplus

- The Schedule of Accumulated Surplus (Schedule 4) shows the various sources of the accumulated surplus, including reserves
- Reserves shown are amounts set aside by the municipality for specific purposes

Schedule of Accumulated Surplus

	2023	2022
SURPLUSES		
Invested in tangible capital assets	\$ 13,795,362	\$ 14,413,810
Grand Valley and District Fire Board	(7,559)	(3,874)
Grand Valley Medical Centre	21,384	21,947
General revenue fund	<u>4,431,522</u>	<u>3,937,629</u>
	<u>18,240,709</u>	<u>18,369,512</u>
RESERVES		
Operating Reserves		
Gravel	165,000	165,000
OCIF grant	143,975	161,761
Tax rate stabilization	22,500	62,500
Working funds	20,332	40,332
COVID grants	<u>0</u>	<u>18,557</u>
	<u>351,807</u>	<u>448,150</u>
Capital Reserves		
Bridges and culverts	614,467	614,467
Vehicle Fleet	264,356	184,356
Roads	262,252	262,252
Water system	163,748	155,182
Recreation	99,734	99,734
Building	49,103	49,103
Planning	<u>48,838</u>	<u>67,000</u>
	<u>1,502,498</u>	<u>1,432,094</u>
	<u>1,854,305</u>	<u>1,880,244</u>
RESERVE FUNDS		
Grand Valley and District Fire Board capital	<u>218,324</u>	<u>160,528</u>
	<u>\$ 20,313,338</u>	<u>\$ 20,410,284</u>

Deferred Revenue

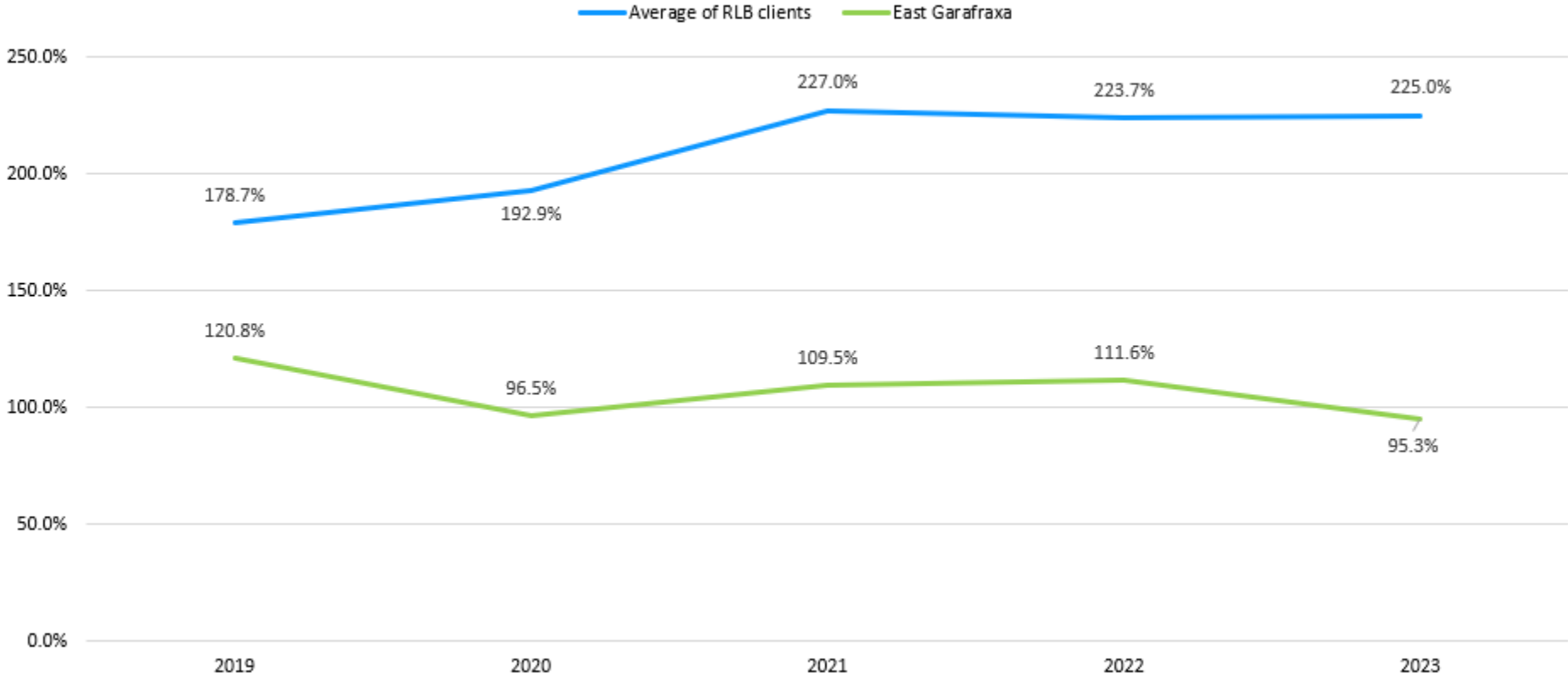
- The Schedule of Deferred Revenue (Schedule 3) reconciles the activity within obligatory reserve funds
- Deferred revenue is revenue received that has not yet been spent
- Obligatory reserve funds are deferred revenue that the municipality is required by law, regulation or the funding agreement that a reserve fund be utilized

Deferred Revenue

	Dec.31, 2022	Contributions Received	Investment Income	Revenue Recognized	Dec.31, 2023
Obligatory Reserve Funds					
Development charges	\$ 587,166	\$ 64,492	\$ 30,794	\$ (50,756)	\$ 631,696
Federal gas tax funding	379,429	85,350	19,210	(175,715)	308,274
Recreational land	206,288	4,500	9,635	(17,418)	203,005
Roads	153,000	0	0	0	153,000
Water system	<u>42,000</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>42,000</u>
	<u>\$ 1,367,883</u>	<u>\$ 154,342</u>	<u>\$ 59,639</u>	<u>\$ (243,889)</u>	<u>\$ 1,337,975</u>

Reserve & Reserve Funds

Reserves & Reserve Funds as a % of Total Tax Revenue



Next Steps

Council and management to communicate any changes to representations given throughout the audit process or any awareness of fraud up to the date of financial statement approval

Approval of financial statements by Council

Receipt of signed management representation letter

Township's submission of Financial Information Return (FIR)

A woman with voluminous curly hair, wearing a bright yellow sweater, is sitting at a desk with a laptop. She has her hand to her chin and a thoughtful expression. The background is a bright kitchen with a window, a sink, and several potted plants.

Questions?

Thank
you!



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Corporation of the Township of East Garafraxa
065371 Dufferin County Road 3
Unit 2
East Garafraxa, Ontario
L9W 7J8

Dear Township of East Garafraxa Council of Corporation of the Township of East Garafraxa

We have completed our audit of the financial statements of the Corporation of the Township of East Garafraxa for the year ended December 31, 2023. As part of our work, we reviewed the accounting procedures and systems of internal control in the principal areas of financial activity within the corporation. We report to you that, within the scope of our examinations, the systems of internal control are adequate to support the fairness of presentation and that we did not come across any material weaknesses.

However, we do stress that this observation is not the result of a specific examination of the corporation's system of internal control and, therefore, must be taken in the context that it is meant, namely review of internal control systems to allow us to voice our opinion on the financial statements in accordance with Canadian accounting standards for not for profit organizations.

During the course of our audit of the corporation for the year ended December 31, 2023, we may have identified matters which might have been of interest to management but tended to be minor or more of a housekeeping nature. During the audit, we would have met with Alan Selby (Treasurer) and communicated these minor items, if applicable. There were no significant items that we felt should be addressed formally and brought to the attention of the Council.

This communication is prepared solely for the information of management and is not intended for any other party and, as such, we accept no responsibility to a third party who uses this communication.

We would like to take this opportunity to thank you and your staff for the excellent co-operation and assistance we received throughout the course of our work and, in particular, the assistance and co-operation received from Alan.

If you have any questions or concerns, we will certainly be pleased to discuss these with you further, at your convenience.

Yours truly,

M. D. P. Short, MBA, CPA, CA, C. Dir., is responsible for the engagement and its performance, and for the report that is issued on behalf of RLB LLP, and who, where required, has the appropriate authority, from a professional, legal or regulatory body.

DRAFT

CORPORATION OF THE TOWNSHIP OF EAST GARAFRAXA
CONSOLIDATED FINANCIAL STATEMENTS
FOR THE YEAR ENDED DECEMBER 31, 2023

DRAFT

CORPORATION OF THE TOWNSHIP OF EAST GARAFRAXA
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YEAR ENDED DECEMBER 31, 2023

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INDEPENDENT AUDITOR'S REPORT

To the Members of Council, Inhabitants and Ratepayers of the Corporation of the Township of East Garafraxa

Opinion

We have audited the accompanying consolidated financial statements of Corporation of the Township of East Garafraxa, which comprise the consolidated statement of financial position as at December 31, 2023 and the consolidated statements of operations, change in net financial assets and cash flows for the year then ended, and notes to the consolidated financial statements, including a summary of significant accounting policies.

In our opinion, these consolidated financial statements present fairly, in all material respects, the financial position of Corporation of the Township of East Garafraxa as at December 31, 2023 and the results of its operations and its cash flows for the year then ended in accordance with Canadian public sector accounting standards.

Basis of Opinion

We conducted our audit in accordance with Canadian generally accepted auditing standards. Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Statements section of our report. We are independent of the Corporation of the Township of East Garafraxa in accordance with the ethical requirements that are relevant to our audit of the financial statements in Canada, and we have fulfilled our other ethical responsibilities in accordance with these requirements. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

Responsibilities of Management and Those Charged with Governance for the Financial Statements

Management is responsible for the preparation and fair presentation of the consolidated financial statements in accordance with Canadian public sector accounting standards and for such internal control as management determines is necessary to enable the preparation of consolidated financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the consolidated financial statements, management is responsible for assessing the corporation's ability to continue as a going concern, disclosing, as applicable, matters related to a going concern and using the going concern basis of accounting unless management either intends to liquidate the corporation or to cease operations, or has no realistic alternative but to do so.

Those charged with governance are responsible for overseeing the corporation's financial reporting process.

Auditor's Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the consolidated financial statements, as a whole, are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with Canadian generally accepted auditing standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these consolidated financial statements.

As part of an audit in accordance with Canadian generally accepted auditing standards, we exercise professional judgement and maintain professional skepticism throughout the audit. We also:

- Identify and assess the risks of material misstatement of the consolidated financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or override of internal control.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the corporation's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by management.
- Conclude on the appropriateness of management's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the corporation's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditor's report to the related disclosures in the consolidated financial statements or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditor's report. However, future events or conditions may cause the corporation to cease to continue as a going concern.
- Evaluate the overall presentation, structure and content of the consolidated financial statements, including the disclosures, and whether the consolidated financial statements represent the underlying transactions and events in a manner that achieves fair presentation.

We communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

Guelph, Ontario

Chartered Professional Accountants
Licensed Public Accountants

CORPORATION OF THE TOWNSHIP OF EAST GARAFRAXA
CONSOLIDATED STATEMENT OF FINANCIAL POSITION
AS AT DECEMBER 31, 2023

	2023	2022
FINANCIAL ASSETS		
Cash	\$ 3,073,021	\$ 3,501,489
Portfolio investments	500,000	125,000
Taxes receivable	858,015	603,204
Accounts receivable	<u>408,761</u>	<u>216,451</u>
	<u>4,839,797</u>	<u>4,446,144</u>
LIABILITIES		
Accounts payable and accrued liabilities	1,064,664	1,113,881
Obligatory reserve funds (schedule 3)	1,337,975	1,367,883
Deferred revenue	<u>600</u>	<u>600</u>
	<u>2,403,239</u>	<u>2,482,364</u>
NET FINANCIAL ASSETS	<u>2,436,558</u>	<u>1,963,780</u>
NON-FINANCIAL ASSETS		
Tangible capital assets (schedule 2)	13,795,362	14,413,810
Inventory	3,925,520	3,962,427
Prepaid expenses	<u>155,898</u>	<u>70,267</u>
	<u>17,876,780</u>	<u>18,446,504</u>
ACCUMULATED SURPLUS (schedule 4)	<u>\$ 20,313,338</u>	<u>\$ 20,410,284</u>

CORPORATION OF THE TOWNSHIP OF EAST GARAFRAXA
CONSOLIDATED STATEMENT OF OPERATIONS
FOR THE YEAR ENDED DECEMBER 31, 2023

	2023 Budget (note 4)	2023 Actual	2022 Actual
REVENUE			
Taxation revenue	\$ 3,527,453	\$ 3,579,104	\$ 3,053,085
Taxation from other governments	10,469	10,469	10,469
Fees and user charges	307,900	289,742	262,113
Sewer and water service charges	45,000	45,766	44,482
Canada grants	113,600	103,592	14,400
Ontario grants	270,493	270,661	293,144
Other income (note 5)	218,800	252,712	757,895
Obligatory reserve fund revenue recognized (schedule 3)	<u>388,750</u>	<u>243,889</u>	<u>273,865</u>
	<u>4,882,465</u>	<u>4,795,935</u>	<u>4,709,453</u>
EXPENSES (schedule 1)			
General government	1,243,500	1,268,342	1,091,030
Protection services	850,707	885,731	732,279
Transportation services	2,087,150	1,993,729	1,903,994
Environmental services	506,400	374,431	87,055
Health services	10,100	21,951	19,118
Recreation services	217,865	240,925	252,208
Planning and development	<u>246,200</u>	<u>107,772</u>	<u>220,906</u>
	<u>5,161,922</u>	<u>4,892,881</u>	<u>4,306,590</u>
NET (DEFICIT) SURPLUS for the year	<u>(279,457)</u>	<u>(96,946)</u>	<u>402,863</u>
Change in amounts to be recovered			
Change in capital outlay to be recovered in future years	<u>0</u>	<u>0</u>	<u>1,873</u>
ANNUAL SURPLUS (DEFICIT)	<u>\$ (279,457)</u>	<u>(96,946)</u>	<u>404,736</u>
ACCUMULATED SURPLUS, beginning of year		<u>20,410,284</u>	<u>20,005,548</u>
ACCUMULATED SURPLUS, end of year		<u>\$ 20,313,338</u>	<u>\$ 20,410,284</u>

CORPORATION OF THE TOWNSHIP OF EAST GARAFRAXA
CONSOLIDATED STATEMENT OF CHANGE IN NET FINANCIAL ASSETS
FOR THE YEAR ENDED DECEMBER 31, 2023

	2023 Budget (note 4)	2023 Actual	2022 Actual
ANNUAL (DEFICIT) SURPLUS	\$ <u>(279,457)</u>	\$ <u>(96,946)</u>	\$ <u>404,736</u>
Acquisition of tangible capital assets	(293,000)	(23,187)	(658,600)
Amortization of tangible capital assets	610,000	641,519	611,052
Loss on disposal of tangible capital assets	0	116	1,588
Consumption of gravel inventory	0	36,907	35,148
Increase in prepaid expense	<u>0</u>	<u>(85,631)</u>	<u>2,785</u>
	<u>317,000</u>	<u>569,724</u>	<u>(8,027)</u>
INCREASE (DECREASE) IN NET FINANCIAL ASSETS	<u>\$ 37,543</u>	472,778	396,709
NET FINANCIAL ASSETS, beginning of year		<u>1,963,780</u>	<u>1,567,071</u>
NET FINANCIAL ASSETS, end of year		<u>\$ 2,436,558</u>	<u>\$ 1,963,780</u>

CORPORATION OF THE TOWNSHIP OF EAST GARAFRAXA
CONSOLIDATED STATEMENT OF CASH FLOWS
FOR THE YEAR ENDED DECEMBER 31, 2023

	2023	2022
CASH PROVIDED BY (USED IN) OPERATING ACTIVITIES		
Annual surplus (deficit)	\$ (96,946)	\$ 404,736
Items not requiring an outlay of cash		
Amortization of tangible capital assets	641,519	611,052
Loss on disposal of tangible capital assets	116	1,588
Consumption of gravel inventory	<u>36,907</u>	<u>35,148</u>
	<u>581,596</u>	<u>1,052,524</u>
Net changes in non-cash working capital		
Taxes receivable	(254,811)	(190,372)
Accounts receivable	(192,310)	25,502
Prepaid expenses	(85,631)	2,785
Accounts payable and accrued liabilities	(49,217)	238,527
Obligatory reserve funds	(29,908)	(5,704)
Deferred revenue	<u>0</u>	<u>(15,150)</u>
	<u>(611,877)</u>	<u>55,588</u>
	<u>(30,281)</u>	<u>1,108,112</u>
CASH USED IN CAPITAL ACTIVITIES		
Acquisition of tangible capital assets	<u>(23,187)</u>	<u>(658,600)</u>
CASH PROVIDED BY (USED IN) INVESTING ACTIVITIES		
Portfolio investments	<u>(375,000)</u>	<u>975,000</u>
NET (DECREASE) INCREASE IN CASH	(428,468)	1,424,512
CASH, beginning of year	<u>3,501,489</u>	<u>2,076,977</u>
CASH, end of year	<u>\$ 3,073,021</u>	<u>\$ 3,501,489</u>

CORPORATION OF THE TOWNSHIP OF EAST GARAFRAXA
NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS
FOR THE YEAR ENDED DECEMBER 31, 2023

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

The consolidated financial statements of the Corporation of the Township of East Garafraxa are the representation of management prepared in accordance with Canadian generally accepted accounting principles for governments as recommended by the Public Sector Accounting Board. Since precise determination of many assets and liabilities is dependent upon future events, the preparation of periodic financial statements necessarily involves the use of estimates and approximations. These have been made using careful judgments.

(a) **ACKNOWLEDGEMENT OF RESPONSIBILITY**

The management of the Corporation of the Township of East Garafraxa acknowledges its responsibility for the creation and compilation of the following significant accounting policy decisions and the related policy notes.

(b) **BASIS OF CONSOLIDATION**

(i) These consolidated financial statements reflect the assets, liabilities, sources of financing and expenditures for the revenue fund, reserve funds and reserves and include the activities of all committees of Council and the boards and municipal enterprises which are under the control of Council. The following boards and municipal enterprises owned or controlled by Council have been consolidated:

(a) The Grand Valley and District Fire Board
Proportionate consolidation:
operating - 16% in 2023; 17% in 2022
capital - 15% in 2023; 15% in 2022

(b) Township of East Garafraxa - Price's Corner Union Cemetery

(c) Grand Valley Medical Centre
Proportionate consolidation: operating - 20%

All interfund assets and liabilities and sources of financing and expenditures have been eliminated with the exception of loans or advances between reserve funds and any other fund of the municipality and the resulting interest income and expenditures.

(ii) The taxation, other revenues, expenditures, assets and liabilities with respect to the operations of the school boards and the County of Dufferin are not reflected in the municipal fund balances of these financial statements.

(iii) Trust funds and their related operations administered by the municipality are not consolidated, but are reported separately on the Trust Funds Statement of Continuity and Statement of Financial Position.

(c) **BASIS OF ACCOUNTING**

(i) Sources of financing and expenditures are reported on the accrual basis of accounting, with the exception of principal and interest on long term liabilities, which are charged against operations in the periods in which they are paid. The principal and interest charges are not accrued for the periods from the dates of the latest instalment payments to the end of the financial year.

(ii) The accrual basis of accounting recognizes revenues as they become available and measurable. Expenditures are recognized as they are incurred and measurable as a result of receipt of goods or services and the creation of a legal obligation to pay.

CORPORATION OF THE TOWNSHIP OF EAST GARAFRAXA
NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS
FOR THE YEAR ENDED DECEMBER 31, 2023

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (continued)

(c) BASIS OF ACCOUNTING (continued)

- (iii) Capital outlay to be recovered in future years, which represents the outstanding principal portion of unmatured long term liabilities for municipal expenditures or capital funds transferred to other organizations, is reported on the Schedule of Accumulated Surplus.

(d) INVESTMENTS

The investments held by the municipality are recorded at cost.

(e) REVENUE RECOGNITION

All revenues are recorded on an accrual basis, except when the accruals cannot be determined with reasonable certainty or when their estimation is not practical.

Grant revenues are recognized as revenues when the transfer is authorized and any eligibility criteria are met, except to the extent that the grant requirements give rise to an obligation that meets the definition of a liability, in which case the transfer would be recorded as deferred revenue, and would be recognized as revenue when the related expenditure occurs or the conditions of recognition as revenue are met.

Other revenue restricted by legislation, regulation or agreement, and not available for general municipal purposes, is reported as deferred revenue on the consolidated statement of financial position. The revenue is reported on the consolidated statement of operations in the year in which it is used for a specific purpose.

Taxation revenue is recognized when it is authorized and in the period the tax is levied.

All other revenues, including fees and user charges, are recognized in the period in which the transactions or events occur that give rise to the revenues.

(f) USE OF ESTIMATES

The preparation of financial statements in conformity with Canadian public sector accounting standards requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities, the disclosure of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenues and expenses during the year. Significant estimates made by management include accrued liabilities, the useful lives of capital assets and the gravel inventory tonnes available for extraction. Actual results could differ from those estimates.

(g) INVENTORY

Gravel inventory is valued at the lower of cost or net realizable value. Cost is determined based on engineer estimates of the tonnes available for extraction less amounts extracted during the year.

CORPORATION OF THE TOWNSHIP OF EAST GARAFRAXA
NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS
FOR THE YEAR ENDED DECEMBER 31, 2023

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (continued)

(h) ASSET RETIREMENT OBLIGATIONS

The corporation records asset retirement obligations when there is a legal obligation associated with the retirement of a tangible capital asset that results from the acquisition, construction, development or normal use of the asset. Such obligation justifies the recognition of a liability and can result from existing legislation, regulation, agreement, contract, or a promise and an expectation of performance. The estimate of the liability would include costs directly attributable to asset retirement, such as post-retirement operation, maintenance and monitoring. Estimated retirement costs are capitalized and amortized over the related asset's estimated useful life. The corporation has not identified any asset retirement obligations.

(i) FINANCIAL INSTRUMENTS

Measurement of financial instruments

The corporation initially measures its financial assets and liabilities at fair value, except for certain non-arm's length transactions. The corporation subsequently measures all its financial assets and financial liabilities at amortized cost.

Impairment

Financial assets measured at amortized cost are tested for impairment when there are indicators of impairment. If an impairment has occurred, the carrying amount of financial assets measured at amortized cost is reduced to the greater of the discounted future cash flows expected or the proceeds that could be realized from the sale of the financial asset. The amount of the write-down is recognized in annual (deficit) surplus. The previously recognized impairment loss may be reversed to the extent of the improvement, directly or by adjusting the allowance account, provided it is no greater than the amount that would have been reported at the date of the reversal had the impairment not been recognized previously. The amount of the reversal is recognized in net earnings.

Transaction costs

The corporation recognizes its transaction costs in net income in the period incurred. However, financial instruments that will not be subsequently measured at fair value are adjusted by the transaction costs that are directly attributable to their origination, issuance or assumption.

(j) NON-FINANCIAL ASSETS

Non-financial assets are not available to discharge existing liabilities and are held for use in the provision of services. They have useful lives extending beyond the current year and are not intended for sale in the ordinary course of operations. The change in non-financial assets during the year, together with the annual deficit, provides the Change in Net Financial Assets for the year.

(i) Leases

Leases are classified as capital or operating leases. Leases which transfer substantially all of the benefits and risks incidental to ownership of property are accounted for as capital leases. All other leases are accounted for as operating leases and the related lease payments are charged to expenses as incurred.

CORPORATION OF THE TOWNSHIP OF EAST GARAFRAXA
NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS
FOR THE YEAR ENDED DECEMBER 31, 2023

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (continued)

- (ii) Tangible capital assets
Tangible capital assets are recorded at cost which includes all amounts that are directly attributed to acquisition, construction, development or betterment of the asset. The cost, less residual value, of the tangible capital asset is amortized on a straight-line basis over their estimated useful life as follows:

Land and land improvements	15 to 30 years
Facilities	25 to 50 years
Vehicles	10 to 18 years
Equipment	5 to 20 years
Transportation infrastructure	3 to 60 years
Environmental infrastructure	10 to 100 years

Work in progress are not amortized until the asset is available for productive use. Tangible capital assets received as contributions are recorded at their fair value at the date received and also are recorded as revenue.

2. COMMITMENTS

The corporation has an operating lease for their premises. Future minimum lease payments are as follows:

2024	\$ 25,998
2025	25,998
2026	25,998
2027	25,998
2028	25,998
Thereafter	<u>285,975</u>
	<u>\$ 415,965</u>

3. FINANCIAL INSTRUMENTS

Unless otherwise noted, it is management's opinion that the corporation is not exposed to significant interest, credit, currency, liquidity, or other price risks arising from the financial instruments.

The extent of the corporation's exposure to these risks did not change in 2023 compared to the previous period.

The corporation does not have a significant exposure to any individual customer or counterpart.

Transacting in financial instruments exposes the corporation to certain financial risks and uncertainties. These risks include:

Liquidity risk

Liquidity risk is the risk that the corporation will encounter difficulty in meeting obligations associated with financial liabilities. The corporation is exposed to liquidity risk as a result of accounts payable. The corporation controls liquidity risk by management of working capital and cash flows.

CORPORATION OF THE TOWNSHIP OF EAST GARAFRAXA
NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS
FOR THE YEAR ENDED DECEMBER 31, 2023

4. BUDGET AMOUNTS

Under Canadian public sector accounting standards, budget amounts are to be reported on the consolidated statements of operations and change in net financial assets for comparative purposes. The 2023 budget amounts for the Corporation of the Township of East Garafraxa approved by Council have been restated to conform to the basis of preparation of these statements.

Revenue	
Approved Budget	\$ 5,147,522
Transfer from reserve funds, net	(265,057)
Total revenues	\$ <u>4,882,465</u>
Expenses	
Approved Budget	\$ 5,147,522
Acquisition of tangible capital assets	(293,000)
Amortization	610,000
Contribution to Operating from Capital Fund, Reserves and Reserve Funds	<u>(302,600)</u>
Total expenses	\$ <u>5,161,922</u>

5. OTHER INCOME

	2023 Budget	2023 Actual	2022 Actual
Penalties and interest on taxation	\$ 120,000	\$ 97,322	\$ 65,813
Licenses and permits	3,800	4,005	3,830
Investment income	95,000	136,647	53,290
Donated or assumed tangible capital assets	0	4,500	361,440
Loss on disposal of tangible capital assets	0	(116)	(1,588)
Other	<u>0</u>	<u>10,354</u>	<u>275,110</u>
	\$ <u>218,800</u>	\$ <u>252,712</u>	\$ <u>757,895</u>

6. OPERATIONS OF THE SCHOOL BOARDS AND THE COUNTY OF DUFFERIN

During the year, the following taxation revenue was raised and remitted to the school boards and the County of Dufferin:

	2023	2022
School Boards	\$ 1,156,427	\$ 1,121,396
County of Dufferin	<u>2,461,787</u>	<u>2,314,394</u>
	\$ <u>3,618,214</u>	\$ <u>3,435,790</u>

7. TRUST FUNDS

The trust funds administered by the municipality amounting to \$12,290 (2022 - \$11,736) have not been included in the consolidated statement of financial position, nor have the operations been included in the consolidated statement of operations.

CORPORATION OF THE TOWNSHIP OF EAST GARAFRAXA
NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS
FOR THE YEAR ENDED DECEMBER 31, 2023

8. PRICE'S CORNER UNION CEMETERY

Price's Corner Union Cemetery cash and net accumulated surplus of \$4,227 (2022 - \$4,037) are included within the consolidated statement of financial position. During the year, the bank account earned \$190 (2022 - \$62) of interest, which is included in the consolidated statement of operations.

9. SEGMENTED INFORMATION

The Corporation of the Township of East Garafraxa is a diversified municipal government institution that provides a wide range of services to its citizens, including General Government, Protection Services (i.e. building inspection, fire and emergency services, bylaw enforcement, animal control), Transportation Services, (i.e. roadways, streetlighting and sidewalks), Environmental Services (i.e. stormwater management, source water protection and municipal drinking water), Health Services, Recreation Services, and Planning and Development Services. For management reporting purposes, the government's operations and activities are organized and reported by fund. Funds were created for the purpose of recording specific activities to attain certain objectives in accordance with special regulations, restrictions or limitations. Township services are provided by departments and their activities are reported in these funds.

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CORPORATION OF THE TOWNSHIP OF EAST GARAFRAXA
CONSOLIDATED SCHEDULE OF SEGMENTED DISCLOSURE
FOR THE YEAR ENDED DECEMBER 31, 2023

Schedule 1

	General Government	Protection Services	Transportation Services	Environmental Services	Health Services	Recreation Services	Planning and Development	2023	2022
EXPENSES									
Salaries and benefits	\$ 854,970	\$ 53,652	\$ 669,871	\$ 0	\$ 2,496	\$ 0	\$ 0	\$ 1,580,989	\$ 1,361,804
Materials	36,483	34,834	604,551	0	16,155	48,715	10,383	751,121	811,479
Contracted services	207,341	719,301	139,595	39,232	0	15,102	96,298	1,216,869	1,148,487
Rents and financial expenses	141,048	8,649	71,735	0	0	0	317	221,749	177,768
Amortization	26,817	23,871	507,977	26,228	0	56,626	0	641,519	611,052
Other transfers	1,683	45,424	0	308,971	3,300	120,482	774	480,634	196,000
	<u>\$ 1,268,342</u>	<u>\$ 885,731</u>	<u>\$ 1,993,729</u>	<u>\$ 374,431</u>	<u>\$ 21,951</u>	<u>\$ 240,925</u>	<u>\$ 107,772</u>	<u>\$ 4,892,881</u>	<u>\$ 4,306,590</u>

CORPORATION OF THE TOWNSHIP OF EAST GARAFRAXA
CONSOLIDATED SCHEDULE OF TANGIBLE CAPITAL ASSETS
FOR THE YEAR ENDED DECEMBER 31, 2023

Schedule 2

	Land and land improvements	Facilities	Vehicles	Transportation infrastructure	Equipment	Environmental infrastructure	Work in Progress	2023	2022
COST									
Balance, beginning of year	\$ 2,542,935	\$ 1,124,814	\$ 2,503,950	\$ 15,413,465	\$ 737,414	\$ 916,962	\$ 98,945	\$ 23,338,485	\$ 22,686,498
Additions	1,272	0	0	0	21,915	0	0	23,187	658,600
Disposals	0	0	0	(26,098)	0	0	0	(26,098)	(6,613)
Transfers	98,945	0	0	0	0	0	(98,945)	0	0
Balance, end of year	<u>2,643,152</u>	<u>1,124,814</u>	<u>2,503,950</u>	<u>15,387,367</u>	<u>759,329</u>	<u>916,962</u>	<u>0</u>	<u>23,335,574</u>	<u>23,338,485</u>
ACCUMULATED AMORTIZATION									
Balance, beginning of year	269,168	546,760	1,627,032	5,684,372	484,290	313,053	0	8,924,675	8,318,648
Amortization	45,977	45,775	127,634	356,757	40,491	24,885	0	641,519	611,052
Accumulated amortization on disposals	0	0	0	(25,982)	0	0	0	(25,982)	(5,025)
Balance, end of year	<u>315,145</u>	<u>592,535</u>	<u>1,754,666</u>	<u>6,015,147</u>	<u>524,781</u>	<u>337,938</u>	<u>0</u>	<u>9,540,212</u>	<u>8,924,675</u>
NET BOOK VALUE OF TANGIBLE CAPITAL ASSETS	<u>\$ 2,328,007</u>	<u>\$ 532,279</u>	<u>\$ 749,284</u>	<u>\$ 9,372,220</u>	<u>\$ 234,548</u>	<u>\$ 579,024</u>	<u>\$ 0</u>	<u>\$ 13,795,362</u>	<u>\$ 14,413,810</u>

See notes to the consolidated financial statements

CORPORATION OF THE TOWNSHIP OF EAST GARAFRAXA
CONSOLIDATED SCHEDULE OF DEFERRED REVENUE
FOR THE YEAR ENDED DECEMBER 31, 2023

Schedule 3

	Dec.31, 2022	Contributions Received	Investment Income	Revenue Recognized	Dec.31, 2023
Obligatory Reserve Funds					
Development charges	\$ 587,166	\$ 64,492	\$ 30,794	\$ (50,756)	\$ 631,696
Federal gas tax funding	379,429	85,350	19,210	(175,715)	308,274
Recreational land	206,288	4,500	9,635	(17,418)	203,005
Roads	153,000	0	0	0	153,000
Water system	<u>42,000</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>42,000</u>
	<u>\$ 1,367,883</u>	<u>\$ 154,342</u>	<u>\$ 59,639</u>	<u>\$ (243,889)</u>	<u>\$ 1,337,975</u>

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CORPORATION OF THE TOWNSHIP OF EAST GARAFRAXA
CONSOLIDATED SCHEDULE OF ACCUMULATED SURPLUS
AS AT DECEMBER 31, 2023

Schedule 4

	2023	2022
SURPLUSES		
Invested in tangible capital assets	\$ 13,795,362	\$ 14,413,810
Grand Valley and District Fire Board	(7,559)	(3,874)
Grand Valley Medical Centre	21,384	21,947
General revenue fund	<u>4,431,522</u>	<u>3,937,629</u>
	<u>18,240,709</u>	<u>18,369,512</u>
RESERVES		
Operating Reserves		
Gravel	165,000	165,000
OCIF grant	143,975	161,761
Tax rate stabilization	22,500	62,500
Working funds	20,332	40,332
COVID grants	<u>0</u>	<u>18,557</u>
	<u>351,807</u>	<u>448,150</u>
Capital Reserves		
Bridges and culverts	614,467	614,467
Vehicle Fleet	264,356	184,356
Roads	262,252	262,252
Water system	163,748	155,182
Recreation	99,734	99,734
Building	49,103	49,103
Planning	<u>48,838</u>	<u>67,000</u>
	<u>1,502,498</u>	<u>1,432,094</u>
	<u>1,854,305</u>	<u>1,880,244</u>
RESERVE FUNDS		
Grand Valley and District Fire Board capital	<u>218,324</u>	<u>160,528</u>
	<u>\$ 20,313,338</u>	<u>\$ 20,410,284</u>

INDEPENDENT AUDITOR'S REPORT

To the Members of Council, Inhabitants and Ratepayers of the Corporation of the Township of East Garafraxa

Opinion

We have audited the accompanying financial statements of the trust funds of the Corporation of the Township of East Garafraxa, which comprise the statement of financial position as at December 31, 2023 and the statement of continuity for the year then ended, and notes to the financial statements, including a summary of significant accounting policies.

In our opinion, these financial statements present fairly, in all material respects, the financial position of the trust funds of the Corporation of the Township of East Garafraxa as at December 31, 2023 and the continuity of the trust funds for the year then ended in accordance with Canadian public sector accounting standards.

Basis of Opinion

We conducted our audit in accordance with Canadian generally accepted auditing standards. Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Statements section of our report. We are independent of the Corporation of the Township of East Garafraxa in accordance with the ethical requirements that are relevant to our audit of the financial statements in Canada, and we have fulfilled our other ethical responsibilities in accordance with these requirements. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

Responsibilities of Management and Those Charged with Governance for the Financial Statements

Management is responsible for the preparation and fair presentation of the financial statements in accordance with Canadian public sector accounting standards and for such internal control as management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is responsible for assessing the trust fund's ability to continue as a going concern, disclosing, as applicable, matters related to a going concern and using the going concern basis of accounting unless management either intends to liquidate the trust funds or to cease operations, or has no realistic alternative but to do so.

Those charged with governance are responsible for overseeing the trust fund's financial reporting process.

Auditor's Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements, as a whole, are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with Canadian generally accepted auditing standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.

As part of an audit in accordance with Canadian generally accepted auditing standards, we exercise professional judgement and maintain professional skepticism throughout the audit. We also:

- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or override of internal control.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the trust fund's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by management.
- Conclude on the appropriateness of management's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the trust fund's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditor's report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditor's report. However, future events or conditions may cause the trust fund to cease to continue as a going concern.
- Evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.

We communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

Guelph, Ontario

Chartered Professional Accountants
Licensed Public Accountants

CORPORATION OF THE TOWNSHIP OF EAST GARAFRAXA
TRUST FUNDS
STATEMENT OF FINANCIAL POSITION
AS AT DECEMBER 31, 2023

	2023	2022
ASSETS		
Cash	\$ <u>12,290</u>	\$ <u>11,736</u>
FUND BALANCE		
Municipal position	\$ <u>12,290</u>	\$ <u>11,736</u>

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CORPORATION OF THE TOWNSHIP OF EAST GARAFRAXA
TRUST FUNDS
STATEMENT OF CONTINUITY
FOR THE YEAR ENDED DECEMBER 31, 2023

	2023	2022
MUNICIPAL POSITION, beginning of year	\$ 11,736	\$ 11,555
Interest earned	<u>554</u>	<u>181</u>
MUNICIPAL POSITION, end of year	<u>\$ 12,290</u>	<u>\$ 11,736</u>

DRAFT

CORPORATION OF THE TOWNSHIP OF EAST GARAFRAXA
TRUST FUNDS
NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED DECEMBER 31, 2023

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

The financial statements of the trust funds of the Corporation of the Township of East Garafraxa are the representation of management prepared in accordance with Canadian public sector accounting standards as recommended by the Public Sector Accounting Board. Since precise determination of many assets and liabilities is dependent upon future events, the preparation of periodic financial statements necessarily involves the use of estimates and approximations. These have been made using careful judgments.

(a) BASIS OF ACCOUNTING

- (i) The accrual basis of accounting recognizes revenues as they become available and measurable. Expenditures are recognized as they are incurred and measurable as a result of receipt of goods or services and the creation of a legal obligation to pay.

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374028 6TH LINE • AMARANTH ON • L9W 0M6

May 16, 2024

Sent Via Email

Re: Resolution on Water Testing Services for Private Drinking Water

At its regular meeting of Council held on May 15, 2024, the Township of Amaranth Council passed the following resolution concerning Water Testing Services for Private Drinking Water.

Resolution #: 5

Moved by: G. Little

Seconded by: A. Stirk

BE IT RESOLVED THAT:

Whereas the Ontario Auditor General's annual report on public health from December 2023 indicates that Public Health Ontario is proposing the phasing-out of free provincial water testing services for private drinking water; and

Whereas free private drinking water testing services has played a pivotal role in safeguarding public health, particularly in rural communities, including the entire Township of Amaranth, that rely predominantly on private drinking water; and

Whereas the removal of free private drinking water testing could lead to a reduction in testing, potentially increasing the risk of waterborne diseases in these vulnerable populations; and

Whereas the tragic events in Walkerton, Ontario underscored the critical importance of safe drinking water.

Now Therefore Be It Resolved that The Township of Amaranth hereby requests that the Province reconsider and ultimately decide against the proposed phasing-out of free private drinking water testing services.

Further Be It Resolved that this resolution be sent to all Ontario municipalities, Minister of Environment Conservation and Parks, Minister of Health, Wellington Dufferin Guelph Public Health Unit, and MPP Sylvia Jones.

CARRIED

Please do not hesitate to contact the office if you require any further information on this matter.

Yours truly,

A handwritten signature in black ink, appearing to read 'Nicole Martin', written in a cursive style.

Nicole Martin, Dipl. M.A.
CAO/Clerk

CC:
Minister of the Environment, Conservation and Parks
Minister of Health
Wellington Dufferin Public Health Unit
MPP Sylvia Jones
All Ontario Municipalities



TOWN OF SHELburne

COUNCIL RESOLUTION

No. 8

Date: 5/13/24

Moved: Councillor Fegan

Seconded by: Councillor Benotto

WHEREAS: private water systems (e.g., wells) are not protected through legislated requirements under The Safe Drinking Water Act 2002 and The Clean Water Act 2006, but are more likely to contribute to cases of gastrointestinal illness than municipal systems; and

WHEREAS: the 2023 Ontario Auditor General's value-for-money audit of Public Health Ontario (PHO) recommended that PHO, in conjunction with the Ontario Ministry of Health, begin the gradual discontinuance of free private drinking water testing; and WHEREAS: in the County of Dufferin, many households do not receive water from municipal systems, with many relying on a private drinking water system, including wells; and

WHEREAS: the Walkerton Inquiry Report Part II, concluded the privatization of laboratory testing of drinking water samples contributed directly to the E. coli outbreak in Walkerton, Ontario in May 2000; and Whereas all Ontarians deserve safe, clean water, and free well-water testing is a way to help ensure that residents on private wells continue to have barrier-free access to well water testing.

THEREFORE BE IT RESOLVED THAT: the Town of Shelburne call on the Province to not phase out free well-water testing as part of the proposed streamlining efforts of public health laboratory operations in the province; and

FURTHER THAT: this resolution be circulated to the Hon. Sylvia Jones, Minister of Health; Hon. Lisa Thompson, Minister of Agriculture, Food and Rural Affairs; Hon. Andrea Khanjin, Minister of the Environment, Conservation and Parks; local MPPs; all municipalities, The County of Dufferin and Conservations Ontario and Ontario's conservation authorities.

CARRIED, W. Mills

Requested Vote to be Recorded Yes No

	Yea	Nay
Mayor Mills	<input type="checkbox"/>	<input type="checkbox"/>
Deputy Mayor Hall	<input type="checkbox"/>	<input type="checkbox"/>
Councillor Benotto	<input type="checkbox"/>	<input type="checkbox"/>
Councillor Fegan	<input type="checkbox"/>	<input type="checkbox"/>
Councillor Guchardi	<input type="checkbox"/>	<input type="checkbox"/>
Councillor Sample	<input type="checkbox"/>	<input type="checkbox"/>
Councillor Wegener	<input type="checkbox"/>	<input type="checkbox"/>

DRAFT

Independent Electrical System Operator
By email: engagement@ieso.ca

Re: Municipality/Township of _____ – Wind Turbine Projects

Please be advised at the Municipality/Township of _____ Council meeting held on _____, the following resolution was approved:

WHEREAS the Independent Electrical System Operator (the IESO) has proposed to move forward with three RFPs where new wind turbine projects can receive a contract from the IESO; and

WHEREAS people living near existing wind turbines report considerable impact on their lives due to noise and other emissions from the wind turbines; and

WHEREAS there are gaps in the enforcement of key terms of the Renewable Energy Approvals governing existing projects relative to noise standards and resolution of complaints; and

WHEREAS municipal approval is required to locate one of these projects in the Municipality/Township of _____; and

THEREFORE BE IT RESOLVED THAT the Council does not support the establishment of any new wind turbine projects within the municipality; and

THAT the IESO be directed to advise potential applicants of this resolution.

Sincerely,

Clerk, Municipality/Township of _____

c:

The Hon. Todd Smith - Minister of Energy - MinisterEnergy@ontario.ca

David Donovan, Chief of Staff, david.donovan@ontario.ca

Association of Municipalities of Ontario - policy@amo.on.ca

Local MPP

Multi-Municipal Energy Working Group – jhamilton@arran-elderslie.ca



**CORPORATION OF THE
TOWNSHIP OF EAST GARAFRAXA**

STAFF REPORT

TO: Council
FROM: Alan Selby, Treasurer
REPORT DATE: June 3, 2024
MEETING DATE: June 11, 2024
SUBJECT: Draft 2024 Asset Management Plan

RECOMMENDATION:

BE IT RESOLVED THAT:

Council receive the Draft 2024 Asset Management Plan for information;

and THAT Council place this item for decision at the June 25, 2024 meeting.

PURPOSE:

This report is to provide to Council the Draft 2024 Asset Management Plan (AMP) for review. The AMP has been expanded to include “non-core” assets such as Land, Vehicles, and Buildings, which were not in the 2022 AMP.

BACKGROUND AND DISCUSSION:

Asset management planning (AMP) is an ongoing and long-term process that allows municipalities to make the best possible investment decisions for their infrastructure assets.

Provincial legislation requires the Township to submit to the Ministry of Infrastructure, an updated Council adopted AMP by June 30, 2024.

CONSULTATION:

Asset Data was obtained from :

- Road Needs Study 2023
- OSIM Bridge and Culvert Study 2023
- Building Condition Assessment report 2023

FINANCIAL IMPACTS:

Section 5 of the AMP shows the Capital Plan for the next few years in Table 17, and the ways the Township can pay for its projects in Table 18B.

This Capital Plan was recently endorsed by Council. It has been designed to avoid losing any Gas Tax or OCIF Grant funds, due to not spending them within legislated time limits, on eligible capital projects.

More projects may be needed, or may arise in future, beyond the projects in the Plan. **The Capital Plan has been intentionally limited to projects that the Township can pay for.** If additional project needs become known, the Township has the option to take on some long-term Debt, normally through Bank Loans, to pay for projects not in the Capital Plan.

Respectfully Submitted,
Alan Selby, CPA CGA
Treasurer

Reviewed by:
Peter C. Avgoustis
Chief Administrative Officer (CAO)

Attachments: AMP sections 1 to 5



ASSET MANAGEMENT PLAN 2024

1. INTRODUCTION

This 2024 version of the Township of East Garafraxa (“the Township”) Asset Management Plan (“AMP”) has been built on the most recent AMP of the Township, updated in 2022.

This AMP includes data on all tangible capital assets (TCA) that include roads, bridges, buildings, vehicles, water, stormwater, land, land improvements, technology, and other equipment.

The format of this AMP is in five sections, a structure recommended by the Ontario Government 2013 publication *Building Together: Guide for Municipal Asset Management Plans*. But due to developments that have arisen since 2013, the Township has added a section on Climate Change Impacts

1.1 Legislated Requirements

In December 2017, *Ontario Regulation 588/17 (“the Regulation”) Asset Management for Municipal Infrastructure* was passed under the *Infrastructure for Jobs and Prosperity Act*.

The Regulation firstly required all municipalities to develop a Strategic Asset Management Policy, to provide guidance for future capital investment decisions. The Township adopted its Policy in 2017.

The main content of the Regulation goes on to list specific requirements on the types of analysis a municipal AMP should include. The expectation is that by following these specific requirements in the Regulation, the content of AMP’s will be made more consistent across the Province. The deadline for completing an AMP was set out in the Regulation but was later deferred by one year by the Province, in part in response to COVID complications. The broader all-assets AMP deadline became June 30, 2024. The Regulation also contains even more specific requirements that apply only to municipalities over 25,000 population. East Garafraxa population is approx. 3,000.

Specific requirements in the Regulation will be referred to in each section of this AMP.

1.2 Asset Data

Available asset data will be disclosed in this AMP, but where data is not available, that fact will also be disclosed, along with suggestions to address the problem of incomplete data.

The Quality and Confidence of the data used in this AMP is critical and will be discussed in each section. The following table describes the Confidence Grade for data used herein:

TABLE 1 DATA CONFIDENCE

GRADE LEVEL	DESCRIPTION
<p>5 Highly Reliable</p>	<p>Data is based on sound records, procedure, investigation, and analysis</p> <p><u>Dataset is complete and estimated to be accurate within 2%</u></p>
<p>4 Reliable</p>	<p>Data is also based on sound records, etc. but has minor shortcomings, for example some data is old, some documentation is missing and reliance is sometimes placed on unconfirmed reports or an extrapolation</p> <p><u>Dataset is complete and estimated to be accurate within 10%</u></p>
<p>3 Uncertain</p>	<p>Data is based on records that are incomplete or unsupported, or is extrapolated from a limited sample</p> <p><u>Dataset is incomplete and estimated to be accurate within 25%</u></p>
<p>2 Very Uncertain</p>	<p>Data is based on unconfirmed verbal reports and/or cursory inspection and analysis, due to lack of resources devoted to obtaining more accurate data</p> <p><u>Dataset is incomplete and estimated to be accurate within 40%</u></p>
<p>1 Missing or Unknown</p>	<p>Data is unknown, has not been gathered, or very little data is held, so whatever data is available is not used here</p> <p><u>Considered as not accurate and therefore not used.</u></p>

Efforts planned, or currently underway, to improve on the quality of data used for this AMP will be explained in other sections of the AMP.

1.3 Asset Management Overview

Well-managed public infrastructure is vital to the prosperity and the quality of life of communities large and small. Ontario municipalities have an important responsibility to ensure such infrastructure is planned, built or acquired, and maintained in a sustainable way. This is often referred to as the Asset Life Cycle, and includes asset disposal. A detailed AMP, adopted and adhered to, is essential for a municipality to carry out that responsibility for its infrastructure.

Benefits of asset management include:

- Demonstrate the Township is compliant with legislation
- Enable Township to make informed and supportable decisions about its assets
- Enable Township to co-ordinate and plan accordingly
- Higher customer satisfaction by reducing the likelihood of interruptions in service due to asset failure and breakdown
- Documented funding plans and strategy, to manage infrastructure needs in a timely way, and reduce the need for responding to financial emergencies

Although all municipalities, including the Township, may believe they have adequate asset management practices in place now, by following the specifics in the Regulation, many will discover areas where they are coming up short in their existing activities. Completing an updated AMP will identify problem-areas, and guide municipalities towards the actions needed, both in the short-term and longer-term, to maintain the levels of service their residents and businesses have come to expect, and that they rely upon every day.

1.4 AMP Integration

The AMP should be integrated with other Township records and plans. There should be a direct integration, or link, of the AMP with:

- the annual Township Budget
- the Township Development Charges Bylaw and Background Study
- Township capital asset accounting records
- Road Needs Assessment
- OSIM bi-annual studies of bridges and culverts
- most recent Buildings Condition Assessment (BCA) study

Circumstances are constantly in a state of change for municipalities, as new reporting requirements come out, as the municipality experiences growth in population, and as the cost of capital assets increase. The Province is very aware of this; that is why the first specific requirement of the Regulation we mention is, no surprise, a requirement to update the AMP every five years, after the 2024 broader version is completed.

It is incumbent on the Township, and also expected by the Province, to keep on top of the circumstances that impact the Township's AMP over time, and make changes to the AMP in response.



2. LEVELS OF SERVICE

All AMPs need to balance affordability of municipal services with customer needs and expectations. The way this is expressed in AMPs is known as Levels of Service (LOS).

2.1 Levels of Service Measures

LOS are specific measures that describe the extent and the quality of services which the municipality provides to its residents. In asset management, a great deal of work has gone into the area of LOS. A very large number of LOS measures have been developed, along with them many associated measures known as Key Performance Indicators (KPI), which can become quite extensive.

Smaller municipalities like the Township should keep in perspective the value of LOS. Only those LOS that are relevant and insightful to the Township should be kept. It is an easy mistake to make to “go overboard” with LOS and KPI, and you may find diminishing returns of value as the list of LOS measures kept becomes ever larger.

The main types of LOS measures are:

1. **Customer LOS**
2. **Technical LOS**

Customer LOS are simple, plain language description of services that customers receive. For example, What level of storm intensity is the Township Storm Sewer Network designed to handle? A 1-in-10 year storm? A 1-in-100 year storm?

Technical LOS are also called KPI and they take the Customer LOS down to a specific measurement that will indicate how a municipality is performing the service described in the Customer LOS. Technical LOS should be retained over time, to identify trends in the service level quality. For example, What is the % of Storm Sewer mains that are considered resilient to a 1-in-10 year storm? is a specific Technical LOS measurement.

The Regulation is quite specific about LOS measures. It contains a **Table in section 5(2)** where some basic LOS measures, for core assets, are provided as a minimum requirement for inclusion in any AMP.

The Township has not been actively maintaining any LOS data and so the data provided in this AMP for LOS would have a Grade Level of Uncertain. IT IS

RECOMMENDED that greater time and effort be put into the development of more accurate LOS measures in future.

For purposes of this AMP, only the basic, minimum LOS measures as listed in the Regulation are disclosed.

TABLE 2 : Basic LOS in the Regulation

SERVICE PROVIDED	Customer LOS	Technical LOS and KPI's
Roads	Township road network is safe, convenient and available to the whole community	Asphalt surfaces measured by PCI average PCI = 7.0 in 2017 average PCI = 5.9 in 2019
	Meet Minimum Maintenance Standards MMS per Ont. Regulation 239/02	Gravel surface road condition rating: Average = 5.3 in 2017 Average = 4.3 in 2019
	Service requests are responded to promptly Example : potholes filled	No specific measures are kept on response time data; generally considered adequate LOS
	Roads are safe to use: traffic signs and road markings are well maintained and visible	Staff perform regular road patrols and replace damaged signs. Pavement markings are re-done as needed.
Storm Water Network: mains, ponds, catch-basins	Network is maintained in good condition to provide continuous service delivery	No Data Available
Potable drinking water system	Provide a safe and reliable supply of drinking water to residents connected to a municipal water system	No Data Available
	Service requests are responded to promptly	Number of Boil-Water Advisories issued : 2022 – 0 2021 - 0
		Number of watermain breaks 2022 - 0 2021 - 0
Bridges and culverts > 3 m. diameter AKA Structures	All Bridges and Culverts provide safe vehicular and pedestrian passage	BCI measures obtained from bi-annual OSIM studies: PER 2020-2021 OSIM review: Good = over 70 = 14 Fair = 50 to 70 = 7 Poor = BCI < 50 = 3

	All structures are fully compliant with regulatory requirements	Is an OSIM review completed bi-annually as required? YES
	Traffic types supported by the Structure Network <ul style="list-style-type: none"> • Heavy trucks • Passenger vehicles • Emergency vehicles • Cyclists • pedestrians 	Structures with Loading restrictions:
<p>NOTE: the MTO established a target for BCI measures where the expectation is to have 85% of structures in “Good” condition = a BCI above 70 by the year 2021.</p> <p>The Township has not met this MTO target, but it has completed three major bridge rehabilitations over the past ten years.</p>		

The Township currently tracks some LOS measures as part of the MMS for roads, and for Provincial water safety guidelines through an external consultant that tracks and documents LOS measures in annual reports to Council.

Asset Management Ontario (AMONT) is an organization providing help, training, and advice to municipalities about asset management. AMONT offers these “tips” for developing LOS measures:

- keep LOS simple, focus on the asset’s service objectives
- minimize number of LOS, ask “Why do we need this LOS?” and “What will this LOS tell us about the asset?”
- will the data needed for an LOS be available?

It is expected that LOS is an area of asset management that the Province will expand upon in the future, asking municipalities to develop and maintain more LOS measures.

2.2.1 PROPOSED Levels of Service

In Part 6 of the Regulation, the topic of Proposed Levels of Service is addressed, although these will not apply until 2025, so they don’t apply to this version of the AMP. However they are mentioned here for awareness purposes.

Proposed LOS represent target LOS that the municipality aspires to achieve in future. By **June of 2025**, the Township must have decided upon its Proposed LOS and must begin to measure and track its progress towards reaching them.

The next stage of LOS development would be to set **Target Values** for each Technical LOS which the Township strives to achieve. This is another activity the Township could

plan on for the future. When setting Target Values, some limitations on what could be considered realistically achievable LOS targets are:

- Budget and financial capacity
- Available external contractors and service providers
- Potential staff time that could be devoted to improvements in LOS

Proposed LOS are mentioned in this AMP as recognition of their existence and as a reminder for the future.

Part 9 of the Regulation requires ANNUAL REVIEWS of the AMP. This will become effective with the release of this 2024 AMP. Part of the Province’s expectation for Annual AMP Reviews is a tracking of LOS starting at the least with the LOS as shown in this AMP, and re-measuring them every year, beginning with 2025, to both identify trends in LOS and to introduce new LOS measures.

2.2 Risk Measurements

The second major AMP topic to be discussed in the LOS section is RISK. Risk is directly linked to LOS, and risk represents a combination of two factors:

1. chance, or likelihood, of an event occurring
2. consequence of such an event to residents/customers

Risk of Asset Failure = Probability of Failure x Consequence of Failure

In asset management , Risk relates to the likelihood and consequence of an asset failure or breakdown that prevents the continued provision of service. The failure could be caused by a weather-related event. For example, a severe winter storm recently happened in Texas, with a very low Likelihood but severe Consequences. Another example might be a snow-plow breakdown, causing the vehicle to be out-of-service, and impacting the time it takes for the remaining plows to reach all Township roads.

A Risk Matrix is the common tool used to evaluate risk for an asset. Values are assigned to the levels of Likelihood and the levels of Consequence of an asset failure. A sample Risk Matrix that the Township might use is illustrated below.

TABLE 3 : RISK MATRIX with values added

CONSEQUENCE	Insignificant = 1	Minor Impact = 2	Moderate = 3	Major Impact = 4	Catastrophic = 5
LIKELIHOOD					
Rare = 1	1 L	2 L	3 L	4 M	5 M
Unlikely = 2	2 L	4 L	6 M	8 M	10 M
Possible = 3	3 L	6 M	9 M	12 H	15 H
Likely = 4	4 M	8 M	12 H	16 H	20 H
Almost Certain = 5	5 M	10 M	15 H	20 H	25 H

Instead of numeric values, often the matrix risk-values are simply expressed as L for Low, M for Medium and H for High. These codes are also shown in the matrix above.

Climate Change has substantially impacted risk levels for many municipal assets. For example, increased frequency and severity of weather events, like floods and power outages due to storms, demands more LOS measures around asset resiliency, measuring the ability to withstand such events. The area of Climate Science has become very extensive, and this AMP has included a separate section to discuss climate measures and impacts.

The Township has not developed its own Risk measurements to any great extent, and so the values for Risk Assessment, that will appear in the State of the Infrastructure section which follows, are generic evaluations of Township staff, without specific support behind them.

IT IS RECOMMENDED that time and effort be devoted by the Township in future to a more specific assessment of asset risk, to guide the setting of priorities in future Township budgets for capital assets.

DRAFT



ASSET MANAGEMENT PLAN 2024

3. STATE OF THE INFRASTRUCTURE

This AMP section discloses specific data about the Township's assets.

A required component is Replacement Cost estimates. Township financial records are based on historical costs, and because many assets are quite old, those financial values are of little benefit for asset management, and they can even be misleading. Historical values are shown in the summary Table 5 below, just to indicate how far off from current replacement values they are.

These are the sources of data used to compile this AMP section, with data-confidence ratings shown:

TABLE 4 : Data Sources used

Source of Data	Data Confidence	
Township TCA asset accounting records	4 - Reliable	Somewhat outdated
2023 OSIM report on Bridges and large culverts	5 – Highly Reliable	current
Discussions with current Township staff (vehicles+equipment)	3 – Uncertain	Not independently reviewed
Road Study 2023	5 – Highly Reliable	current
Building Condition study 2023	5 – Highly Reliable	current
2023 Year-End annual Water System Report	4 –Reliable	current
Stormwater	2 -Very Uncertain	Not independently reviewed

New external studies were completed in 2023 for roads, bridges and buildings, so more accurate asset data was available for this AMP than was available for the 2022 AMP.

Table 5 lists the asset categories with Historical Cost values, Replacement Cost estimates and a generic high-level Condition estimate. More in-depth Tables for each asset category follow. Road Bases are separated because they are assets that will not

be replaced normally, except in rare situations where a full road reconstruction is considered necessary.

Table 5 : High Level Asset Valuations

Asset Category	Financial Records Historical Cost	Replacement Cost 2024-\$ estimated	Overall Condition assessment
Stormwater ponds	624,318	1,000,000	Fair
Stormwater mains and catch-basins	90,583	236,250	Fair
Asphalt road surfaces	4,631,738	4,966,000	Good to Fair
Gravel road surfaces	1,642,245	2,675,750	Fair
Bridges and large culverts (over 3 metres)	6,546,743	41,362,000	Good to Fair
Smaller culverts, cross-culverts, guiderails, posts	477,471	600,000	Good
Public Works vehicle fleet	2,281,860	5,160,000	Fair
Land improvements including Parks (park. lots,etc.)	790,443	1,000,000	Fair
Land – all township property	1,752,709	5,500,000	Good
Stormwater properties		1,000,000	Fair
Buildings – all Dep'ts. including Leasehold Improv.	525,286	5,700,000 -400,000water	See list. Poor /Critical
Equipment – all Dep'ts.	573,891	650,000	Fair
SUBTOTAL A Tax-Supported Assets	\$ 19,937,287	\$ 69,450,000	
Water facility (1972)	150,752	400,000	Poor
Water mains (1972)	113,720	330,000	Fair
Wells, Hydrants, Pumps and other equipment	284,443	528,250	Fair
SUBTOTAL B Rate-Supported Assets	\$ 548,915	\$ 1,258,250	
SUBTOTALS A+B Excluding Road Bases	\$ 20,486,202	\$ 70,708,250	
Road Bases: paved roads	1,839,250	1,839,250	Bases are normally not replaced
: gravel roads	493,940	1,605,450	
TOTAL	\$ 22,819,392	\$74,152,950	

Township assets have total estimated current replacement cost of about \$74.1 million, or 3.25 times the value showing on the Township books and audited financial statements.

Replacement costs above are based on “like-for-like” asset replacements, meaning these are the costs in 2024-\$ to replace existing assets with similar (or identical) assets, without considering upgrades to asset size, expanded capacity, better technology, etc., that are available for purchase in today’s marketplace.

Next this State of the Infrastructure section looks at each core asset category more closely.

Stormwater assets

Stormwater mains (2,399 m. of 4-inch, 6-inch and 12-inch Main Drain), catch-basins (25), manholes and detention ponds (7) are all relatively newer assets compared with those in other categories, and no replacements or rehabilitations are foreseen in the next few years. Regular maintenance including clean-outs and inspections should be sufficient to keep these assets in functioning condition. All stormwater assets are considered in fair condition. A thorough study of these assets is planned for 2024.

Roads

The Township road network has 36.8 km. of paved roads, 0.9 km. of surface-treated road, and 107.0 km. of gravel roads **for a total network of 144.7 km.** or 289.4 lane-km.

The road conditions have been evaluated by township consultants as:

- 78.45% Good/Satisfactory (PCI = 71 +)
- 16.04% Fair (PCI = 50 – 70)
- 5.51% Poor (PCI < 50)

Roads are classified by the Ministry of Transportation (MTO) into Classes, per O. Reg. 612/06. Road classes are based on both Speed Limits and Average Daily Traffic (ADT) volumes. The breakdown of township roads is:

TABLE 6 All Roads by ADT

ADT traffic range	Township Roads in km.	Road Class
Below 200 (gravel)	105.65	6
200 to 499	17.21	6
500 to 999	5.93	5
1,000 to 1,999	7.14	4
2,000 to 2,999	3.07	3
3,000 to 3,999	1.36	3
4,000 + (shared responsibility, Boundary roads)	4.34	3
	144.7	

The consultants recommend upgrading the 5.93 km of road where ADT is 500 to 999 to a high class bituminous (HCB) surface. These are the southern section of 18th Line and the middle section of A-Line.

Table 7 is a listing of road segments and PCI's (Pavement Condition Indexes) for asphalt roads. Gravel roads receive top-up gravel on a 3-year cycle, and also dust suppressant (calcium) is applied annually.

Table 7 Township Asphalt Roads ranked by PCI

Road Segment	Road Name	Length in km.	PCI value	PCI category
LR0040	Hilltop Crescent	0.657	43	Poor
SR0140	EG-Caledon townline	0.880	49	Poor
SR0130	EG-Caledon townline	0.496	49	Poor
SR0120	EG-Caledon townline	0.745	55	Fair
LN1000	10 th Line	3.084	63	Fair
LR0131	Grand Crescent - Marsville	0.077	63	Fair
SR0150	EG-Caledon townline	1.349	64	Fair
LN1850	W. Churchill Blvd.	0.494	65	Fair
LR0035	Old Carriage Road	0.145	69	Fair
LR0140	Victoria Blvd. - Marsville	0.385	70	Satisfactory
	others	15.979	71 to 85	Satisfactory
	others	12.494	85+	Good
		36.785		

Bridges and Large Culverts

These assets are required to be inspected every two years, per the MTO Ontario Structures Inspection Manual (OSIM) guidelines. Condition is measured by a Bridge Condition Index (BCI) measure, established through the MTO. BCI measures are

- 70 to 100 = Good
- 50 to 69 = Fair
- 20 to 49 = Poor
- Below 20 = Critical

The Township has 31 of these assets and 2023 inspection results show BCI values of 19 Good (61%), 11 Fair (36%), 1 Poor (3%) and none Critical. The average BCI across all 31 assets went from **65.9 in 2019 to 68.8 in 2021 to 71.6 in 2023**. Table 8 lists the 31 bridge/large culvert assets and their BCI as measured in 2023:

Table 8 Bridges and Culverts BCI

I.D.	Located on		Replacement Cost	B.C.I.	
0001	20 th Sideroad	CSP multi-plate Ellipse culvert 1976	708,000	60.30	Fair
0002	10 th Line	Cast-in-place concr rigid frame 1950	895,000	73.71	Good
0003	10 th Line	Prefabricated fibreglass bridge 2015	1,133,000	97.62	Good

0004	10 th Line	Cast-in-place concr rigid frame 1945	833,000	73.63	Good
0005	10 th Line	CSP multi-plate Ellipse culvert 1972	1,083,000	44.10	Poor
0006	11 th Line	Precast concrete I-Girder 1987	4,843,000	74.65	Good
0007	12 th Line	Bowstring Arch (concrete, 2020 rehab.)	4,893,000	80.92	Good
0008	13 th Line	Steel Truss (timber deck) 2014 rehab	4,108,000	51.49	Fair
0009	10 th Line	Precast concrete I-Girder (replac 2008)	5,648,000	90.99	Good
0010	11 th Line	Cast-in-place concr rigid frame 2003	1,508,000	87.55	Good
0011	20 th Line	CSP multi-plate Ellipse culvert 1969	1,020,000	68.89	Fair
0014	10 th Sideroad	Cast-in-place concrete T-beam 1930	1,270,000	70.44	Good
0015	13 th Line	Cast-in-place concr box culvert 1979	958,000	74.78	Good
0016	EG-WG TnLn	Cast-in-place concr box culvert 1960	708,000	56.74	Fair
0017	13 th Line	Cast-in-place concr box culvert 1940	645,000	62.50	Fair
0019	16 th Line	Cast-in-place concr box culvert 1960	770,000	74.64	Good
0021	12 th Line	CSP multi-plate Ellipse culvert 2007	583,000	73.89	Good
0022	18 th Line	Cast-in-place concr box culvert 1940	583,000	74.47	Good
0023	19 th Line	Cast-in-place concr box culvert 2007	708,000	91.09	Good
0024	EG-Caledon	Cast-in-place concr box culvert 1950	833,000	67.88	Fair
0026	EG-Erin TnLn	Cast-in-place concr box culvert 1940	708,000	54.94	Fair
0027	EG-Caledon	Cast-in-place concr box culvert 1945	583,000	74.35	Good
0029	EG-Erin TnLn	Cast-in-place concr box culvert 1940	708,000	67.65	Fair
0031	EG-WG TnLn	Cast-in-place concr box culvert 1940	645,000	64.59	Fair
0041	10 th Sideroad	CSP round culvert	580,000	75.00	Good
0042	10 th Sideroad	Cast-in-place concrete Rigid frame	580,000	69.39	Fair
0043	13 th Line	CSP round culverts (2)	640,000	75.00	Good
0044	15 th Line	Cast-in-place concrete Rigid frame	580,000	74.06	Good
0045	EG-Erin TnLn	Cast-in-place concrete Rigid frame	722,000	56.40	Fair
0046	EG-Erin TnLn	CSP Arch culvert 3.2 m 2000	770,000	76.78	Good
0047	EG-Caledon TL	Cast-in-place concrete box 5.4 m	1,116,000	80.04	Good
			41,362,000		

In addition to these assets, there are also bridges/culverts on the municipal boundary that are shared with neighbouring municipalities. Those assets will be included on the AMP of the other municipality, as they are the owners, but the Township cost-shares in any major rehabilitation done to those assets. This cost-sharing situation will appear, and have some impact, in the Financing Strategy section of this AMP.

Smaller bridges and culverts include the ID numbers 12, 13, 18, 20, 25, 28 and 30 which are intentionally missing from Table 8, plus a large number of corrugated steel culverts valued at under \$3,000 apiece. Collectively, they are valued on the Township books at \$477,471. Condition ratings for these assets are not available. For this AMP, these assets are all listed as being in Good condition. They are estimated to have a replacement value of roughly \$600,000 per Table 5.

Bridge and culvert replacement cost values also include engineering design, contingencies, concrete end-barriers, guide posts and steel beam guide rails.

Normally in any AMP section on State of the Infrastructure, within asset Tables like Tables 5 to 8 above, a Risk measurement would be disclosed next to the condition assessment of each asset. Risk measurement methods appeared in the Levels of Service section.

Risk values have been excluded from the Asset Tables in this section because the Township has not completed any formal risk assessment on its core assets. For this 2024 AMP, for simplicity and due to a lack of reliable information, Risk is assessed as Moderate for all Core Assets.

Non-Core Assets

Table 9 Vehicle Fleet

Asset ID	Description	Replacement Cost	Condition	Odometer end of 2023
76	2013 Western Star tandem-axle plow truck	\$450,000	Fair	228,629
77	2015 Western Star tandem-axle plow truck	\$450,000	Fair	114,984
78	2005 International tandem-axle plow truck	\$450,000	Poor	280,489
79	2009 Volvo tandem-axle plow truck	\$450,000	Fair	189,070
70	2020 Silverado 2500HD	\$65,000	Good	163,440
71	2015 Sierra 1500 4-dr.	\$65,000	Fair	224,716
72	Volvo loader	\$550,000	Fair	3,779 hrs.
73	2001 Volvo 740 Grader	\$700,000	Poor	10,790 hrs.
74	2012 Volvo 976 Grader	\$700,000	Fair	5,550 hrs.
75	2016 J. Deere Grader	\$700,000	Fair	5,318 hrs
701	2015 Hitachi excavator	\$400,000	Fair	6,838 hrs
702	2011 4WD Sierra pickup	\$65,000	Poor	325,794
703	2024 4WD Sierra pickup	\$65,000	Good	4,017
	HOLMS Sweeper 501174	\$50,000	Good	
		\$5,160,000		

Plow Truck 78 is 20 years old and needs to be replaced. Pickup 702 is no longer in regular service, and was replaced by 703.

Table 10 Land Improvements

	Historical Cost	Replacement Cost estimate	Condition
Works shop/sand dome parking lot	\$ 21,524	\$ 130,000	Poor
Gravel pit driveway, boundary fencing	11,282	35,000	Poor
Rayburn Meadows playground equip. 2023	100,217	110,000	Good
Rayburn Meadows other	41,274	To be deleted	
Orton Park amenities#, parking lot	31,297	50,000	Good
Tot Haven Park amenities#	27,962	30,000	Good
Garafraxa Woods parkette amenities#	11,392	20,000	Fair
Brookhaven Park amenities# + parking lot	108,214	125,000	Good
Marsville Park amenities# + parking lot	72,796	90,000	Poor
Nature's Landing trails	56,860	70,000	Good
Nature's Landing amenities (playground equip.)	250,847	280,000	Good
Nature's Landing site work 2022	56,778	60,000	Good
	790,443	1,000,000	
<i>#Includes fences, baseball backstops, basketball courts, parking lots, etc.</i>			

The township has no current plans to upgrade or renovate any Land Improvements listed above.

One additional asset not shown above is **LEASEHOLD IMPROVEMENTS**.

The township leases its admin. office space, and in 2020 the township made internal renovations to the leased physical space in the total amount of \$371,922. This amount does not include anything movable, such as furniture, technology items or kitchen appliances, which all appear under Equipment.

Table 11 Land

Prop. Size (acres)	Description	Replacement Cost	Condition
2.93	Orton Park	\$232,000	good
1.07	Marsville Park 207 ft. frontage	\$123,000	good
1.82	Rayburn Meadows Park 182.3 ft. frontage	\$294,000	good
0.89	Nature's Landing Park 423 ft. frontage	\$280,000	good
1.06	Northridge & Forest Hill Lane park	\$285,000	good
3.89	Old Carriage Rd @ Rd. 23 Gara.Woods park	\$300,000	good

4.91	Brookhaven Park	\$303,000	good
16.57	SUBTOTAL Parklands	\$1,817,000	
9.07	vacant farmland, 13th Line	\$1,143,000	Good
47.86	gravel pits / quarry 17 th Line	\$700,000	Good
3.00	vacant farmland, 15th Line conc. 16	\$400,000	Good
1.03	vacant farmland, 19th Line @ Rd. 3	\$189,000	Good
1.72	cemetery land, 12th Line	\$197,000	Fair
0.22	Land under Community Hall	\$83,000	poor
2.00	Land under Works garage+sand dome	\$280,000	poor
0.14	for drainage laneway, Marsville	\$80,000	Fair
0.17	for drainage laneway, Marsville	\$81,000	Fair
0.64	drainage laneway, R.M. & NLW subdiv.	\$270,000	Good
0.39	drainage laneway, R.M. & NLW subdiv.	\$260,000	Good
82.81			
		\$5,500,000	

Table 11A The Land listing above does not include these stormwater properties:

Prop. Size (acres)	Description	Replacement Cost	Condition
0.25	Brookhaven Cres. subdivision	\$200,000	Fair
0.10	end of Maywood Drive	\$180,000	Fair
0.10	end of Maywood Drive	\$180,000	Fair
0.10	on Woodland Drive 134.7 ft frontage	\$180,000	Fair
0.40	on Woodland Drive 134.7 ft frontage	\$200,000	Fair
0.50	on Nature's Landing	\$30,000	Fair
0.81	A-Line at Caledon TnLn 156.5 ft frontage	\$30,000	Fair
		\$1,000,000	

Buildings

The township has relatively few municipal buildings, as many municipal services in the township are contracted-out to adjacent municipalities that provide the physical facilities from which those services are provided [arenas, pools, libraries, firehalls].

A comprehensive Building Condition Study was completed in 2023 on the township buildings. The study analyzed each building by its component parts. The buildings were assigned an overall FCI (Facility Condition Index) rating based on this scale:

- 0 to 10% Excellent / as new
- 11 to 30% Good / performs its function
- 31 to 60% Fair / needing repair to prolong life

- 61 to 80% Poor / cannot be relied on to perform its function
- Over 80% Critical / immediate replacement, safety or code violations

Table 12 lists township buildings at a high-level overview:

BUILDING	Township Historical Cost	Estimated Replace. Cost	FCI score	Year built	Recommended repair costs 1 to 5 yr. period
Orton Park					
Storage shed	\$ 53,912	\$ 100,000	8% Excellent	2014	00
Orton Park	\$ 106,645	\$ 650,000	1% Excellent	2015	8,000
Open-air Pavilion					
Marsville	\$ 83,967	\$1,500,000	79% Poor	1950	130,000
Community Centre					
Public Works	\$ 81,438	\$ 700,000	10% Excellent	1987	10,000
Sand Dome					
Public Works shop and fleet garage	\$ 177,692	\$2,100,000	16% Good	1980	67,500
Marsville Water System pumphouse	\$ 150,752	\$ 400,000	98% Critical	1972	140,000
Gravel Pit shed 1	\$ 21,632	\$ 250,000	48% Fair	1978	110,000
Gravel Pit shed 2		demolition	102% Critical		n/a to demolish
Gravel Pit shed 3		demolition	160% Critical		n/a to demolish
<i>Sheds have no HVAC, no plumbing, electrical systems are abandoned</i>					
	\$ 676,038	\$5,700,000			

The township has provided some funding in its 2024 budget to complete some building repairs. Building replacement values include approx. allowances for energy efficiency improvements to modern standards, for heating and cooling systems and electricity.

Equipment

Assets in this category are generally of lower values but are significant in total. They have shorter useful lives and are replaced more frequently, such as technology items.

Instead of a detailed, itemized listing, Equipment assets are grouped for simplicity:

TABLE 13	Historical Cost	Replac. Cost	Condition
Admin items furniture etc.	70,002	75,000	Good
Admin technology items	61,700	65,000	Good
Community Hall furnishings	4,806	10,000	Fair
Public Works tools, technology, etc	146,453	175,000	Fair
Road Signs - pooled	290,930	325,000	Fair

	\$ 573,891	\$ 650,000	
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Water System (Marsville subdivision)

This table lists the main assets within the waterworks system serving 33 properties in the Marsville subdivision. The system has been in place since 1972.

TABLE 14 Water System Assets

	Historical Cost	Replac. Cost	Condition
Pumphouse building 1972 [containing pumps, materials, etc.] concrete block structure with masonry, vinyl siding, and sloped shingled roof	150,752	400,000	Poor
150mm watermains 1972-install Total length = 640 m. (not including surface restorations)	113,720	330,000	Fair
Five hydrants (not functioning)	7,367	52,000	Poor
Monitoring wells at gravel pit	24,744	26,750	Fair
Marsville production well + upgrades	86,603	145,000	Fair
2 nd Well, not in service	6,539	75,000	Fair
Water Tank 2013	12,750	13,500	Fair
Motors, valves+process-piping, boxes, pumps, flow meter, chlorinator, tanks, analyzer, chemical injectors, SCADA, electrical controls, raw-water piping	146,440	216,000	Fair
	\$ 548,915	\$ 1,258,250	



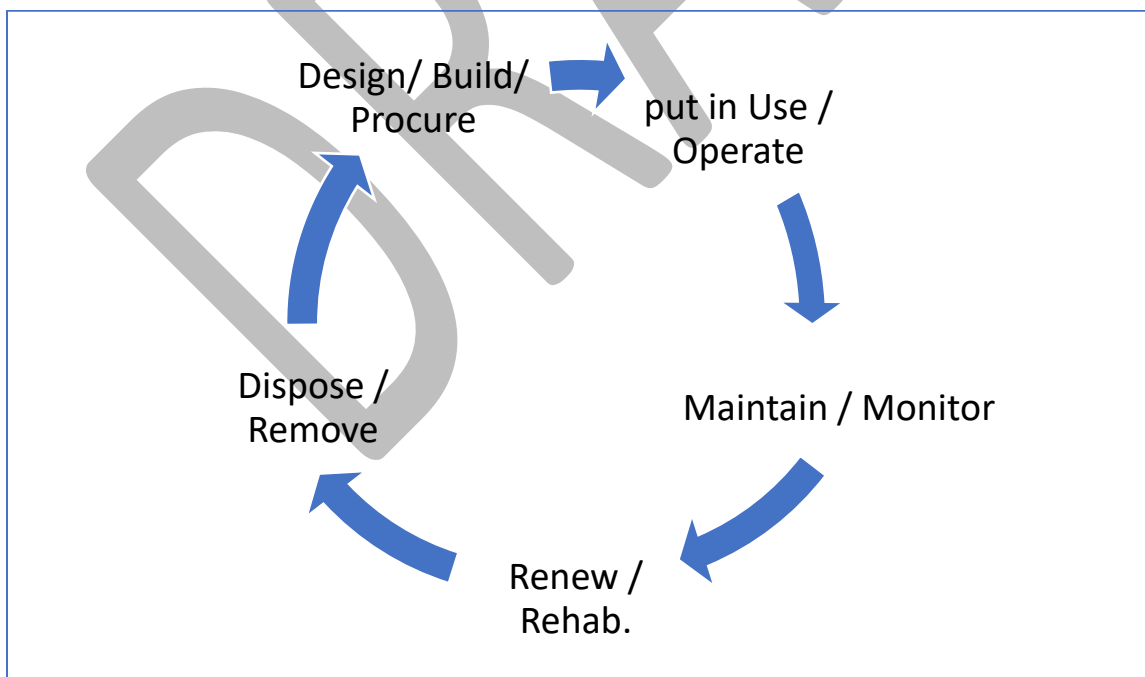
ASSET MANAGEMENT PLAN 2024

4. ASSET MANAGEMENT STRATEGY

This AMP section relates to identifying a set of actions that will assist the Township in maintaining its core assets in such condition that they may continue to provide current levels of service to residents.

These actions typically include:

- Non-infrastructure solutions
- Maintenance activities
- Renewal or rehabilitation
- Replacement and Expansion
- Disposal



ASSET LIFECYCLE aka CRADLE-to-GRAVE

Non-infrastructure solutions and maintenance activities involve the work carried out in day-to-day care of existing assets, to keep them in operating condition. Renewal and rehabilitation is the next Asset Strategy phase, when assets need a major overhaul to remain operational. Replacement is the stage where an asset is beyond rehabilitation, can no longer provide service and must be replaced. Expansion includes making plans to expand services due to growth, which normally involves more, or larger, assets than those previously in use, and not simply replacing “same with same”. Disposal involves the removal of an expired asset that is no longer of any use.

The Township currently faces serious near-term financial shortfalls for its capital assets, which will be made clear in the Financial Strategy section 5 of the AMP. This reality places the primary emphasis within the Township’s Asset Strategy on maintenance activities and non-infrastructure solutions, because it is known that necessary funds are not available for renewals, rehabilitations and replacements of core assets.

This Table identifies typical actions the Township could take, specifically for roads and bridges and culverts:

Table 15 Typical Lifecycle Actions

Non-infrastructure solutions	Changes in asset use to lessen stress on the asset : making changes to hours of operation, take break times during asset use, safer storage, regular cleaning
Maintenance activity	Snow-plowing, sweeping, grading of ruts and pot-holes, shouldering, crack sealing, cold patching, weed + grass cutting, ditching, dust control, re-graveling, deck washing, OSIM inspections, component repairs as indicated by the inspection, line-painting All part of day-to-day Public Works activities
Renewal + Rehabilitation	Asphalt removal and resurfacing. Replace joints, concrete abutments, barriers, decks, bearings, wingwalls
Replacement	Remove existing asset and install new asset of approx. the same dimension and materials
Expansion	Install a new, different asset to perform similar function, but with increased size, or more capacity, or more features, or improved technology
Disposal	Remove the replaced asset from its former location, sell or trade-in, landfill, incineration

It is recommended that the Township develop a multi-year Capital Plan that looks at existing assets and evaluates their physical condition. Based on what the data shows, realistic timetables for asset replacements need to be established. These timetables would then be converted to budget requirements based on current asset market prices, anticipated inflation increases and a matching up to the expected replacement dates.

Next, the required funding per year, for asset replacement, should be analyzed against sources of funds available. If necessary, compromises should then be made to accommodate financial shortfalls, but without over-extending reasonable asset lifecycles by over-extending replacement dates.

Where compromises are made, because of financial shortfalls, they should be reflected in increased operating budgets for repair and maintenance costs, for older assets with delays to their replacement times.

Another aspect of an Asset Strategy is lifecycle record-keeping, maintaining ongoing service records or “log-books” for large assets, such as documenting when parts were replaced or rebuilt, for example. It is recommended that asset lifecycle records be maintained.

Good maintenance of assets will

- Avoid the need for earlier-than-planned replacement
- Save financial resources through fewer major repairs
- Ensure asset performance meets customer expectations for levels of service (for example, residents expect a road that they can drive on without damaging their vehicle)
- Benefit Township employees’ health and safety by reducing chances of accidents caused by asset failure

When performing asset maintenance, these factors should be considered:

- Is the repair cost-effective? How much longer will the asset last by doing this?
- Time delays : how long will the repair work put the asset out-of-service? Example road closures, or temporary single-direction traffic
- Have local utilities been contacted? (gas, hydro)
- Will this work impact surrounding municipalities?

A recent development in Asset Strategy is the emergence of climate change adaptation in infrastructure planning. Climate adaptation is necessary to cope with the adverse effects of climate change on human and natural systems. When the Township is scheduling rehabilitation or replacement of bridges or culverts in future, consideration should be given to ways of making the new/ renewed asset more resilient to the adverse consequences of climate-related hazards.

In summary, because of limited resources, in the near-term the Township Asset Strategy will continue to consist mostly of good maintenance practices, to keep Township assets in working condition, to meet service levels expected by residents. This will remain the case until sufficient financing is raised to make asset replacements.



ASSET MANAGEMENT PLAN 2024

5. FINANCIAL STRATEGY

The Financial Strategy outlines the recommended approach to raising the funds needed to address the full asset lifecycle costs outlined in section 4 of the AMP, namely:

- Annual maintenance of capital assets a.k.a. Operating Costs
- Major rehabilitation or renewal costs (capital costs) to extend asset useful life
- Asset replacement costs (capital costs)
- Asset inventory expansion costs (capital costs)
- a Capital Plan to fully fund replacements/upgrades based on a best-estimate for the expected timing

Calculations should take Inflation into consideration.

There will always be a shortfall, commonly referred to as an Infrastructure Gap. This AMP will use the term "I-Gap" for this. The Financial Strategy must, by necessity, compromise in addressing the I-Gap, based on limited resources and the magnitude of the I-Gap. It will likely be the case that addressing the I-Gap will need to be a slower, more gradual process than what would be considered ideal. The main goal of the Township should be to consistently, although gradually, reduce its I-Gap over a period of years. This main goal will attempt to move the Township towards asset management **sustainability**.

The term **Capital Costs** will be used to include major rehabilitations, complete replacements, and expansion of capital assets. There might need to be some Capital cost deferrals due to a lack of available funding. Tax-supported funding levels for Capital costs adopted for the 2024 Budget are low; there is a long way to go to get to a sustainable level of Capital cost funding.

All types of funding sources will be included. External sources are based on the current levels of funding, including

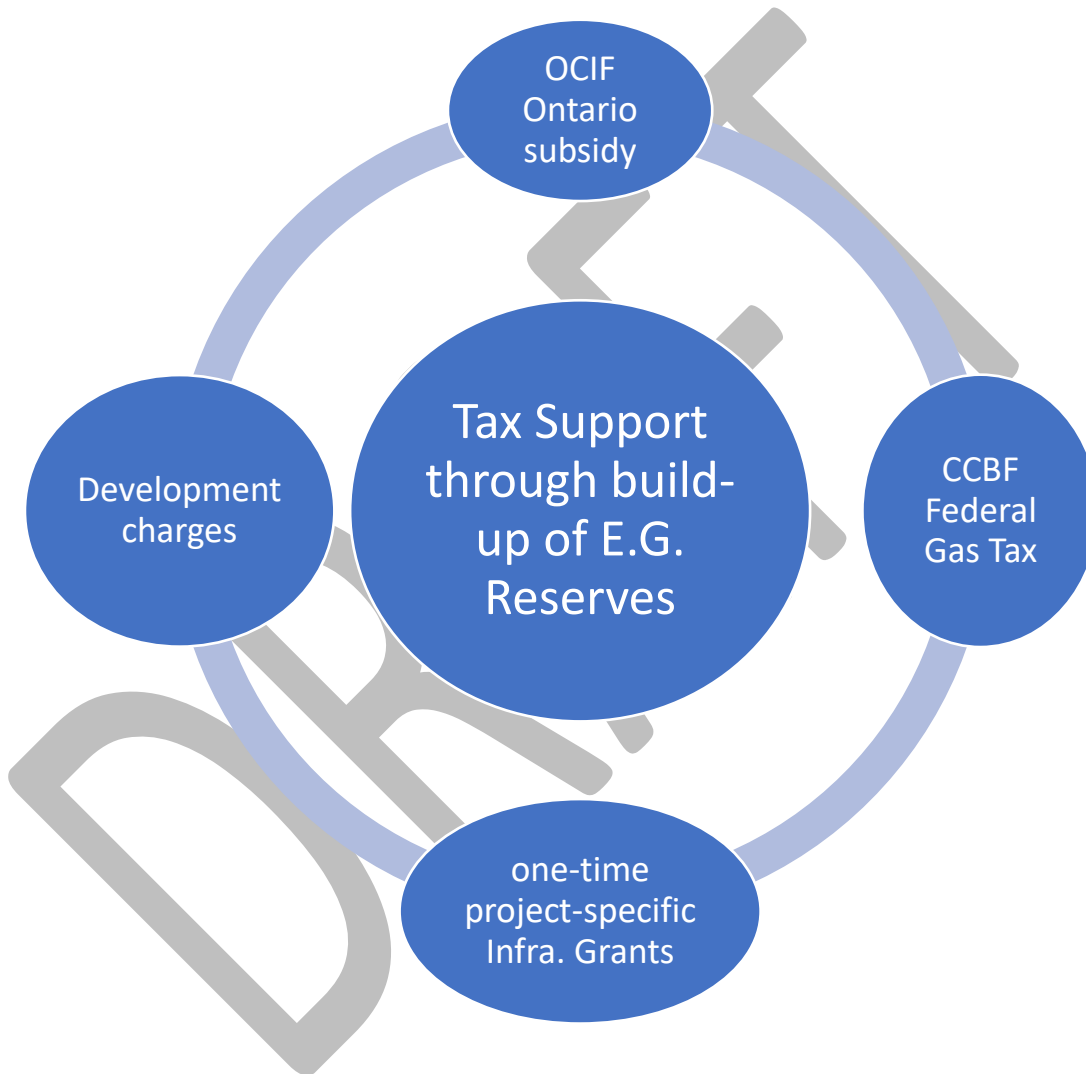
- Federal Gas Tax
- OCIF Provincial grant funding

The amounts of these two external funds are not under the control of the Township and are subject to change from time to time.

Internal sources of funds, which are under Township control, include:

- Property taxation
- Development Charges (although restricted in their use)
- Reserves established by the Township

SOURCES OF CAPITAL ASSET FINANCING



The following estimates are for annual township operational costs (not Capital Costs) required to maintain core assets, based on 2023 actual costs. All these costs are funded through property taxes, except waterworks, funded by user fees from customers on the water system. There can be no deferrals of these costs, they must be paid at the time they are incurred, to enable the operation of the related assets, to deliver services.

Employee costs (salaries + benefits) are considered indirect costs and are excluded, although it is recognized that a portion of time spent by Township staff is devoted to maintaining and operating township capital assets.

Table 16 Annual Operating Costs for Capital Assets

Asset Group	Description of Maintenance Cost	Amount from 2023
Water System	Hydro, inspection, repairs as needed	\$ 35,000
Water system	Insurance protection	2,800
Bridges + culverts	Repairs, parts, contracted service	3,000
Gravel roads	Dust control , calcium chloride	130,000
	Gravel + crushing + hauling	120,000
	Winter sand + salt 50%	42,000
Paved roads	Winter sand + salt 50%	42,000
	Crack Sealing and cold patching	31,300
	Grass mowing and weed-spraying	7,600
	Road markings / line-painting	4,100
	Liability insurance	35,000
Vehicles	Licenses	11,500
	Fuel	105,000
	General repairs	83,000
	Tires, Blades, other materials	50,000
Works Garage+Shop	Utilities and repairs	13,000
Other buildings	Utilities and repairs	9,700
		725,000

These annual costs can potentially increase substantially without notice. Inflation may cause large increases in some of these costs (fuel is a good example). Existing assets will be worn-down, and repair costs will increase, over time, especially if major capital asset rehabilitations and replacements are consistently being postponed. Table 10 Operational Costs of capital assets amount to 18% of the 2024 tax levy, not including any staffing costs.

Capital asset cost data for preparation of forecasts of major asset rehabilitations and replacements were obtained from:

- Roads Needs Study 2023
- OSIM bridge and culvert reviews, every 2nd year per legislation
- Annual capital summary for water system, from external contractor

Bridges and culverts project data come from the 2023 OSIM review, and water asset data comes from the 2024 external contractor’s estimates for capital work. The timing of the

projects in Table 17 may differ somewhat from the consultant reports. Due to limited funds, it is recognized some projects may be deferred, and the Township would be accepting the inherent risks of project deferral. Compromises in the timing of work, due to a lack of resources, is already a reality at the township. Availability of contractors to actually perform the projects (referred to as “Capacity issues”) can also be a factor in project timing.

Property taxation is normally the largest source of funding for capital work. Taxation must be increased gradually, but consistently, as much as future budget approvals will permit. Township Capital Reserves have not been built up to the level required to meet future capital project needs. In recognition of this, in the following **Table 18** financial plan, care has been taken to ensure OCIF grants, Gas Tax and Development Charges are used within the time limits imposed on their use.

Another source of financing for capital projects is Long Term Debt. The Township will need to take on some debt to meet its capital needs, due to the low level of its other funding sources. Debt has not been used by the Township in the past. Debt is a sensible method to finance large projects, because ongoing debt repayments will spread the capital asset cost of those large projects over several years, matching the fact that the related asset should be providing service for many years, therefore the residents benefitting from the services provided by that asset will be paying for the asset, instead of the full cost being borne by only those residents of the year in which the asset was acquired.

Debt Policy for many municipalities often does not permit taking on debt to replace or rehabilitate any existing asset, with the Debt Policy limiting any new debt taken on to the purpose of new asset additions only, such as the construction of a new building. The following financial analysis on Table 16 shows the Township is not in a strong enough financial position to avoid using new debt as a source of funds for asset replacements, when a large project comes up, as now forecasted for 2029.

The financial forecast that follows covers 2024 to 2031 for asset capital project spending. The goal of increasing tax support for capital is built into the forecast, under **Table 18**, where tax support needs to increase annually, as contribution to Reserves, in order to have sufficient Reserves in place when they are required.

All projects in the capital project forecast in **Table 17** relate to existing assets. No provision has been made for anything new, be it new roads, bridges or culverts, any vehicle fleet expansion, or any new buildings, stormwater assets or water system assets. All the Capital Cost figures in **Table 17** are for the rehabilitation of, or replacement of, existing assets.

TABLE 17

	Road Resurfacing	Bridges or Culverts	Buildings	Vehicles	Others
<u>2024</u>					
50% share of Caledon paving on Townline: Shaws Creek to 19th Line HL3	\$ 160,000				
replace 2005 Int'l. plow-truck County to replace Computer Server				\$ 450,000	\$ 10,000
<u>2025</u>					
upgrade A-Line to asphalt, from 1km north of O.C.Rd. to Rd.3/Rd.11 intersection	\$ 400,000				
replace culvert 005 on 10th Line		\$ 1,100,000			
Waterworks pumphouse roof replacement			\$ 22,000		
various repairs to buildings, specifics t.b.d.			\$ 75,000		
<u>2026</u>					
resurface Hilltop Cres. 0.657km	\$ 183,000				
various repairs to buildings, specifics t.b.d.			\$ 75,000		
<u>2027</u>					
Bridge 008 on 13th Line: design work (see 2029)		\$ 125,000			
replace 2001 Volvo 740 grader				\$ 700,000	
various repairs to buildings, specifics t.b.d. (likely will include replacing Works garage septic system)			\$ 75,000		
<u>2028</u>					
replace structure 0045 on Erin-EG TnLn		\$ 740,000			
resurface 500m W.Churchill Blvd.	\$ 60,000				
various repairs to buildings, specifics t.b.d.			\$ 75,000		
<u>2029</u>					
replace 2011 Sierra 4WD #702				\$ 70,000	
Bridge 008 on 13th Line: replacement OR		\$ 4,150,000			
Bridge 008 on 13th Line: rehabilitation		\$ 1,400,000			
various repairs to buildings, specifics t.b.d.			\$ 75,000		
<u>2030</u>					
Culvert 0026 on Erin TnLn : rehabil. only		\$ 325,000			
resurface 3,000m 10th Line Erin TnLn -Rd. 3	\$ 450,000				
replace 2013 W.Star plow truck				\$ 500,000	
<u>2031</u>					
resurface Grand Cres+Victoria Blvd.Marsville	\$ 90,000				
replace 2011 Sierra 1500				\$ 73,000	
<u>2032 no forecast, too distant</u>					
<u>2033 no forecast, too distant</u>					
	\$ 1,343,000	\$ 3,690,000 <small>with 008 rehab</small>	\$ 397,000	\$ 1,793,000	\$ 10,000
Capital project spending forecasted for next 8 years			\$7,233,000	<i>if Bridge 008 rehabil. and not replaced</i>	
WorkPlan does not address any equipment replacements					
WorkPlan does not address the future of Marsville Hall building					
WorkPlan does not consider Stormwater assets					

Table 17 shows the township faces the need to finance \$7.2 million of capital spending over the next 8 years. This work is also needed to avoid losing some of the OCIF and Gas Tax funding that the township receives.

Most municipalities use capital forecasts, that identify their capital asset needs, to support committing to annual tax increases of 1% to 2% for more tax support of capital work, on top of operational budget tax increases. This is commonly referred to as a Capital Levy. The 2024 township tax levy was about \$3.9 million, so a 1% increase would raise \$39,000. Taxes set for 2024 included a Tax Levy increase of 2% over 2023 for capital project cost purposes. The township has increased its Tax Support for capital projects from a low-point of \$142,000 in 2021 up to \$270,000 in 2024.

Table 18B is a financing scenario for the capital costs shown for 2024 to 2028 in **Table 17**. This financing scenario is designed to:

- Fully fund each year's projects
- Do not over-draw any sources of financing, and allow flexibility in case the project costs are higher than estimated (for example, annual inflation allowance of 3% may not be realistic as marketplace changes)
- Commit to modestly increase the Tax Levy support every year for capital projects on a consistent basis, never taking a "year off"
- Limit the use of new debt to only very large projects (2029, beyond Table 17)

New Debt is used only once, in 2029 for a major bridge rehabilitation of \$1.4 million (for a bridge on the 13th Line, that would cost \$4 million+ to replace rather than rehabilitate). It is possible that there could be one-time infrastructure grants available for such a project, and if the Township successfully applied for such a grant, debt could be reduced or avoided.

Like any multi-year workplan, capital project budgets are subject to changes by Council, and each year going further-out in the forecast, the numbers become more uncertain. For that reason, Table 18B only considers the financing of projects up to 2028.

Stormwater asset projects have been excluded, because of the lack of detailed information on the state of township stormwater assets. An external study will be done in 2024 to gather information on stormwater assets.

Any financial plan must have flexibility built-in as a crucial element of the plan. The existing Township reserves need to be built up, for any unexpected road, bridge or culvert project, so that the Township has some capacity to respond to an emergency situation.

Climate change will certainly increase the likelihood of an emergency (see Section 6).

There is a requirement to spend CCBF Gas Tax and OCIF funds within five years of receipt, or else those funds must be returned. This forecast was based on using some Gas Tax money and OCIF money in time to avoid this "claw-back".

Although much of the water system assets are decades old, the external consultant's ten-year capital forecast for water asset capital work in upcoming years contains only minor repair costs forecasted, that can be funded from the existing Water Reserve, so they are excluded from Tables 17 and 18.

Table 18A CAPITAL FORECAST - Costs

ASSET CLASS	2024	2025	2026	2027	2028	
SPENDING (Table 16)						
Asphalt roads	160,000	400,000	183,000		60,000	803,000
Bridges+culverts		1,100,000		125,000	740,000	1,965,000
Vehicles	450,000 Plow truck			700,000 Grader		1,150,000
Buildings	22,000	75,000	75,000	75,000	75,000	322,000
Stormwater assets		No specific data available at this time				
Others (technology)	10,000					10,000
	642,000	1,575,000	258,000	900,000	875,000	\$4,250,000

Table 18B CAPITAL FORECAST - funding [where \$\$ come from]

	2024	2025	2026	2027	2028	
From Road Reserve		50,000	163,000	50,000		
From Bridge Reserve		350,000			250,000	
From Fleet Reserve	350,000			650,000		
From CCBF Gas Tax	160,000	415,000	20,000		250,000	
From OCIF		340,000		107,500	50,000	
From Develop. Charges		145,000		17,500	110,000	
From taxes raised for <i>Technology + buildings</i>	10,000	75,000	75,000	75,000	75,000	
From Prev.Yr. Surplus	100,000					
From NEW Infra Reserve					140,000	
From other sources: Water Rsrv., Developer\$	22,000 Water Rsrv	200,000 Develop.\$				
	642,000	1,575,000	258,000	900,000	875,000	4,250,000

Gas Tax is relied upon heavily in Table 18B, such that it is expected there will be close to zero unspent Gas Tax on hand by the end of 2028 (see Table 17C).

The Fleet Reserve will be near zero after the 2024 plow purchase, and it will need to be replenished over each of the next three years (2025 to 2027) to be able to fund the replacement of the 2001 grader by 2027.

The Capital Plan provides no top-up of either the Road or the Bridges Reserves, but includes some spending of them in 2026, 2027 and 2028, so that by the end of 2028 both of those Reserves will be near zero.

In 2024, the Township Budget included \$270,000 for capital reserves. Table 18B shows, indirectly, the need to bump annual tax-levy contributions to about \$500,000 so that, when added to \$100,000 each of Gas Tax and OCIF funds coming in, the township would have approx. $\$500K + \$100K + \$100K = \$700,000$ raised per year for its capital work. This gap between \$270,000 and \$500,000 is a rough estimate of the Township's **Infrastructure Gap**. That difference of \$230,000 **amounts to roughly a 6% tax increase**.

But that is an incomplete picture.

All municipalities have an Infrastructure Gap, or **I-Gap**. The I-Gap is the shortfall of available funds compared to the costs of capital work that should be completed each year.

The true I-Gap that exists in the Township is not fully measurable at this time. One reason is the asset needs for stormwater assets are unknown. For this AMP, only a small annual increase for tax support for Fleet has been presumed in the financing Table 18B.

The township has I-Gaps in roads, bridges, vehicles and buildings, when you consider the capital needs compared to the funds on hand currently. Capital spending in the next 5 years will mostly use-up any reserves in place for those assets. By the end of 2028, there will be insufficient funding available for projects needed in 2029 and beyond. Inflation will also impact project costs. The inflation impact gets larger when projects are delayed.

Table 18A and 18B have been intentionally structured to only disclose capital projects for which sufficient funding could be made available to complete them, during 2024 to 2028.

Other projects such as the Marsville Hall, any parkland amenities (ball diamonds, tennis courts, playground areas), any equipment replacements, any repaving of parking lots, installation of natural assets such as tree canopies and shrubs, and replacing/renovating the Works Garage, may be brought forward over the next five years. Most of those types of projects would be Ineligible for OCIF or Gas Tax funding. Table 18C shows how only minimal capital project funding is expected to remain in place by the end of 2028.

A major bridge project is tentatively scheduled for 2029 (see Table 17), based on the 2023 OSIM study, so the funding for that project would need to come from debt/borrowing (or possibly an Infra. Grant might be available) because by 2029 the other funding sources will be depleted.

Table 18C CAPITAL FORECAST - Sources of Funding

	O C I F	GAS TAX	Road Rsrv	Bridge Rsrv	Fleet Rsrv	Infra. Rsrv
End of 2023	143,975	308,274	262,252	614,467	135,000	0
Additions over 2024 to 2028 5-yrs	500,000 [100K x 5]	500,000 [100K x 5]	0 No additions	0 No additions	1,225,000 From taxes	200,000 From taxes
Spend 2024		-160,000			-350,000	
Spend 2025	-340,000	-415,000	-50,000	-350,000		
Spend 2026			-160,000			
Spend 2027	-107,500	-20,000	-50,000		-650,000	
Spend 2028	-50,000	-250,000		-250,000		-140,000
End of 2028	146,475	-36,726	12,252	14,467	360,000	60,000

Although the township also has a Parkland Dedication reserve fund, and two small reserves for the Community Hall and the Works Garage buildings, those would be insufficient in size to fully fund any significant asset upgrades.



**CORPORATION OF THE
TOWNSHIP OF EAST GARAFRAXA**

Staff Report

To: Council
From: Jessica Kennedy, Clerk
Report Date: June 5, 2024
Meeting Date: June 11, 2024
Subject: Ontario Land Tribunal (OLT) OLT-22-004307 April 25, 2024 Decision – Marsville Estates Inc. (MEI), 063076 County Road 3

RECOMMENDATION:

BE IT RESOLVED THAT:

Council receive the staff report dated June 5, 2024 with respect to the Ontario Land Tribunal (OLT) OLT-22-004307 decision for information;

and that Council authorize the Township Development Review Team to proceed to implement the attached approvals;

and further that Council assign a number, for record keeping purposes, to the approved Township Zoning By-Law Amendment.

PURPOSE:

The purpose of this report is to update Council on the OLT Decision to approve the settlement of the development appeals of Marsville Estates Inc., that was authorized by Council at the regular Council meeting held on February 13, 2024 and to address record keeping matters.

BACKGROUND AND DISCUSSION:

The Ontario Land Tribunal (OLT) decision OLT-22-004307, dated April 25, 2024, is attached as Schedule "A", and includes the approved Zoning By-Law Amendment (Z5-20) and Draft Plan of Subdivision (S1-20) that were appealed by Marsville Estates Inc. for the property located at 063076 County Road 3. These appeals were the subject of many reports to Council following their appeal to the OLT. The Tribunal's decision following a written settlement hearing includes the following approvals:

"ORDER:

[22] THE TRIBUNAL ORDERS that the appeal is allowed in part and directs the municipality to amend By-law No. 60-2004. The Tribunal authorizes the municipal clerk of the Township of East Garafraxa to assign a number to this by-law for record-keeping purposes.

[23] THE TRIBUNAL ORDERS that the appeal is allowed in part and the draft plan shown on the plan prepared by Innovative Planning Solutions, dated December 20, 2023, comprising 63076 County Road 3, in the Township of East Garafraxa, County of Dufferin, is approved subject to the fulfillment of the conditions set out in Attachment 1 to this Order.

[24] AND THE TRIBUNAL ORDERS that, pursuant to subsection 51(56.1) of the Planning Act, the Township of East Garafraxa shall have the authority to clear the conditions of draft plan approval and to administer final approval of the plan of subdivision for the purposes of subsection 51(58) of the Act. In the event of any difficulties implementing the conditions of draft plan approval, or if any changes are required to the draft plan, the Tribunal may be consulted.”

As noted, the Tribunal authorizes the municipal clerk of the Township of East Garafraxa to assign a number to the Zoning By-law Amendment for record-keeping purposes. Therefore, attached as Schedule “B” is the draft proposed Zoning By-Law Amendment, reflecting the numbering and zoning exception numbers for the subject property.

Enclosed as Schedule “C” are the Minutes of Settlement between Marsville Estates Inc. and the Township of East Garafraxa (exclusive of Schedule “D” to the Minutes which remains confidential). The execution of the agreement was authorized by Township resolution passed at the regular Council meeting on February 13, 2024, as noted below:

Moved By Stirk, Seconded By Zukowski:

BE IT RESOLVED THAT: Council do hereby resume regular business in open session;

And further that Township Council authorize the Mayor and Township Clerk to execute the attached Minutes of Settlement in the form presented in the Township Solicitors’ Confidential Litigation Report;

Township Council directs that the Minutes of Settlement are to remain confidential until the Township receives payment from MEI for reimbursement of all outstanding processing fees in the amount set out in the Minutes of Settlement;

The Township CAO be directed to report to Council within 30 days after execution of these Minutes, to confirm receipt of payment for reimbursement of Township processing fees; and

That the Township Solicitor be authorized to appear before the Ontario Land Tribunal on behalf of the Township in support of the planning instruments in the Minutes of Settlement. **CARRIED**

The matters set out in the resolution have now been completed.

It should be noted that there is a three-year lapsing period for the Draft Plan of Subdivision approval from the date of the OLT decision, April 25, 2024 (these are casually referred to as the “use it or loose it” provision). The Township Development Review Team and the developer can now proceed with the detailed design and subdivision agreement to implement the draft plan and conditions. Attached as Schedule “D” is the Proposed Draft Plan of Subdivision drawing dated December 18, 2023. Further updates on the progress of this development will be provided, from time to time.

CONSULTATION:

Township Solicitor

Township Chief Administrative Officer

FINANCIAL IMPACTS:

There are no financial implications associated with this report. Reimbursement of all outstanding processing fees as outlined in the Minutes of Settlement have been paid by MEI.

Respectfully Submitted,
Jessica Kennedy, Clerk

Reviewed by:
Peter C. Avgoustis
Chief Administrative Officer (CAO)

Attachments:

1. Schedule "A" – OLT Decision dated April 25, 2024
2. Schedule "B" – Proposed Numbering Zoning By-Law Amendment
3. Schedule "C" – Minutes of Settlement
4. Schedule "D" - Proposed Draft Plan of Subdivision drawing dated December 18, 2023

Ontario Land Tribunal
Tribunal ontarien de l'aménagement
du territoire



ISSUE DATE: April 25, 2024

CASE NO(S):

OLT-22-004307

PROCEEDING COMMENCED UNDER section 34(11) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Applicant/Appellant: Marsville Estates Inc.
Subject: Application to amend the Zoning By-law –
Refusal or neglect to make a decision
Description: To permit the development of a 59-unit
residential subdivision
Reference Number: Z5-20
Property Address: 63076 County Road 3
Municipality/UT: East Garafraxa/Dufferin
OLT Case No.: OLT-22-004307
OLT Lead Case No.: OLT-22-004307
OLT Case Name: Marsville Estates Inc. v. East Garafraxa
(Township)

PROCEEDING COMMENCED UNDER section 51(34) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Applicant/Appellant: Marsville Estates Inc.
Subject: Proposed Plan of Subdivision – Failure of
Approval Authority to make a decision
Description: To permit the development of a 59-unit
residential subdivision
Reference Number: S1-20
Property Address: 63076 County Road 3
Municipality/UT: East Garafraxa/Dufferin
OLT Case No.: OLT-22-004308
OLT Lead Case No.: OLT-22-004307

Heard: April 18, 2024, in writing

APPEARANCES:**Parties**

Marsville Estates Inc.

Township of East Garafraxa

CounselA. Jeanrie
S. BrazzellJ. Wilker
S. Floras**DECISION DELIVERED BY P. TOMILIN AND ORDER OF THE TRIBUNAL**

[Link to Order](#)

[1] This was a Hearing in the matter of the appeal by Marsville Estates Inc. (“Applicant” / “Appellant”) from the failure of the Township of East Garafraxa (“Township”) to make a decision within the statutory timeframes on applications for a Zoning By-Law Amendment and a Plan of Subdivision (“Applications”), pursuant to s. 34(11) and 51(34) of the *Planning Act* (“Act”), for the property municipally known as 63076 County Road 3 (“subject property” / “site”).

[2] Planning evidence was provided to the Tribunal by means of the written Affidavit of Darren Vella. Mr. Vella has over 24 years of experience in planning matters, including extensive experience in rural planning. After reviewing the qualifications and the signed Acknowledgement of Expert Duty, the Tribunal is satisfied that Mr. Vella is a qualified professional land use planner.

LOCATION AND SITE CONTEXT

[3] The subject property, is located at the southwest corner of County Road (“CR”) 3 and CR 24. It has a frontage of 641 metres (“m”) on CR 3 and 328 m of frontage on CR 24, and is approximately 26.1 hectares (“ha”) in size. The site has a vehicular access from both roads.

[4] The subject property is designated Community Settlement Area in the County of

Dufferin (“County”) Official Plan (“OP”). It is designated Employment, Community Residential and Environmental Protection in the Township OP. The site is zoned Rural (RU) and Environmental Protection (EP) by the Township's Zoning By-law and is located within the Settlement Area of Marsville, which is a small rural hamlet containing a school, has a small residential population, and commercial/employment uses.

[5] Mr. Vella explained that the majority of the property (23.2 ha or 87.8%) was previously used for agricultural purposes and is currently vacant. A woodlot area is located in the southwest portion of the lot, covering 3.12 ha, or 11.9%, of the subject property. The County identifies a watercourse and woodlands as part of the County's Preliminary Natural Heritage System in the County OP. Ganarska Region Conservation Authority ("GRCA") identifies a small area in the north of the subject property as regulated area, and it is associated with the Butler Creek floodplain.

[6] Mr. Vella provided that the subject property is not located within the Greenbelt, the Oak Ridges Moraine, or the Niagara Escarpment Planning Areas. The site is located within the Greater Golden Horseshoe and is subject to the A Place to Grow: Growth Plan for the Greater Golden Horseshoe (“GP”) and the Provincial Policy Statement, 2020 (“PPS”).

HISTORY OF THE APPLICATIONS

[7] Mr. Vella provided an overview of the history of the Applications. He stated that the original proposal contemplated a larger development proposal in which the entirety of the lands were proposed for residential development. The application for Official Plan Amendment (“OPA”) proposed to redesignate the Employment Land to Community Residential through an Employment Land Conversion and aimed to create an 80-unit residential subdivision with a stormwater management pond, a stormwater bypass channel for surface water drainage, and a public park. Two access points were proposed, one from CR 3 with another from CR 24 on five internal streets with right-of-way widths of 20 m.

[8] After receiving comments from the Township and external agencies, the Applicant revised the original proposal and resubmitted the application in February of 2021. The proposal was reduced to a 78-unit residential subdivision and maintained the stormwater management pond and bypass channel. The public park was relocated to a central location and the municipal road access point from CR 24 was replaced with an emergency exit only. The five municipal roads proposed under the original proposal were reduced to three municipal roads, with one main access from CR 3.

[9] The revised proposal was circulated for agency comments. Mr. Vella submitted that he met with Township staff, their consultants, and external agencies to discuss the proposal in order to resolve outstanding issues, following which the final submission was made in May, 2022, accompanied by the updated technical reports.

[10] Following the discussions, Mr. Vella submits that the proposed development was reduced to a 58-unit residential subdivision by deferring the OPA application based on the County undertaking a Municipal Comprehensive Review. The final submission requested the Township to review the modified Zoning By-law Amendment and Draft Plan of Subdivision applications, consisting of a stormwater management pond, bypass channel, public park and three municipal roads.

[11] Mr. Vella proffered that the final submission was circulated for municipal and agency comments. Based on comments received, the Applicant decided to file an Appeal, due to the Township Council's failure to make a decision within the required timeline under the Act. In the mean time, the Appellant has continued to work with the Township to resolve any remaining issues. As a result of discussions, a revised set of plans were agreed to and submitted to the Township on January 18, 2024. The Township Council and the Appellant reached an agreement on February 13, 2024.

LEGISLATIVE FRAMEWORK

[12] Under the applicable planning instruments, the Tribunal must be satisfied that the proposed development represents good planning, have regard for matters of provincial

interest under s. 2 of the Act, is consistent with the PPS, and conforms to the GP, the OPs and the applicable Zoning By-laws.

EVIDENCE

[13] In Mr. Vella's view, the proposed development has regard for the matters of provincial interest, as outlined in s. 2 of the Act.

[14] Mr. Vella is of the opinion that the proposed development will increase the supply of housing in the area while preserving the area's rural character by offering generously sized estate lots. He explained that the Applications propose single-detached residential development under the Hamlet Residential (HR) zone, with reduced lot areas and frontages in order to optimize site efficiency.

[15] Mr. Vella proffered that the proposed subdivision is not premature, as the lands have remained vacant for a number of years, and would introduce much needed housing into the market.

[16] It is Mr. Vella's opinion that the development proposal has regard for matters of provincial interest, including the orderly development of safe and healthy communities; the adequate provision of increasing housing stock; the appropriate location of growth and development; and the promotion of development that is designed to be sustainable, to support pedestrians and community building.

[17] Mr. Vella reviewed the applicable policies of the PPS, the GP, the County OP and Township OP, and s. 51(24) of the Act.

[18] In summary, in Mr. Vella's opinion, the development proposal has regard to matters of provincial interest in the Act, is consistent with the PPS and conforms with the GP; the County OP, and the Township OP.

[19] Mr. Vella provided that the proposed development will increase the housing supply, and would allow the community of Marsville to develop into a more complete community. He further provided that the proposed development would lead to the existing municipal water system upgrade that will benefit the entire community.

[20] Mr. Vella concluded that it is his opinion that the proposed development represents good planning, is in the public interest, and should be approved.

ANALYSIS AND FINDINGS

[21] The Tribunal accepts the uncontroverted professional opinion of Mr. Vella and finds that the proposed Zoning By-law Amendment and Draft Plan of Subdivision represent good planning, are consistent and/or conform with the higher-level policy documents, such as the PPS, the GP, the County OP, Township OP, and s. 51(24) of the Act.

ORDER

[22] **THE TRIBUNAL ORDERS** that the appeal is allowed in part and directs the municipality to amend By-law No. 60-2004. The Tribunal authorizes the municipal clerk of the Township of East Garafraxa to assign a number to this by-law for record keeping purposes;

[23] **THE TRIBUNAL ORDERS** that the appeal is allowed in part and the draft plan shown on the plan prepared by Innovative Planning Solutions dated December 20, 2023 comprising 63076 County Road 3, in the Township Of East Garafraxa, County of Dufferin is approved subject to the fulfillment of the conditions set out in Attachment 1 to this Order;

[24] **AND THE TRIBUNAL ORDERS** that pursuant to subsection 51(56.1) of the *Planning Act*, the Township of East Garafraxa shall have the authority to clear the conditions of draft plan approval and to administer final approval of the plan of

subdivision for the purposes of subsection 51(58) of the *Act*. In the event that there are any difficulties implementing any of the conditions of draft plan approval, or if any changes are required to be made to the draft plan, the Tribunal may be spoken to.

“P. Tomilin”

P. TOMILIN
MEMBER

Ontario Land Tribunal

Website: olt.gov.on.ca Telephone: 416-212-6349 Toll Free: 1-866-448-2248

The Conservation Review Board, the Environmental Review Tribunal, the Local Planning Appeal Tribunal and the Mining and Lands Tribunal are amalgamated and continued as the Ontario Land Tribunal (“Tribunal”). Any reference to the preceding tribunals or the former Ontario Municipal Board is deemed to be a reference to the Tribunal.

ATTACHMENT 1

Applicants: Marsville Estates Inc.
File Number: TWP File S1-20
Municipality: Township of East Garafraxa
Subject Lands: Lot 5, Concession 14

File Number: S1-20

The conditions and amendments to final plan approval for registration of this subdivision file number S1-20 are as follows:

Conditions

1. That this approval applies to the draft plan of subdivision prepared by Innovative Planning Solutions, as revised December 18, 2023.

The plan of subdivision S1-20 ("Plan") shows:
 - **58 residential lots**
 - **Block 59 for Stormwater Management**
 - **Block 60 for Drainage Swale**
 - **Block 61 for Open Space**
 - **Block 62 for Walkway**
 - **Block 63 for Restricted Rural**
 - **Block 64 for Restricted Rural**
 - **Block 65 for 0.3m reserve**
 - **Block 66 and 67 for 0.3m reserve to be dedicated to Dufferin County**
 - **Block 68 for Lands to be dedicated to Dufferin County**
 - **Internal Street A**
 - **Internal Street B**
 - **Internal Street C**
2. The Owner shall, prior to final approval, enter into a subdivision agreement to be registered on title to satisfy all requirements, including financial, servicing, environmental, and other requirements to the satisfaction of the Township of East Garafraxa ("Township").
3. That before final approval, the Owner shall provide lot frontage and area information to the Township to ensure that all lots conform to the Zoning By-law.
4. The subdivision shall be zoned to the satisfaction of the Township and such zoning shall be in full force and effect prior to final approval.
5. The Owner shall agree that no works shall occur on the lands shown within the Plan until the Owner has entered into a subdivision agreement, a pre-servicing agreement or a model home agreement with the Township, unless otherwise agreed to by the Township in writing. The Owner shall also agree in the subdivision agreement or other agreements as referenced, to certain restrictions when undertaking the works and shall agree that tree clearing operations are only permitted between September 30 to March 31 of any given year.
6. The Owner shall agree in the subdivision agreement with the Township that in the event that the future development of the property is to be phased, a

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detailed development Phasing Plan must be submitted prior to final approval of the first phase of development. The Phasing Plan shall indicate the sequence of development, the land area in hectares, the number of lots and blocks in each phase, grading to minimize the total soil area exposed at a given time and construction of public services, including the provision of water supply servicing, to the satisfaction of the Township. The Phasing Plan must also be reflected in all required reports mentioned in these conditions. The Phasing Plan will not include Lot 15, 41 and 42 as a developable lot in the first phase of development. The Owner shall also agree in the subdivision agreement that the Owner will not enter into an agreement of purchase and sale for any draft approved lot prior to registration of this Plan unless so authorized by the approved Phasing Plan and in no case may the Owner enter an agreement of purchase and sale of Lot 15 until the stormwater management analysis and floodplain analysis has been completed to the satisfaction of the Township.

7. The Owner acknowledges that Lot 15 will have a holding provision in the Zoning By-Law until the stormwater management analysis and floodplain analysis has been completed to confirm that Block 59 the stormwater management block is sufficient for the stormwater management facility and conveyance of regional flows for the draft plan including the addition of the Rural Lands which stormwater management facility shall permit an increased imperviousness coverage in comparison to Residential Lands to the satisfaction of the Township.
8. The Owner acknowledges that Lot 41 and 42 may be developed as residential lots on the draft plan when the Township agrees at their sole discretion that the temporary turning circle is not required. The Owner agrees to maintain Lots 41 and 42 in a condition satisfactory to the Township, until such time as it is developed as residential lots and further planning justification supports removal of the temporary turning circle.. The Owner agrees that Lots 41 and 42 shall not be sold or conveyed until the final use of Block 63 has been confirmed and a thru road is constructed that eliminates the dead end road and requirement for a temporary turning circle.
9. The Owner shall agree in the subdivision agreement that Firebreak lots shall be to the satisfaction of the Fire Chief. The Owner agrees that no construction shall proceed on a lot, until the exterior finish cladding, roofing and windows on the abutting lot have been completed, unless otherwise approved by the Fire Chief.

DEDICATIONS

10. The Owner shall dedicate gratuitously to the Township all lands and easements required for the water supply and treatment system and all of the works and improvements which form the water supply and treatment system in accordance with the Township requirements and applicable legislation for the operation, maintenance and assumption of these works necessary to supply potable water and fire protection services to the lots shown within the Plan, and to future development that may be anticipated

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on the adjoining lands, owned by the Township located west of the Plan, legally described as PIN 34078-0114.

11. The Owner shall agree in the subdivision agreement to secure a temporary access and construction right of way from the Township across the Township lands legally identified as PIN 34078-0112 where internal Street A is shown, and to secure a temporary access and construction right of way from the Township across the Township lands legally identified as PIN 34078-0114 where a turning bulb is shown, for the purpose of permitting the design and construction of Internal Street A and a turning bulb, that meet Township standards for public highways, all of which shall be to the satisfaction of the Township Engineer and Township Solicitor.
12. The Owner shall dedicate the road allowances, Street 'B', and Street 'C' and that part of the road allowance on Street 'A' gratuitously, free and clear of any encumbrances, as a public highway (by Certificate on the Plan) to the satisfaction of the Township Solicitor. It is noted that almost the entirety of Street 'A' is already owned by the Township of East Garafraxa by PIN 34078-0112 and all improvements made by the Owner to design, build and construct Street 'A' as a public highway to Township standards, shall be dedicated gratuitously to the Township, (by certificate on the Plan).
13. The Owner agrees to dedicate gratuitously any required access and/or drainage easements to the satisfaction of the Township and any such dedications shall be to the satisfaction of the Township Engineer, or Solicitor.
14. The Owner agrees that Block 68 shall be dedicated gratuitously as a public highway (by Certification on the Plan) and Block 66 and 67 for 0.3m reserves to the County of Dufferin to the satisfaction of the Township solicitor.
15. The Owner agrees to dedicate gratuitously to the Township, free and clear of any encumbrances, Block 59 for stormwater management, Block 60 for the drainage swale, Block 61 (noting that Block 61 is already owned by the Township of East Garafraxa and such dedication refers to improvements made by the Owner to Block 61) for open space, Block 62 for a walkway and Block 65 for reserve, which gratuitous dedications shall be to the satisfaction of the Township Solicitor. The Owner shall further dedicate gratuitously to the Township, free and clear of any encumbrances, any additional lands should same be required to implement the Draft Plan of Subdivision and conditions of draft approval, which gratuitous dedications shall be to the satisfaction of the Township Solicitor.
16. The Owner agrees to provide for watermain looping to the satisfaction of the Township Engineer and shall agree in the subdivision agreement that watermain looping shall be provided on both a temporary and a permanent basis and agrees to dedicate such lands to the Township, as necessary, to the satisfaction of the Township Engineer to ensure a temporary and permanent looped water system.

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17. The Owner shall agree in a subdivision agreement to dedicate gratuitously all easements free and clear of any encumbrances to any public authority or utility, including, but not limited to the Township, cable, gas, hydro, or telecommunications companies, as may be required, (and with respect to cable and gas services subject to such services being available). It is recognized that these dedications are in addition to any easements that may be shown on the plan and any such dedications shall be to the satisfaction of the Township Solicitor.

PARKLAND –PAYMENT IN LIEU

18. The Owner shall satisfy the statutory 5% parkland requirement of the residential lands included in the plan, by providing payment of cash in lieu to the Township which shall be paid to the Township upon execution of the subdivision agreement. The Owner shall also satisfy the statutory 2% parkland requirement for the employment lands included with the area of the plan by providing payment of cash in lieu to the Township upon execution of this agreement.

ROADS

19. (a) The Owner shall design and construct internal Street 'A', Street 'B', and Street 'C' to Township standards, including meeting Township grading requirements, naming the road to the satisfaction of the Township.
- (b) The Owner shall design and construct the connection to Street 'A' to County Road 3 and Street 'B' to County Road 24 and make any necessary improvements to connect to the respective streets, to the satisfaction of the County.
20. The Owner acknowledges that notwithstanding that the lands where upon Street 'A' is shown in the plan are currently owned by the Township, the Owner shall, upon securing a temporary access and construction right of way from the Township, design, construct, and maintain Street 'A' as if it were in the Plan, and in the same way as Streets 'B' and 'C'. All works on Street 'A' Street 'B' and 'C' are local connections not to be funded through the Township's Development Charges (including not to be funded through Development Charges reserves).
21. The Owner shall provide standard pavement markings and traffic signage on all roads, and at all proposed intersections within and related to the plan of subdivision to the Township and County's satisfaction.
22. The Owner shall provide street lighting (Light Emitting Diode ("LED")) for the roads including temporary or permanent turning circles to the satisfaction of the Township and shall make operational the street lighting on all roads within 90 days of the issuance of the first building permit. It is acknowledged that the street lighting requirement for County Road 3 and

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Country Road 24 shall be restricted to the intersections of Street 'A' and Street 'B'.

23. The Owner shall agree in the subdivision agreement with the Township to locate and construct all driveways accessing municipal roads, including driveway aprons, all to the satisfaction of the Township Engineer. Driveways shall be limited to one access point from the municipal road. Driveway entrances shall not be permitted to connect to the adjacent County Roads.

FENCING

24. The Owner shall agree in the subdivision agreement with the Township to prepare a fencing plan and install appropriate fencing in accordance with that fencing plan all to the satisfaction of the Township. The Owner shall include post and wire fencing on the south boundary of the subject lands boarding agricultural field, black vinyl chain link fencing where each rear and side of the lots shown on the plan boarder Block 60, the stormwater management block, Walkway block all to the satisfaction of the Township.

STORMWATER MANAGEMENT

25. The Owner shall agree in the subdivision agreement with the Township to design and construct any required stormwater management facilities to the satisfaction of the Township and Grand River Conservation Authority. The stormwater management facility shall be designed to accommodate stormwater flow, conveyance and outfall from the adjoining lands owned by the Township, legally described as PIN 34078-0114 and the lands owned by the Township, where Street 'A' is to be designed and constructed, legally described as PIN 34078-0112. Stormwater management facilities shall be approved by the Ministry of the Environment, Conservation and Parks ("MECP") pursuant to Section 53 of the Ontario Water Resources Act, unless the Township has received, and works are authorized under the Township's Consolidated Linear Infrastructure Environmental Compliance Approval for the Township's Stormwater Management System. The Owner shall agree in the subdivision agreement to obtain such required approvals prior to construction of the stormwater management facilities occurring.
26. Prior to final approval of the plan, the Owner shall provide confirmation if Lot 15 is required for stormwater management or containment of peak flows from the drainage swale for major storms including the regional storm. If Lot 15 is not required at the sole discretion of the Township, the Township shall release the lot and allow it to be registered as a lot to be built upon. Alternatively, if it is required for stormwater management it shall be dedicated to the Township prior to Final Approval for it to be accepted by such terms as set out in the subdivision agreement for inclusion as part of the stormwater management facility.

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GRADING

27. The Owner shall agree that grading plans shall be prepared and submitted to the satisfaction of the Township prior to final approval; and that all such grading plans including the grading of roads meet all applicable standards, and shall be to the satisfaction of the Township and Township's Director of Public Works. Should such grading not be satisfactory, the Owner specifically agrees that the plan of subdivision shall be redlined, so as to make the grading acceptable and satisfactory to the Township. The Owner shall agree in the subdivision agreement with the Township to design and construct all grading, drainage, and servicing including the water supply system, under the Township's jurisdiction to the satisfaction of the Township. The Owner shall further agree and acknowledge that further design/lotting changes may be necessary within the draft plan of subdivision arising from the detailed grading plan. Recommendations of the detailed grading plan will be implemented to the satisfaction of the Township.
28. The Owner shall agree in the subdivision agreement to prepare a fill management plan in accordance with MECP's Management of Excess Soil – A Guide for Best Management Practices as well as Ontario Regulation 406/19 and the Soil Rules to the satisfaction of the Township should the plan require fill importation as determined during the detail design stage. The plan shall be prepared by a Qualified Person as defined in Ontario Regulation 153/04 and include provisions for road access, haul routes and monitoring, to comply with O Reg 406/19.

CONSTRUCTION AND SEDIMENT/EROSION CONTROL MEASURES

29. The Owner shall agree in the subdivision agreement with the Township to construct all works which must be considered temporary to facilitate the development of the subject property to the satisfaction of the Township and any other relevant public agency. These works may include but shall not be limited to, emergency access, temporary cul-de-sacs, temporary erosions control measures and temporary stormwater facilities.
30. The Owner shall agree in the subdivision agreement with the Township to erect temporary fencing, or snow fencing, as required on the property, prior to the commencement of site works, to the satisfaction of the Township and that such fencing remain in place until directed otherwise by the Township.
31. The Owner shall agree in the subdivision agreement with the Township to stabilize all disturbed soil within 90 days, or such other period as the Township may agree to taking into account standard engineering practices, of such soil being disturbed, control all noxious weeds, and maintain ground cover, and to keep the lands tidy and free of debris, all to the satisfaction of the Township.

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32. The Owner shall agree in the subdivision agreement with the Township to provide and maintain erosion and sediment control measures, as appropriate, prior to the commencement of topsoil stripping and during other construction activities to the satisfaction of the Township and GRCA.
33. The Owner shall agree in the subdivision agreement with the Township to provide to the Township sufficient securities for the maintenance and monitoring of sediment and erosion control measures, which securities shall be to the satisfaction of the Township.
34. The Owner shall agree in the subdivision agreement with the Township that topsoil, equipment, or materials may only be stockpiled to the satisfaction of the Township. The Owner further agrees there will be no stockpiling on any lands being conveyed to the Township or on any blocks or on other adjacent lands owned by the applicant without the written approval of the Township.
35. The Owner shall agree in the subdivision agreement to provide a mud tracking pad for construction vehicles at the site entrance, and to direct all construction traffic to and from the Draft Plan of subdivision lands, to the satisfaction of the Township Engineer

LANDSCAPING

36. The Owner shall agree in the subdivision agreement with the Township to have a qualified Arborist certify that all trees planted by the Owner and all existing trees located on lands to be deeded to the Township are disease free and healthy, after planting (if applicable) and prior to the assumption of public services, all to the satisfaction of the Township.

PLAN, MAPS AND BENCHMARKS

37. The Owner shall agree to deposit five (5) full size paper copies of the Registered Plan of Subdivision with the Township and provide the Township with computerized information in a format satisfactory to the Township. In addition, the subdivision agreement between the Owner and Township shall contain a provision whereby the Owner agrees to supply to the satisfaction of the Township, "as constructed" public services in a format suitable for use by the Township with the current version of AutoCAD being used by the Township/and or its consulting engineers.
38. The Owner shall agree in the subdivision agreement with the Township to provide two second order, second level Geodetic Benchmarks in suitable locations to the satisfaction of the Township.
39. The Owner shall prepare a Community Information Sign which shows the draft plan of subdivision together with surrounding land uses, which Community Information Sign shall be to the satisfaction of the Township Planner, and the Owner shall also obtain from the Township a Schedule

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with all notice clauses that the Township may require to be provided to potential purchasers of the lots, all of which is to occur prior to marketing or otherwise offering to sell any of the draft approved lots to builders or potential homebuyers. The approved Community Information Sign shall be posted in a prominent location in the sales office, if any, and a copy of the approved Sign and Schedule shall be provided directly to potential purchasers.

40. The Owner shall agree in the subdivision agreement to provide the approved Community Information Sign and obtain execution of the Schedule by each builder/homeowner which documents shall be submitted as part of the filings to the Township for its clearance of the requisite building permit application.

RETAINING WALLS

41. The subdivision agreement between the Owner and the Township and all offers of Purchase and Sale shall contain a clause stating that the maintenance of any retaining walls constructed within the Draft Plan of subdivision shall be the responsibility of the Owner and subsequent Owners, and that no retaining wall shall exceed a maximum height of 1.5 metres on the exposed face, unless any additional height is approved by the Township in writing. Retaining walls shall not be constructed upon lands to be transferred to the Township or other public authority, unless otherwise approved by the Township.

ENGINEERING AND TECHNICAL REPORTS

42. The Owner has prepared and submitted to the Township for approval, the reports listed below. Recommendations from these reports, as amended or modified to the satisfaction of the Township will be implemented in the detailed design process to the satisfaction of the Township and any other public body as noted below. All reports and studies must substantially conform to the draft plan of subdivision prepared by Innovative Planning Solutions dated as revised December 18, 2023, and may be further red-lined to address recommendations or requirements of the updated reports to the satisfaction of the Township
 - (a) recommendations of the Functional Servicing Report prepared by Valdor Engineer Inc. (May 2022), and any amendments or modifications thereto approved by the Township and GRCA, shall be implemented to the satisfaction of the Township and GRCA. The Owner agrees that all facilities for stormwater management purposes shall be operational to the satisfaction of the Township and GRCA, prior to the placement of the road granulars. The Owner acknowledges that monies shall be deposited and paid to the Township as contribution to the long-term maintenance of the stormwater facilities which amount shall be addressed in the subdivision agreement;

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- (b) recommendations of the Amended Baseline Ecological Assessment dated January 13, 2021, and any amendments or modifications thereto approved by the Township;
 - (c) recommendations of the Hydrogeological Investigation Report prepared by Palmer (February 2, 2021) and technical memoranda dated January 6, 2021, and any amendments or modifications thereto, shall be implemented to the satisfaction of the Township;
 - (d) recommendations of the Geotechnical Investigation prepared by Alston Geotechnical Consultants Inc. (April 13 2020), and any amendments or modifications thereto approved by the Township.
43. The Owner agrees to have prepared, by a qualified Consulting Engineer(s) or other professionals as noted below, and submitted to the Township for review and approval, at its cost the following reports and plans. All plans and reports must substantially conform to the draft plan of subdivision dated as revised December 18, 2023. Recommendations from reports, as amended or modified to the satisfaction of the Township, must be implemented to the satisfaction of the Township:
- (a) Functional Servicing Report – the report dated May 2022 prepared by Valdor Engineering Inc. shall be updated to reflect the draft plan dated as revised December 18, 2023. The updated report shall also address the following:
 - (i) Updated design considerations for additional dwelling units pursuant to the Township By-Law 26-2023.
 - (ii) Updated stormwater management modelling to include Township owned lands being 9.07 acres, described as PIN 34078-0114 East Garafraxa Concession 14, Part Lot 5, RP 7R5924 Parts 11 and 12 that will be conveyed to the stormwater management facility in Block 59. The design shall provide stormwater management for these lands owned by the Township to accommodate future development at a similar imperviousness as the Subdivision Lands. The updated modelling is also to consider and justify the imperviousness per lot to allow for additional dwelling units pursuant to Township By-Law 26-2023. The updated stormwater management modelling shall also address the increase imperviousness related to employment uses. The Owner agrees that Lot 15 has a holding provision until it is confirmed that the area is not required for stormwater management or for conveyance of major storms.
 - (iii) Provide detailed analysis between Lots 32 and Block 64 to confirm conveyance of any drainage area from land to the south. This

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may necessitate granting a drainage easement to the Township to the satisfaction of the Township solicitor.

- (iv) Include analysis to inlet and convey through a pipe the 100 year storm from Block 63 to the stormwater management pond as to provide a piped outlet to the stormwater management facility to the satisfaction of the Township Engineer with conveyance of emergency overflow to the ultimate outlet on County Road 3.
 - (v) Include culvert calculations sized based on MTO Directive B-100.
 - (vi) Include analysis confirming conveyance of the major system can be contained within the road right of way.
 - (vii) Updated Floodplain analysis to reflect the location of the channel in Block 59 and Block 60 to verify that all storms up to the regional storm is fully contained within the blocks. Any portions of the channel that are engineered within the regional flooding area shall have channel side slopes that have a maximum 25 percent slope, a minimum 1 metre wide shelf at a minimum of two locations on each side with a maximum 5 percent slope and a minimum 3.5 metre maintenance access route adjacent to the channel. The Owner shall further agree and acknowledge that further design/lotting changes may be necessary within the draft plan of subdivision to ensure that runoff for storms up to the regional storm are fully contained within the block.
 - (viii) Updated to address requirements of permitted authorizations under the consolidated linear infrastructure environmental compliance approval. The Township is in the process of obtaining such approval. Should the approval not be in place, the Owner acknowledges they shall be required to submit an environmental compliance approval to the MECP for the Stormwater Management System.
 - (ix) Updated wastewater servicing analysis to address Township By-Law 26-2023. It is acknowledged, at minimum, that a Level IV Treatment Unit with minimum nitrogen removal capabilities of 50% CAN/BNQ 3680-600 is required. The report shall confirm whether a Treatment Unit with minimum nitrogen removal capabilities of 75% is required. It is acknowledged that this assessment could be completed by an update to the Hydrogeological Report.
- (b) Traffic Impact Study – To reflect the draft plan dated as revised December 18, 2023 including impacts of the Employment Block and new entrance points to the County Roads and proximity to the East Garafraxa Public School. The plan shall confirm whether external upgrades are

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required thereto approved by the Township shall be implemented to the satisfaction of the Township and County.

- (c) Updated Geotechnical Report – To address any potential impact from groundwater and provide recommendations for the construction of the subdivision including pavement design of internal roads, design of the stormwater management facilities, requirements for subdrains, provide a minimum basement elevation for each lot in order to be above the seasonally high groundwater level. The report shall include additional groundwater monitoring levels with readings that incorporate spring measurements between April and June to the satisfaction of the Township.
- (d) Landscape Plan – Prepare plan, by a qualified Landscape Architect to the satisfaction of the Township, including the following components:
 - (i) Shall incorporate the trees to be preserved and any required protection measures during construction;
 - (ii) Tree inventory and compensation plan;
 - (iii) Shall include street tree planting along Street 'A', Street 'B', and Street 'C'. A minimum of one (1) tree per lot along the lot frontage, and (2) trees per lot along exterior side yards is required. All trees shall be planted on private property.
 - (iv) Shall provide a 1.8 metre high landscaped berm, which berm shall be planted to provide treed screening along those residential lots adjacent to Country Road 3 and to screen the lots that are adjacent to Block 63 and 64 to the satisfaction of the Township. The berm side slopes shall be a maximum slope of 33%. The screening between Blocks 63 and 64 and residential lots may include a noise privacy fence or a landscaped berm to the satisfaction of the Township.
 - (v) Incorporate a landscape plan for Block 59 and Block 60.
 - (vi) Shall include a fencing plan including the location of fencing, type of fencing, and details of installation to the satisfaction of the Township.
- (e) Noise Report – the report dated January 2021 prepared by LEA shall be updated to reflect the draft plan dated as revised December 18, 2023. The updated report shall address the employment use and any required warning clauses or mitigative measure for the adjacent lots and any limitations regarding future development of the employment lands.

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- (f) Operations and Maintenance Plan – for the Stormwater Management System incorporating elements within the consolidated linear infrastructure environmental compliance approval.
- (g) Homeowner’s Manual –Provides information regarding the characteristics of the septic systems proposed and the required operations and maintenance instructions. The Manual should also provide details with respect to the local environment and pay particular attention to the potential impacts of misuse of the private septic system on the environment.
- (h) Rural Building Design Guideline – The guideline shall confirm architectural requirements and shall specifically address mitigation measures to be implemented when the house is raised to maintain separation from groundwater to the satisfaction of the Township. Specifically, houses with raised basements shall be bi-level, such that no more than three (3) stairs are utilized outside of the house for access to the front door and any additional stairs required to reach the first floor shall be internal to the house.
- (i) Detailed Engineering drawings – Drawings, prepared by a qualified Engineer, shall reflect the recommendations of all reports and studies requested as conditions of approval. All aspects of the servicing design must be in accordance with the appropriate requirements of the applicable legislation, including any applicable Class Environmental Assessment. The Detailed Engineering drawings shall be incorporated as part of the approved drawings under the subdivision agreement and shall be completed and approved prior to the execution of the subdivision agreement, and prior to final approval of the plan of subdivision.
 - (i) Erosion and Sediment Control Plan – Provide recommendations for the control, maintenance, and monitoring of sediment during all phases of construction and to address erosion control issues. The plan shall include inspection requirements for dry weather periods (active and inactive construction phase), after significant storm events and significant snowmelt events, and after any extreme weather to the satisfaction of the Township.
 - (ii) Cut and Fill Plan – The plan shall show the amount of cut and fill required to achieve the grading and drainage including a summary table of cut/fill volumes. The plan shall be reviewed by the private septic system specialist in order to determine the effect of the grading on the operation of the leaching beds. The characteristics and placement method of imported fill to be placed in areas where the private septic systems are to be

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constructed shall be approved by the private septic system specialist and requirements included within the engineering plans. The size of the septic system envelopes as shown on the Master Development Plan shall consider the Cut and Fill Plan and the expected soil characteristics and groundwater levels.

- (iii) Grading, Plan and Profile, and Servicing Plans – The detailed engineering drawing set shall include all plans for grading, servicing and road construction. The stormwater management facility shall include a maintenance access road around the facility with connections to Street B and Street C.
 - (iv) Master Development Plan – Plan shall illustrate building envelopes, suggested dwelling sittings, rear yard activity areas, driveways, private septic system envelopes with the corresponding grading and drainage requirements. The Master Development Plan shall be based on consideration of the soils and water table on site, as determined by groundwater monitoring and such other soils investigations to the satisfaction of the Township.
 - (v) Street Lighting Plans – Plans shall set out the placement of street lighting and associated details including photometric analysis for the Subject Lands to the satisfaction of the Township.
 - (vi) Composite Utility Plan – The Plan shall include all utilities being installed in the subdivision. All pedestals and transformers are to be placed near the property line on the back slope of the ditch. The Owner acknowledges and agrees to convey any easements as deemed necessary to the utility company(s) as required. The utility trenches be buried at a sufficient depth to ensure a 1.2m radius is maintained from the bottom of the ditch invert to the satisfaction of the Township.
 - (vii) Pavement Markings and Traffic Signage Plan – It is acknowledged that the Owner’s Engineer has prepared the cross section for the subdivision which consists of a rural cross section and a multi-use path on one side of the road. The Owner’s Engineer is to provide a plan showing all pavement markings and traffic signage required for this cross section. The plan shall also consider the adjacent school and consult with the Upper Grand District School Board on appropriate access points including any requirement for a layby, entrance to the school, which improvements shall be incorporated along Street ‘A’ adjacent to the school to the satisfaction of the Township.
44. The Owner acknowledges and agrees that ensuring the suitability of land for its proposed uses is the Owner’s responsibility. The Owner has

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submitted a Phase I Environmental Site Assessment, prepared by Watters Environmental Group Inc. dated April 2020. Prior to the final approval of the plan, the Owner shall:

- (i) Provide a letter of reliance in favour of the Township, to the satisfaction of the Township Solicitor for the Phase I Environmental Site Assessments, prepared by Watters Environmental Group Inc.
- (ii) File a Record of Site Condition (RSC) on the Provincial Environmental Registry for the subdivision lands including any lands to be conveyed to the Township. In addition, prior to the registration of the plan of subdivision, the Owner shall provide such environmental warranties and undertakings to the satisfaction of the Township Solicitor

45. The Owner shall agree that where a condition of approval requires the preparation of a report, study, or plan, the Owner shall:
- (a) carry out, or cause to be carried out, the study, report or plan, at the Owner's expense, prior to final approval, except in those circumstances that may be specifically authorized by the approving agency(s); and
 - (b) carry out, or cause to be carried out, the recommendation(s) or work(s) prescribed in the approved study, report, or plan, prior to final approval, except in those circumstances that may be specifically authorized by the approving agency(s).

SERVICING

46. The Owner shall specifically acknowledge and agree in the subdivision agreement that the Township is not agreeing to execute or enter into a responsibility agreement to provide public wastewater treatment for this development. It is also acknowledged that tertiary treatment systems (Level IV Treatment Systems) included as part of the private septic systems for the servicing of each lot, that the Township shall not be responsible for supervising, inspecting, monitoring, or guaranteeing that such systems are operational. The Subdivision Agreement between the Owner and the Township shall contain provision(s) that all lots will be made suitable for subsurface sewage disposal systems to the satisfaction of the Township. All installation of subsurface sewage disposal system(s) shall be in accordance with building permit(s) from the County of Dufferin.
47. The subdivision agreement shall also contain provisions with wording to the satisfaction of the Township that a detailed plot plan shall be approved by the Township prior to the issuance of municipal clearance for a building permit (which clearance is by the Township) that shows the building envelope, on-site sewage system, the proposed grading, the water service,

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and any other details that the Township may require, together with any other provisions that the Township may require for the proper construction, installation and operation of the on-site sewage system. The subdivision agreement shall also contain clauses regarding the requirement for a clause to be contained in the Agreement(s) of Purchase and Sale of the lot(s) advising that the lot is serviced by municipal water and a private sewage disposal system, and also advising the purchaser that an information package will be provided to the purchaser with detailed information regarding the operation of the private on-site sewage system including the nature, operation and maintenance of such systems, all to the satisfaction of the Township.

48. The Owner shall agree in the subdivision agreement that each of the lots shall be made suitable for the installation of an individual private subsurface sewage disposal system and the Owner shall install private septic system(s) on all building lot(s). In addition, the overall layout of the municipal water system and the private septic system(s) for the plan of subdivision shall be to the satisfaction of the Township and the detailed plot plan(s) as set out below shall be to the satisfaction of the Township. Should any lot be deemed by the Township to be unsuitable for such systems, such lot shall be combined with other lots or blocks, as the case may be.

The Owner further agrees to meet the following requirements in the design of the private septic system(s):

- (a) the engineering design team preparing the final engineering drawings for the subdivision shall include a specialist in private septic systems and lot grading to ensure the integration of sewage treatment considerations (including raised beds, if necessary) into the grading plans;
- (b) Septic systems shall be designed in accordance with the engineering reports prepared by the Owner's engineer. The Township and the Chief Building Official may approve any deviations from the approved design concept as they deem appropriate;
- (c) a primary area for the private septic system(s) shall be provided on each lot. The size of the areas provided shall be related to the percolation rate of the existing native soils and the dwelling characteristics;
- (d) leaching bed design shall be based on post-grading soils and water table conditions determined by a test pit excavated within the proposed leaching bed area and inspected by the Building Department and/or verified by report submitted by a Geotechnical Consultant to the satisfaction of the Chief building Official;

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- (e) consideration should be given to the potential for changes in the water table and the stormwater quantity and quality facilities. Wherever possible, the distance between leaching beds and the above should be maximized;
- (f) in order to prevent erosion of the leaching beds, the soils in the bed and related drainage swale areas shall be stabilized by hydro seeding immediately after bed construction. Any areas on raised beds each adjacent to and on the tapers shall be sodded immediately on completion;
- (g) the engineering plans shall include drawings indicating the amount of cut and fill required to achieve the grading and drainage required and these plans shall be reviewed and approved by the private septic system specialist in order to determine the effect of the grading on the operation of the leaching beds. The characteristics and placement method of imported fill to be placed in areas where the private septic systems are to be constructed shall be approved by the private septic system specialist and the Township and Chief Building Official;
- (h) during road and drainage system construction, vehicular traffic must be kept off the private septic system areas to prevent soil compaction. No building materials or soil should be stockpiled in private septic system envelopes;
- (i) where on-lot infiltration techniques, not to include soak-away pits, are proposed, consideration should be given to the potential impact of infiltration on the leaching beds;
- (j) prior to the issuance of a building permit for a private septic system, the following conditions must be fulfilled to the satisfaction of the Township and the Chief Building Official:
 - i) pre-grading has been completed to ensure that all leaching bed areas are adequately drained prior to the construction of a private septic system;
 - ii) a qualified consulting engineer, together with a specialist in the design and installation of private septic systems, shall be retained to submit the necessary detailed site plan with each application for a municipal approval of the detailed site plan and a building permit for the private septic system(s);
 - iii) the same consulting engineer and private septic system design specialist shall also be jointly responsible for:
 1. preparation of a detailed individual plot plan to be approved by the Township which illustrates all proposed buildings and structures, their elevation, the driveway and activity areas

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- (including showing any area proposed for a swimming pool), the septic tank, pump tank or siphon (if required), the detailed design of the leaching bed (and where a fully or partially raised leaching bed is proposed, a detailed cross-section), all existing and proposed grades including retaining walls or terraces, natural features and vegetation (existing and to be removed), the method of disposing of stormwater (drainage swales, directions and grades), water service location and all erosion control and sedimentation features, all of which must be shown. Existing and proposed grades must be provided.
2. obtaining approval from the Township indicating that the proposed grading conforms to the Master Development Plan. It is acknowledged that the Township at the municipal clearance for building permit stage may approve a detailed plot plan for a dwelling on a lot that varies from the Master Development Plan provided the Master Development Plan's integrity is not compromised:
 3. inspection of one or more test pits and the preparation of a grain size analysis and water table evaluation report. Where imported fill material is required, the consulting engineer/private septic system design specialist shall provide a detailed grain-size analysis report on the proposed fill and shall obtain Township and Chief Building Official approval prior to placement on the property;
 4. for raised beds, supervision of the laying out, excavation and scarification of the leaching bed bottom and placement of fill to ensure compliance with design and grading criteria; and
 5. prior to authorizing the construction of the leaching bed, the Consulting Engineer and private septic system design specialist will obtain confirmation that the dwelling has been constructed in the location and to the grades indicated in the approved site plan.
- (k) following the completion of construction, the Consulting Engineer and private septic system design specialist shall be responsible for:
- i. provision of a Certificate of Compliance for each lot within the subdivision stipulating that all grades and private septic system(s), including all its details have been constructed according to the approved detailed site plan and the approved design; and
 - ii. provision of certified "as constructed" drawings of the private septic system of each lot in a digitized electronic format acceptable to the Township, if so required by the Township.

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- (l) the Owner shall provide to the lot purchaser a copy of the site plan and a copy of the Home Owner's Manual for the private septic system (which Manual shall be approved by the Township), and a copy of the operating manual and the maintenance agreement for the private septic system;
 - (m) it is acknowledged that the primary responsibility of the Township is with respect to the general layout of the sewage system(s) and the grading of the plan of subdivision. It is acknowledged that the design of the individual private septic system(s) is subject to the Ontario Building Code Act and the regulations thereunder. Should any of the provisions of this condition conflict with the Ontario Building Code Act and the regulations thereunder, it is agreed that the Ontario Building Code Act and the regulations thereunder, as the case may be, govern;
49. The subdivision agreement between the Owner and the Township shall contain provision(s) incorporating the provisions of condition 48 to the satisfaction of the Township. The subdivision agreement shall also contain clauses regarding the requirement for a clause to be contained in the Agreement of Purchase and Sale for each lot advising that the lot is serviced by a municipal water and a private subsurface sewage disposal system and also advising the purchaser that an information package will be provided to the purchaser with detailed information regarding the nature, operation and maintenance of the private septic system, all to the satisfaction of the Township. The subdivision agreement shall also contain provisions that:
- (a) eaves trough, foundation drains and surface/stormwater drainage must not be directed to, the sewage disposal system, nor onto, or into the ground surface in the vicinity of the tile bed area in order to limit the impact of stormwater on the operation of the leaching beds;
 - (b) the Owner shall not permit the installation of any underground lawn irrigation systems within the primary leaching bed area, or in any area which may detrimentally affect the operation and effectiveness of the leaching bed. The Developer agrees to insert a provision in any agreement of purchase and sale to this effect;
 - (c) no structures, including accessory buildings and swimming pools, and no landscaping involving decks, berms, foundations, paving stones or trees shall be located within the primary leaching bed area and no structures, including accessory buildings and swimming pools, shall be located in the reserve leaching bed area; and
 - (d) the front and side yards of residential lots extending to the rear limit of each house at a minimum are to be sodded. The balance of the lot is to be top soiled and hydroseeded or sodded.

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WATER SERVICING AND FIRE PROTECTION

50. The Owner acknowledges that the Township's existing municipal water system requires expansion, and there are no existing watermains near the subject lands. The Township completed a Municipal Class Environmental Assessment titled 'Marsville Water System Expansion Municipal Class Environmental Assessment (Schedule B)' to determine the preferred solution to expand the municipal water system. Without limiting the generality of the foregoing, the preferred solution includes two new wells, storage, and a new pumphouse/treatment site, and all related works that are not located on the subject lands. The Owner shall agree that the water supply system expansion shall be operational prior to final approval of the subdivision (or of any phase of the subdivision, if the development is phased) being granted. The Owner acknowledges that other landowners within Marsville that have applied to develop their lands, collectively the developers including the Owner or the Owner themselves, shall financially secure the project, which project shall not commence until the Township is satisfied that financial arrangements are in place for the design and construction of the project. The Owner acknowledges that the Township does not own the land required for the preferred solution located on CON 13 E PT LOT 5 and the Owner cannot proceed with site alterations including clearing or topsoil stripping until these lands have been dedicated to the Township or other arrangements have been made to the satisfaction of the Township Solicitor and Township Engineer and nothing in the granting of Draft Approval shall place any obligation on the Township to secure lands, or facilitate their acquisition, or commissioning the necessary expansion of the water system. The Owner further agrees in the subdivision agreement that there shall be no presale of any lots, by agreement of purchase and sale, following draft plan approval, until such time as the Township receives confirmation that the expansion of the existing municipal water system to service the Plan, or any phase of the Plan is financially secured, all to the satisfaction of the Township.
51. The Owner shall agree to incur the cost of the design, installation and construction of the expansion of the Township's existing water supply system, and all necessary appurtenances thereto to the satisfaction of the Township. The Owner shall agree that the Township Engineer shall design those components of the water supply system as required by the Township. The Owner shall agree that the water supply system, and all related works and improvements shall be operational or financially secured to the satisfaction of the Township prior to final approval of the subdivision (or of any phase of the subdivision, if the development is phased) being granted.
52. The Owner shall agree in the subdivision agreement that requirements for a municipal residential drinking water system under Part V of the Safe Water Drinking Act and O. Reg. 170/03 (Drinking Water Systems

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Regulation) shall apply in the design, construction and installation of the municipal water system all to the satisfaction of the Township Engineer.

53. The Owner acknowledges in the subdivision agreement that the Plan shall be serviced by full municipal water and may not proceed to Final Approval until the Township Engineer confirms that the Marsville municipal water system has capacity to service the subdivision with an adequate supply of potable water and fire protection services, and that arrangements have been made for satisfactory connecting watermains all to the satisfaction of the Township Engineer.
54. The Owner shall agree that the Township Engineer shall design those components of the water system outside of the Plan including, without limiting the generality of the foregoing, two new wells, storage, and a new pumphouse/treatment facility as required by the Township and is responsible for all costs associated with such design, tendering, construction, and site inspection services.
55. The Owner is to provide the subdivision with a looped water system to help ensure a safe, secure and reliable water supply. This can be accomplished with two or more feeds from the Township's water supply. Should the connection points not be readily available adjacent to the site, then the Owner shall be required to extend watermains to the site and acquire any necessary easements at their own cost for this purpose all to the satisfaction of the Township Engineer.
56. The Owner shall dedicate gratuitously to the Township all lands and easements required for the water supply system, all of which shall be free and clear of all encumbrances.
57. The Owner shall agree in the subdivision agreement to file digital drawings both in portable document format and AutoCAD of final approved construction drawings and as-constructed drawings to the satisfaction of the Township Engineer.
58. The Owner shall agree in the subdivision agreement to provide each dwelling on each Lot with a water meter. The Owner, or where the Lot is sold to a builder by the Owner, the builder, shall make arrangements with the Township for the type of water meter and shall install the water meters to the satisfaction of the Township. The Owner shall ensure the installation of the water meters are easily accessible for the Township. The Owner shall install an appropriate water shutoff prior to the water meter. Each dwelling shall be required to have installed a dual check valve (no lead) for premise isolation, complete with an expansion tank, and other such requirements of the Township Engineer.

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59. The Owner shall agree that no water may be provided or used in the municipal water system until a water meter is installed and operational. The Owner shall also agree in the subdivision agreement that the Township shall set the applicable water rates, and will require provisions to require the collection of water usage from dwellings prior to assumption of the municipal water system of the Township.
60. As a component of the Owner's agreement to satisfy all the requirements, financial or otherwise of the Township with regard to supply, distribution and storage of municipal drinking water, the Owner agrees in the subdivision agreement to reimburse the Township for invoices incurred for the operation, design, routine maintenance, review, supervision and approval of connections of each dwelling to the Local Water System, any system upgrades, any costs incurred to meter the dwellings all to the satisfaction of the Township Engineer.

WELL MONITORING

61. The Owner agrees that:
- (a) prior to any site alteration, it shall conduct a Preconstruction Survey of the static water level and quality of all wells, subject to the consent of the well owner, within the greater of:
 - i. 500 m of development area; and
 - ii. the expected area of influence as determined by a hydrogeologist.
 - (b) should the Township receive complaints regarding alleged well interference from properties within the vicinity of the property, the Township may require the Owner to update the preconstruction survey from time to time or, in the alternative, monitor the wells on which complaints have been received, (should the resident so permit); and
 - (c) the Owner further agrees to resolve any claims of well interruption, if any, due to the development of the subdivision. Should there be any such interruption to properties located in proximity to the draft plan, then the Owner agrees that it shall supply temporary water to the affected home(s), and if necessary shall implement a permanent solution such as, but not limited to, the installation of a new well or connection to the municipal water system, to the satisfaction of the Township and/or MECP, as the case may be.

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GRAND RIVER CONSERVATION AUTHORITY

62. Prior to any grading and servicing and/or registration of the plan, or any phases thereof, the Owner shall prepare to the satisfaction of GRCA and the Township
- (a) A Final Stormwater Management Report in accordance with the 2003 Ministry of Environment Report entitled, "Stormwater Management Practices Planning and Design Manual" and in keeping with the Functional Servicing Report (Valdor Engineering, dated April 2020, Rev. May 2022.)
 - (b) Detailed Lot Grading and Drainage Plans showing existing and proposed grades.
 - (c) An Erosion and Siltation Control Plan in accordance with the Grand River Conservation Authority's Guidelines for sediment and erosion control, indicating the means whereby erosion will be minimized and silt maintained on-site throughout all phases of grading and construction
 - (d) The submission and approval of a Development, Interference with Wetlands and Alterations to Shorelines and Watercourses permit from the GRCA prior to any grading within the regulated area.
 - (e) The submission of floodplain mapping and updated HEC-RAS modelling.
 - (f) Updated analysis mitigating the post-development infiltration deficit and maintaining runoff volumes to Brouwer Drain are required to ensure there are no negative impacts to flooding or erosion downstream of the proposed development.

UPPER GRAND DISTRICT SCHOOL BOARD

63. The Owner agrees to the following provisions, to be included in the Township's subdivision agreement, to the satisfaction of the Upper Grand District School Board:
- (a) Education Development Charges shall be collected prior to the issuance of building permit(s);
 - (b) Provide the Upper Grand District School Board with a digital file of the plan of subdivision in either ArcGIS (shapefile or geodatabase) format or DXF format using a projected geographic coordinated system, containing parcel fabric and street network;
 - (c) That the developer shall agree in the subdivision agreement that adequate sidewalks, lighting and snow removal (on sidewalks and walkways) will be provided to allow children to walk safely to school or to a designated bus pickup point. *(The Township will not be provided sidewalks in the development)*

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- (d) That the Owner and the Upper Grand District School Board reach an agreement regarding the supply and erection of a sign at the Owner's expense and according to the Board's specifications, affixed to the permanent development sign, subject to the approval of the Township, advising prospective residents about schools in the area.
- (e) The Owner agrees that construction vehicle access is restricted to the access point on County Road 24, in order to limit the construction vehicle traffic at the school and to reserve the access point on County Road 3 as a school bus pick up/drop off point if one is necessary during construction.
- (f) That prior to final approval of any phase or stage of the subdivision, a detailed design of the pedestrian connection from Street A to the school property be provided for review and approval by Board Staff. Further, the cost of construction of such pedestrian connection shall be borne fully by the developer.
- (g) That prior to final approval of any phase or stage of the subdivision, a revised traffic impact study, detailed grading plan and stormwater management report be provided to the Board's satisfaction.

DUFFERIN-PEEL CATHOLIC DISTRICT SCHOOL BOARD

- 64. That the applicant shall agree in the Servicing and/or Subdivision Agreement to include the following warning clauses in all offers of purchase and sale of residential lots:
 - (a) Whereas, despite the best efforts of the Dufferin-Peel Catholic District School Board, sufficient accommodation may not be available for all anticipated students from the area, you are hereby notified that students may be accommodated in temporary facilities and/or bussed to a school outside of the neighbourhood, and further, that students may later be transferred to the neighbourhood school.
 - (b) That the purchasers agree that for the purpose of transportation to school, the residents of the subdivision shall agree that children will meet the bus on roads presently in existence or at another place designated by the Board.

COUNTY OF DUFFERIN

- 65. The Owner to the satisfaction of the County shall ensure all intersection sight triangle dimensions meet the greater of either the Township's Official Plan, or the County of Dufferin's Entrance Policy 5-3-17.
- 66. The Owner to the satisfaction of the County shall ensure that no pedestrian infrastructure is directed to the County road where no pedestrian infrastructure exists to the satisfaction of the County.

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67. The Owner agrees to provide a Traffic Impact Study (TIS) to reflect the draft plan as revised December 18, 2023 and confirm any external road improvements to Dufferin County Roads 3 and 24.
68. The Owner agrees that 0.3m reserves along the entire development frontage on Dufferin County Road 3 & 24 shall be provided and shall be dedicated gratuitously to the County of Dufferin.
69. The Owner agrees to provide auto-turn movements to confirm the turning circle on Street 'A' accommodates waste collection.
70. The Owner agrees to redline the plan to provide driveway access for the existing vacant lot outside the plan in the south east corner to Street 'B'.
71. The Owner agrees to review the proximity of the East Garafraxa Public School Entrance(s) and must consider the relocation of the entrance(s) from Dufferin 3 to Street 'A' providing access from a lower volume local road.

ENBRIDGE GAS DISTRIBUTION

72. The Owner agrees to the following provisions, to be included in the Township's subdivision agreement, to the satisfaction of Enbridge Gas Distribution Inc.:
 - (a) the Owner shall contact Enbridge Gas Inc.'s Customer Connections department by emailing SalesArea20@Enbridge.com to determine gas availability, service and meter installation details and to ensure all gas piping is installed prior to the commencement of site landscaping (including, but not limited to: tree planting, silva cells, and/or soil trenches) and/or asphalt paving;
 - (b) easement(s) are required to service this development and any future adjacent developments. The Owner will provide all easement(s) to Enbridge Gas Inc. at no cost;
 - (c) the Owner will contact Enbridge Gas Distribution's Customer Connections department by emailing SalesArea20@enbridge.com prior to any site construction activities to determine if existing piping facilities need to be relocated or abandoned;
 - (d) in the event a pressure reducing regulator station is required, the Owner is to provide a 3 metre by 3 metre exclusive use location that cannot project into the municipal road allowance. The final size and location of the regulator station will be confirmed by Enbridge Gas Distribution's Customer Connections department. The Owner shall contact

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SalesArea20@enbridge.com for further details with respect to the foregoing.

Note: the Township shall be consulted with respect to any such location;

- (e) the Owner will grade all road allowances to as final elevation as possible, provide necessary field survey information and all approved municipal road cross sections, identifying all utility locations prior to the installations of the gas piping; and
- (f) Enbridge Gas Distribution reserves the right to amend or remove development conditions

BELL

73. The Owner agrees to the following provisions, to be included in the Township's subdivision agreement, to the satisfaction of Bell Canada:
- (a) The Owner acknowledges and agrees to convey any easement(s) as deemed necessary by Bell Canada to service this new development. The Owner further agrees and acknowledges to convey such easements at no cost to Bell Canada.
 - (b) The Owner agrees that should any conflict arise with existing Bell Canada facilities where a current and valid easement exists within the subject area, the Owner shall be responsible for the relocation of any such facilities or easements at their own cost.
 - (c) The Owner is advised to contact Bell Canada at planninganddevelopment@bell.ca during the detailed utility design stage to confirm the provision of communication/telecommunication infrastructure needed to service the development.
 - (d) It shall be noted that it is the responsibility of the Owner to provide entrance/service duct(s) from Bell Canada's existing network infrastructure to service this development. In the event that no such network infrastructure exists, in accordance with the Bell Canada Act, the Owner may be required to pay for the extension of such network infrastructure.
 - (e) If the Owner elects not to pay for the above noted connection, Bell Canada may decide not to provide service to this development.

CANADA POST

74. The Owner agrees to the following provisions, to be included in the Township's subdivision agreement, to the satisfaction of Canada Post, to undertake the following:

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- (a) consult with Canada Post to determine suitable locations for the placement of Community Mailboxes and to indicate these locations on appropriate servicing plans;
- (b) prior to offering any residential units for sale, to place a "Display Map" on the wall of the sales office in a place readily available to the public which indicates the location of all Canada Post Mailbox site locations, as approved by Canada Post and the Township;
- (c) include in all Offers of Purchase and Sale a statement which advises the prospective purchaser that mail delivery will be from a designated Community Mailbox and to include the exact locations (list of lot numbers) of each of the Community Mailbox locations;
- (d) provide the following for each Community Mailbox site and include these requirements on appropriate servicing plans:
 - i. an appropriately sized sidewalk section (concrete pad), as per Canada Post specifications, upon which to place the Community Mailboxes;
 - ii. any required walkway across the boulevard, as per municipal standards;
 - iii. any required curb depressions for wheelchair access, and;
 - iv. redline the plan to show a lay-by for vehicular traffic prior to final approval.

Note: the Township shall be consulted with respect to any such location

- (e) determine, provide and maintain a suitable and safe temporary Community Mailbox location(s) to be "fit up" prior to first occupancy. This temporary site will be utilized by Canada Post until the above-mentioned criteria is completed at the permanent Community Mailbox site locations. This will enable Canada Post to provide mail service to new residences as soon as homes are occupied

UTILITIES

- 75. The Owner agrees in the subdivision agreement to provide to the Township confirmation from the telecommunication company, cable company, gas company and Hydro One, that arrangements have been made to their respective satisfaction for the installation of such utilities and services, including underground services in the draft plan of subdivision.

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MINISTRY OF TOURISM AND CULTURE

76. No grading or other soil disturbance shall take place on the subject property prior to a letter of clearance from the Ministry of Tourism, Culture and Sport, with respect to archaeological assessment. It is acknowledged in the letter dated May 20, 2020 by Ministry of Heritage, Sport, Tourism, and Culture Industries that the Stage 1 report has been entered into the Provincial register of archaeological reports. It is acknowledged in the letter dated June 9, 2022 by the Ministry of Heritage, Sport, Tourism, and Culture Industries that the Stage 2 report has been entered into the Provincial register of archaeological reports.

ROGERS

77. Prior to registration of the plan of Subdivision, the Owner will, at its own cost, grant all necessary easements and maintenance agreements required by those CRTC-licensed telephone companies and broadcasting distribution companies intending to serve the Subdivision (collectively, the "Communications Service Providers"). Immediately following registration of the Plan of Subdivision, the Owner will cause these documents to be registered on title.
78. Prior to registration of the plan of Subdivision, the Owner will, with consultation with the applicable utilities and Communication Service Providers, prepare an overall utility distribution plan that shows the locations of all utility infrastructure for the Subdivision, as well as the timing and phasing of installation.

NOISE AND ODOUR

79. Prior to any grading or development, the Owner shall agree that construction activities will be undertaken in accordance with the standards contained in the Township Noise By-law and any other requirements contained within the subdivision agreement.
80. The Owner agrees to notice clauses to be contained within the subdivision agreement with the Township together with the provision of statements in all Offers of Purchase and Sale to provide notice to prospective purchasers regarding surrounding land uses. The clauses and statements are as follows and shall be updated to incorporate any additional warning clauses, or mitigative measures determined through an updated Noise Report:
- (a) potential noise disturbances and odour may emanate from neighbouring properties including those noises and/or odours caused by area agricultural operations, East Garafraxa Public School, County Road 3, County Road 24 and future Employment Blocks located adjacent and in the Subject Lands. The following clause shall be included:

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All Lots

"The purchasers/tenants are advised that lands in the vicinity of the subdivision are farm lands and may be used for the growing of crops and the raising and housing of livestock, and normal farm practices are to be anticipated on these lands including noise and odour."

"The purchasers are advised that the East Garafraxa Public School is near the subdivision and noise and increased traffic associated with school drop off and pick up times are to be anticipated on these lands"

"The purchasers are advised that County roads are adjacent to the subdivision lands. County roads are collector roads that are expected to have higher volumes of traffic."

"The purchasers are advised that employment blocks are within the subdivision lands and noise, odour, and increased traffic on Street B should be anticipated. The official plan designates Employment use within the plan adjacent to Lot 33, Lots 34-40, , and Lot 41."

Lots 10-14, 41-44, and Lot 15 if released for a building lot

"Purchasers/tenants are advised that sound levels due to increasing road traffic may on occasion interfere with some activities of the dwelling occupants as the outdoor sound levels exceed the sound level limits of the Ministry of the Environment, Conservation and Parks."

"This dwelling unit has been designed with the provision for adding central air conditioning at the occupant's discretion. Installation of central air conditioning by the occupant in low density developments will allow windows and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the sound levels limits of the Ministry of the Environment, Conservation and Parks."

(b) together with the notice clauses to be part of the Schedule as set out in Condition 39; and

(c) together with any other notice clauses that the Township may deem appropriate and proper.

FEES AND CHARGES

81. The Owner agrees to pay all Township and County of Dufferin fees, charges, levies and development charges as may be required for the development.
82. The Owner agrees to maintain its account in good standing with the Township for reimbursement to the Township of Township expenses for outside consultant and legal services rendered to obtain approval, review,

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processing, registration and implementation of this draft plan of subdivision.

CLEARANCE OF CONDITIONS

83. That prior to final approval, the Township is to be advised in writing by GRCA how Conditions 25 (as referenced within), 32 (as referenced within), 42(a) (as referenced within), and 62 have been satisfied.
84. That prior to final approval, the Township is to be advised in writing by Upper Grand District School Board how Condition 63 has been satisfied.
85. That prior to final approval, the Township is to be advised in writing by Dufferin-Peel Catholic District School Board how Condition 64 has been satisfied.
86. That prior to final approval, the Township is to be advised in writing by the County of Dufferin how Conditions 65-71 have been addressed.
87. That prior to final approval, the Township is to be advised in writing by Enbridge Gas Distribution Inc. how Condition 72 has been satisfied.
88. That prior to final approval, the Township is to be advised in writing by Bell how Condition 73 has been satisfied.
89. That prior to final approval, the Township is to be advised in writing by Canada Post how Condition 74 has been satisfied.
90. That prior to final approval, the Township is to be advised in writing by Rogers how Conditions 77 and 78 has been satisfied.
91. The Owner agrees that Draft Approval shall apply for three (3) years from the date of issuance of Draft Approval and shall lapse on the anniversary of the date of the issuance of Draft Approval, unless draft plan approval is extended prior to the lapsing date. If so required, application shall be made to extend draft plan approval prior to such lapsing, which may or may not be granted.

NOTES TO DRAFT APPROVAL

The Owner is hereby advised:

- a) that pursuant to Section 69 of the Planning Act, the Owner will be required to pay processing fees to the Township for each final approval of this Subdivision, in accordance with the Township By-law, as amended from time to time. Fees are also required by the Township for each application to extend Draft Approval and for Major Revisions to the Draft Plan or conditions;

Applicants: Marsville Estates Inc.
File Number: TWP File S1-20
Municipality: Township of East Garafraxa
Subject Lands: Lot 5, Concession 14

- b) that Township and County of Dufferin Development Charges will be payable in accordance with the applicable municipal Development Charges by-laws;
- c) that Development Charges of the respective School Boards and Hydro One are payable in accordance with their respective Development Charge requirements.
- d) the Township shall require that a Letter of Credit, the amount of which shall be determined in accordance with the Township's requirements, be provided by the Owner to the Township required within the Subdivision Agreement and as part of the execution of the Subdivision Agreement to ensure satisfactory completion of the project;
- e) a copy of the draft and the executed subdivision agreement should be provided by the Owner to GRCA, School Boards, Canada Post, Hydro One, Enbridge Gas Distribution Inc. and other utilities to facilitate the clearance of conditions;
- f) if so required, the Owner agrees to red-line revise the draft plan to meet the requirements of the conditions contained herein;
- g) it is the Owner's responsibility to fulfil the conditions of draft approval and to ensure that the required clearance letters are forwarded by the appropriate agencies to the Township quoting the File Number S2-20;
- h) clearance is required from the following:
 - i. Township of East Garafraxa
065371 Dufferin County Road 3, Unit 2
East Garafraxa ON
L9W 7J8
 - ii. Grand Valley Conservation Authority
400 Clyde Road
PO Box 729
Cambridge, ON
N1R 5W6
 - iii. Upper Grand District School Board
500 Victoria Road North
Guelph, ON
N1E 6K2
 - iv. Dufferin-Peel Catholic District School Board
40 Matheson Boulevard West
Mississauga, ON
L5R 1C5

Applicants: Marsville Estates Inc.
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- v. Enbridge Gas Distribution Inc.
500 Consumers Road
North York, ON
M2J 1P8
 - vi. Bell Canada
 - vii. Canada Post
193 Church Street, Suite 200
Oakville, ON
L6J 7S9
 - viii. Ministry of Tourism and Culture
900 Highbury Avenue
London, ON
N5Y 1A4
 - ix. Rogers
3573 Wolfedale Road
Mississauga, ON
L5C 1V8
 - x. County of Dufferin
30 Centre Street
Orangeville, ON
L9W 2X1
- i) All measurements in the Final Plan of Subdivision must be presented in metric units.

Note re Registration

The Final Plan of Subdivision approved by the Township must be registered within (30) thirty days or the Township may withdraw his approval under Section 51(59) of the Planning Act.

THE CORPORATION OF THE TOWNSHIP OF EAST GARAFRAXA

BY-LAW NUMBER XX-2024

**Being a By-Law to Number Zoning By-Law Amendment for the Lands
Described as Part Lot 5, Concession 14, Township of East Garafraxa**

WHEREAS The Ontario Land Tribunal (Case Number: OLT-22-004307) by its Decision dated April 25, 2024 approved the site specific Zoning By-Law (application file Z5-20) along with the associated Plan of Subdivision (application file S1-20) (known as Marsville Estates Inc. (MEI)) with respect to Part Lot 5, Concession 14 (063076 County Road 3), Township of East Garafraxa;

AND WHEREAS the Ontario Land Tribunal by its Order authorizes the Township Clerk to assign a By-Law number to the Zoning By-Law approved by the Tribunal for the subject lands for record keeping purposes;

NOW THEREFORE Council of the Corporation of the Township of East Garafraxa enacts as follows:

1. That Zoning By-Law Amendment attached as Schedule "A" be numbered XX-2024 pursuant to the Ontario Land Tribunal Order dated April 25, 2024 attached as Schedule "B".
2. That Schedule "A" be provided with the following rezoning exceptions numbers:
 - 2.1. Hamlet Residential Exception Two (HR-2) (Schedule "A", Section 2);
 - 2.2. Open Space Exception Two (OS-2) (Schedule "A", Section 3);
 - 2.3. Rural Exception Twelve (RU-12) (Schedule "A", Section 4); and
 - 2.4. Rural Exception Thirteen (RU-13) (Schedule "A", Section 5).
3. In all other respects the provisions of By-Law 60-2004, as amended, shall apply.
4. This by-law shall take effect from the date of passing thereof.

BY-LAW READ A FIRST AND SECOND TIME THIS **XX** DAY OF **JUNE 2024**

BY-LAW READ A THIRD TIME AND PASSED THIS **XX** DAY OF **JUNE 2024**

Clerk

Head of Council

THE CORPORATION OF THE TOWNSHIP OF EAST GARAFRAXA
ZONING BY-LAW NUMBER _____-2024

“A By-law of the Township of East Garafraxa to amend Zoning By-Law 60-2004 and Schedule A-1 by rezoning portions of lands legally described as Part of Lot 5, Concession 14, in the Township of East Garafraxa, municipally known as 063076 County Road 3, from ‘Rural’ (RU) and ‘Environmental Protection’ (EP) to ‘Hamlet Residential Exception ___’ (HR-X), ‘Open Space Exception ___’ (OS-X), ‘Environmental Protection’ (EP), and ‘Rural Exception ___’ (RU-X) as depicted on Schedule ‘A-1’ attached hereto.”

WHEREAS the Council of the Corporation of the Township of East Garafraxa is empowered to pass By-laws to regulate the use of land pursuant to Section 34 of the Planning Act, R.S.O 1990, cP.13, as amended;

AND WHEREAS the Council of the Corporation of the Township of East Garafraxa has determined a need to rezone the lands described above;

AND WHEREAS the Council of the Corporation of the Township of East Garafraxa deems said application to be in conformity with the Official Plan of the Township of East Garafraxa, as amended, and deems it advisable to amend By-law 60-2004;

NOW THEREFORE the Council of the Township of East Garafraxa hereby enacts as follows:

1. THAT Schedule “A-1” of Zoning By-law No. 60-2004, as otherwise amended, is hereby further amended by rezoning portions of lands legally described as Part of Lot 5, Concession 14, in the Township of East Garafraxa, municipally known as 063076 County Road 3, from ‘Rural’ (RU) and ‘Environmental Protection’ (EP) to ‘Hamlet Residential Exception ___’ (HR-X), ‘Open Space Exception ___’ (OS-X), ‘Environmental Protection’ (EP), and ‘Rural Exception ___’ (RU-X) as depicted on Schedule ‘A-1’ attached hereto and forming part of this By-law.
2. Notwithstanding the provisions as set out in Zoning By-law 60-2004, lands zoned ‘Hamlet Residential Exception ___’ (HR-X) shall be permitted subject to the following provisions:
 - Minimum Lot Area: 0.18 hectares
 - Minimum Lot Frontage: 17.0 metres

- Minimum Exterior Side Yard: 3.0 metres
 - Maximum Lot Coverage: 30 %
 - Parking (home occupations): Permit parking in the front yard.
3. Notwithstanding the provisions as set out in Zoning By-law 60-2004, lands zoned 'Open Space Exception ____' (OS-X) shall be permitted subject to the following provisions:
- Minimum Lot Area: 0.07 hectares
 - Minimum Lot Frontage: 4.0 metres
4. Notwithstanding the provisions as set out in Zoning By-law 60-2004, lands zoned 'Rural Exception ____' (RU-X) shall be permitted subject to the following provisions:
- Minimum Lot Area: 0.70 hectares
 - Minimum Lot Frontage: 13.0 metres
5. Notwithstanding the permitted uses as set out in Zoning By-law 60-2004, uses on lands zoned 'Rural Exception ____' (RU-X) shall be limited to the following:
- Uses existing as of the date of passing of this By-law;
 - agricultural use;
 - bed and breakfast establishment;
 - farm produce sales outlet accessory to an agricultural use;
 - greenhouse;
 - home industry;
 - home occupation;
 - public open space;
 - single detached dwelling;
 - Veterinary hospital.
6. That all other provisions of Zoning By-law 60-2004, as amended, shall apply.
7. That Schedule "A-1", attached, does and shall form part of this By-law.
8. That this By-law shall come into force and take effect on the date of passing thereof, subject to the provisions of Section 34 of The Planning Act, R.S.O., 1990, as amended.

BY-LAW READ A FIRST, SECOND AND THIRD TIME THIS ____ DAY OF _____, 2024.

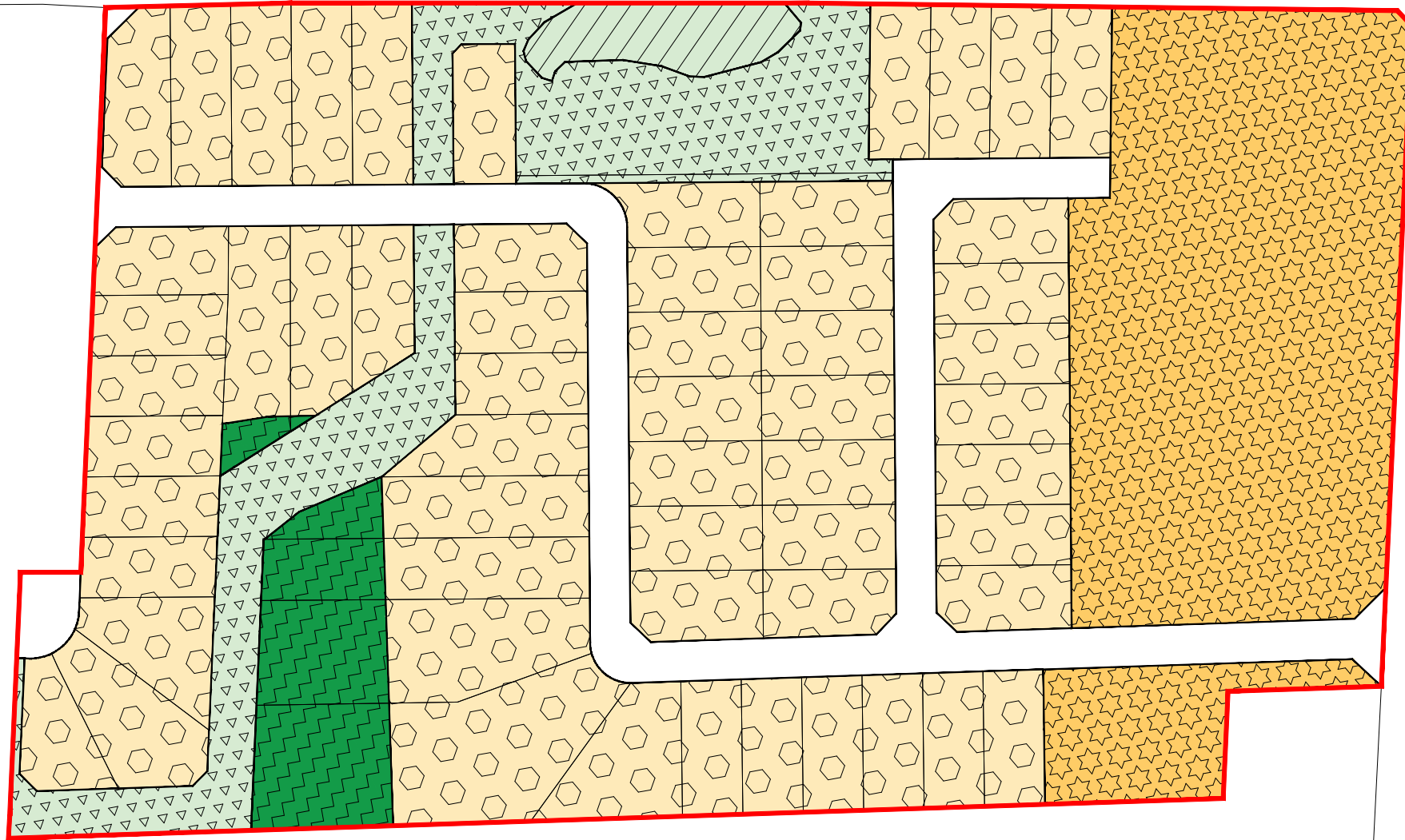
Mayor

Clerk



COUNTY RD. 3







COUNTY RD. 24



SCHEDULE 'A-1' ZONING BY-LAW AMENDMENT

063076 COUNTY ROAD 3,
IN THE
TOWNSHIP OF EAST GARAFRAXA,
COUNTY OF DUFFERIN

LEGEND

-  Subject Site (26.04ha)
-  Lands to be rezoned from 'Rural (RU)' zone to 'Hamlet Residential with Exceptions (HR-X)' zone
-  Lands to be rezoned from 'Environmental Protection (EP)' zone to 'Open Space with Exceptions (OS-X)' zone
-  Lands to be rezoned from 'Rural (RU)' zone to 'Open Space with Exceptions (OS-X)' zone
-  Lands to be rezoned from 'Rural (RU)' zone to 'Environmental Protection (EP)' zone
-  Lands to be rezoned from 'Rural (RU)' zone to 'Rural with Exceptions (RU-X)' zone

Source: Township of East Garafraxa Zoning By-Law 60-2004, Schedule 'A-1' Marsville, Office Consolidation April 2011

Note: This drawing is for discussion purposes only.
The information shown is approximate and subject to change.



Date:	Dec. 20, 2023	Drawn By:	A.S.
File:	19 - 869	Drawn By:	D.V. / T.K.

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 tel: 705 • 812 • 3281 fax: 705 • 812 • 3434 e: info@ipsconsultinginc.com www.ipsconsultinginc.com

Ontario Land Tribunal
Tribunal ontarien de l'aménagement
du territoire



ISSUE DATE: April 25, 2024

CASE NO(S).:

OLT-22-004307

PROCEEDING COMMENCED UNDER section 34(11) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Applicant/Appellant: Marsville Estates Inc.
Subject: Application to amend the Zoning By-law –
Refusal or neglect to make a decision
Description: To permit the development of a 59-unit
residential subdivision
Reference Number: Z5-20
Property Address: 63076 County Road 3
Municipality/UT: East Garafraxa/Dufferin
OLT Case No.: OLT-22-004307
OLT Lead Case No.: OLT-22-004307
OLT Case Name: Marsville Estates Inc. v. East Garafraxa
(Township)

PROCEEDING COMMENCED UNDER section 51(34) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Applicant/Appellant: Marsville Estates Inc.
Subject: Proposed Plan of Subdivision – Failure of
Approval Authority to make a decision
Description: To permit the development of a 59-unit
residential subdivision
Reference Number: S1-20
Property Address: 63076 County Road 3
Municipality/UT: East Garafraxa/Dufferin
OLT Case No.: OLT-22-004308
OLT Lead Case No.: OLT-22-004307

Heard: April 18, 2024, in writing

APPEARANCES:**Parties**

Marsville Estates Inc.

Township of East Garafraxa

CounselA. Jeanrie
S. BrazzellJ. Wilker
S. Floras**DECISION DELIVERED BY P. TOMILIN AND ORDER OF THE TRIBUNAL**

[Link to Order](#)

[1] This was a Hearing in the matter of the appeal by Marsville Estates Inc. (“Applicant” / “Appellant”) from the failure of the Township of East Garafraxa (“Township”) to make a decision within the statutory timeframes on applications for a Zoning By-Law Amendment and a Plan of Subdivision (“Applications”), pursuant to s. 34(11) and 51(34) of the *Planning Act* (“Act”), for the property municipally known as 63076 County Road 3 (“subject property” / “site”).

[2] Planning evidence was provided to the Tribunal by means of the written Affidavit of Darren Vella. Mr. Vella has over 24 years of experience in planning matters, including extensive experience in rural planning. After reviewing the qualifications and the signed Acknowledgement of Expert Duty, the Tribunal is satisfied that Mr. Vella is a qualified professional land use planner.

LOCATION AND SITE CONTEXT

[3] The subject property, is located at the southwest corner of County Road (“CR”) 3 and CR 24. It has a frontage of 641 metres (“m”) on CR 3 and 328 m of frontage on CR 24, and is approximately 26.1 hectares (“ha”) in size. The site has a vehicular access from both roads.

[4] The subject property is designated Community Settlement Area in the County of

Dufferin (“County”) Official Plan (“OP”). It is designated Employment, Community Residential and Environmental Protection in the Township OP. The site is zoned Rural (RU) and Environmental Protection (EP) by the Township's Zoning By-law and is located within the Settlement Area of Marsville, which is a small rural hamlet containing a school, has a small residential population, and commercial/employment uses.

[5] Mr. Vella explained that the majority of the property (23.2 ha or 87.8%) was previously used for agricultural purposes and is currently vacant. A woodlot area is located in the southwest portion of the lot, covering 3.12 ha, or 11.9%, of the subject property. The County identifies a watercourse and woodlands as part of the County's Preliminary Natural Heritage System in the County OP. Ganarska Region Conservation Authority ("GRCA") identifies a small area in the north of the subject property as regulated area, and it is associated with the Butler Creek floodplain.

[6] Mr. Vella provided that the subject property is not located within the Greenbelt, the Oak Ridges Moraine, or the Niagara Escarpment Planning Areas. The site is located within the Greater Golden Horseshoe and is subject to the A Place to Grow: Growth Plan for the Greater Golden Horseshoe (“GP”) and the Provincial Policy Statement, 2020 (“PPS”).

HISTORY OF THE APPLICATIONS

[7] Mr. Vella provided an overview of the history of the Applications. He stated that the original proposal contemplated a larger development proposal in which the entirety of the lands were proposed for residential development. The application for Official Plan Amendment (“OPA”) proposed to redesignate the Employment Land to Community Residential through an Employment Land Conversion and aimed to create an 80-unit residential subdivision with a stormwater management pond, a stormwater bypass channel for surface water drainage, and a public park. Two access points were proposed, one from CR 3 with another from CR 24 on five internal streets with right-of-way widths of 20 m.

[8] After receiving comments from the Township and external agencies, the Applicant revised the original proposal and resubmitted the application in February of 2021. The proposal was reduced to a 78-unit residential subdivision and maintained the stormwater management pond and bypass channel. The public park was relocated to a central location and the municipal road access point from CR 24 was replaced with an emergency exit only. The five municipal roads proposed under the original proposal were reduced to three municipal roads, with one main access from CR 3.

[9] The revised proposal was circulated for agency comments. Mr. Vella submitted that he met with Township staff, their consultants, and external agencies to discuss the proposal in order to resolve outstanding issues, following which the final submission was made in May, 2022, accompanied by the updated technical reports.

[10] Following the discussions, Mr. Vella submits that the proposed development was reduced to a 58-unit residential subdivision by deferring the OPA application based on the County undertaking a Municipal Comprehensive Review. The final submission requested the Township to review the modified Zoning By-law Amendment and Draft Plan of Subdivision applications, consisting of a stormwater management pond, bypass channel, public park and three municipal roads.

[11] Mr. Vella proffered that the final submission was circulated for municipal and agency comments. Based on comments received, the Applicant decided to file an Appeal, due to the Township Council's failure to make a decision within the required timeline under the Act. In the mean time, the Appellant has continued to work with the Township to resolve any remaining issues. As a result of discussions, a revised set of plans were agreed to and submitted to the Township on January 18, 2024. The Township Council and the Appellant reached an agreement on February 13, 2024.

LEGISLATIVE FRAMEWORK

[12] Under the applicable planning instruments, the Tribunal must be satisfied that the proposed development represents good planning, have regard for matters of provincial

interest under s. 2 of the Act, is consistent with the PPS, and conforms to the GP, the OPs and the applicable Zoning By-laws.

EVIDENCE

[13] In Mr. Vella's view, the proposed development has regard for the matters of provincial interest, as outlined in s. 2 of the Act.

[14] Mr. Vella is of the opinion that the proposed development will increase the supply of housing in the area while preserving the area's rural character by offering generously sized estate lots. He explained that the Applications propose single-detached residential development under the Hamlet Residential (HR) zone, with reduced lot areas and frontages in order to optimize site efficiency.

[15] Mr. Vella proffered that the proposed subdivision is not premature, as the lands have remained vacant for a number of years, and would introduce much needed housing into the market.

[16] It is Mr. Vella's opinion that the development proposal has regard for matters of provincial interest, including the orderly development of safe and healthy communities; the adequate provision of increasing housing stock; the appropriate location of growth and development; and the promotion of development that is designed to be sustainable, to support pedestrians and community building.

[17] Mr. Vella reviewed the applicable policies of the PPS, the GP, the County OP and Township OP, and s. 51(24) of the Act.

[18] In summary, in Mr. Vella's opinion, the development proposal has regard to matters of provincial interest in the Act, is consistent with the PPS and conforms with the GP; the County OP, and the Township OP.

[19] Mr. Vella provided that the proposed development will increase the housing supply, and would allow the community of Marsville to develop into a more complete community. He further provided that the proposed development would lead to the existing municipal water system upgrade that will benefit the entire community.

[20] Mr. Vella concluded that it is his opinion that the proposed development represents good planning, is in the public interest, and should be approved.

ANALYSIS AND FINDINGS

[21] The Tribunal accepts the uncontroverted professional opinion of Mr. Vella and finds that the proposed Zoning By-law Amendment and Draft Plan of Subdivision represent good planning, are consistent and/or conform with the higher-level policy documents, such as the PPS, the GP, the County OP, Township OP, and s. 51(24) of the Act.

ORDER

[22] **THE TRIBUNAL ORDERS** that the appeal is allowed in part and directs the municipality to amend By-law No. 60-2004. The Tribunal authorizes the municipal clerk of the Township of East Garafraxa to assign a number to this by-law for record keeping purposes;

[23] **THE TRIBUNAL ORDERS** that the appeal is allowed in part and the draft plan shown on the plan prepared by Innovative Planning Solutions dated December 20, 2023 comprising 63076 County Road 3, in the Township Of East Garafraxa, County of Dufferin is approved subject to the fulfillment of the conditions set out in Attachment 1 to this Order;

[24] **AND THE TRIBUNAL ORDERS** that pursuant to subsection 51(56.1) of the *Planning Act*, the Township of East Garafraxa shall have the authority to clear the conditions of draft plan approval and to administer final approval of the plan of

subdivision for the purposes of subsection 51(58) of the *Act*. In the event that there are any difficulties implementing any of the conditions of draft plan approval, or if any changes are required to be made to the draft plan, the Tribunal may be spoken to.

“P. Tomilin”

P. TOMILIN
MEMBER

Ontario Land Tribunal

Website: olt.gov.on.ca Telephone: 416-212-6349 Toll Free: 1-866-448-2248

The Conservation Review Board, the Environmental Review Tribunal, the Local Planning Appeal Tribunal and the Mining and Lands Tribunal are amalgamated and continued as the Ontario Land Tribunal (“Tribunal”). Any reference to the preceding tribunals or the former Ontario Municipal Board is deemed to be a reference to the Tribunal.

ATTACHMENT 1

Applicants: Marsville Estates Inc.
File Number: TWP File S1-20
Municipality: Township of East Garafraxa
Subject Lands: Lot 5, Concession 14

File Number: S1-20

The conditions and amendments to final plan approval for registration of this subdivision file number S1-20 are as follows:

Conditions

1. That this approval applies to the draft plan of subdivision prepared by Innovative Planning Solutions, as revised December 18, 2023.

The plan of subdivision S1-20 ("Plan") shows:
 - **58 residential lots**
 - **Block 59 for Stormwater Management**
 - **Block 60 for Drainage Swale**
 - **Block 61 for Open Space**
 - **Block 62 for Walkway**
 - **Block 63 for Restricted Rural**
 - **Block 64 for Restricted Rural**
 - **Block 65 for 0.3m reserve**
 - **Block 66 and 67 for 0.3m reserve to be dedicated to Dufferin County**
 - **Block 68 for Lands to be dedicated to Dufferin County**
 - **Internal Street A**
 - **Internal Street B**
 - **Internal Street C**
2. The Owner shall, prior to final approval, enter into a subdivision agreement to be registered on title to satisfy all requirements, including financial, servicing, environmental, and other requirements to the satisfaction of the Township of East Garafraxa ("Township").
3. That before final approval, the Owner shall provide lot frontage and area information to the Township to ensure that all lots conform to the Zoning By-law.
4. The subdivision shall be zoned to the satisfaction of the Township and such zoning shall be in full force and effect prior to final approval.
5. The Owner shall agree that no works shall occur on the lands shown within the Plan until the Owner has entered into a subdivision agreement, a pre-servicing agreement or a model home agreement with the Township, unless otherwise agreed to by the Township in writing. The Owner shall also agree in the subdivision agreement or other agreements as referenced, to certain restrictions when undertaking the works and shall agree that tree clearing operations are only permitted between September 30 to March 31 of any given year.
6. The Owner shall agree in the subdivision agreement with the Township that in the event that the future development of the property is to be phased, a

Applicants: Marsville Estates Inc.
 File Number: TWP File S1-20
 Municipality: Township of East Garafraxa
 Subject Lands: Lot 5, Concession 14

detailed development Phasing Plan must be submitted prior to final approval of the first phase of development. The Phasing Plan shall indicate the sequence of development, the land area in hectares, the number of lots and blocks in each phase, grading to minimize the total soil area exposed at a given time and construction of public services, including the provision of water supply servicing, to the satisfaction of the Township. The Phasing Plan must also be reflected in all required reports mentioned in these conditions. The Phasing Plan will not include Lot 15, 41 and 42 as a developable lot in the first phase of development. The Owner shall also agree in the subdivision agreement that the Owner will not enter into an agreement of purchase and sale for any draft approved lot prior to registration of this Plan unless so authorized by the approved Phasing Plan and in no case may the Owner enter an agreement of purchase and sale of Lot 15 until the stormwater management analysis and floodplain analysis has been completed to the satisfaction of the Township.

7. The Owner acknowledges that Lot 15 will have a holding provision in the Zoning By-Law until the stormwater management analysis and floodplain analysis has been completed to confirm that Block 59 the stormwater management block is sufficient for the stormwater management facility and conveyance of regional flows for the draft plan including the addition of the Rural Lands which stormwater management facility shall permit an increased imperviousness coverage in comparison to Residential Lands to the satisfaction of the Township.
8. The Owner acknowledges that Lot 41 and 42 may be developed as residential lots on the draft plan when the Township agrees at their sole discretion that the temporary turning circle is not required. The Owner agrees to maintain Lots 41 and 42 in a condition satisfactory to the Township, until such time as it is developed as residential lots and further planning justification supports removal of the temporary turning circle.. The Owner agrees that Lots 41 and 42 shall not be sold or conveyed until the final use of Block 63 has been confirmed and a thru road is constructed that eliminates the dead end road and requirement for a temporary turning circle.
9. The Owner shall agree in the subdivision agreement that Firebreak lots shall be to the satisfaction of the Fire Chief. The Owner agrees that no construction shall proceed on a lot, until the exterior finish cladding, roofing and windows on the abutting lot have been completed, unless otherwise approved by the Fire Chief.

DEDICATIONS

10. The Owner shall dedicate gratuitously to the Township all lands and easements required for the water supply and treatment system and all of the works and improvements which form the water supply and treatment system in accordance with the Township requirements and applicable legislation for the operation, maintenance and assumption of these works necessary to supply potable water and fire protection services to the lots shown within the Plan, and to future development that may be anticipated

Applicants: Marsville Estates Inc.
File Number: TWP File S1-20
Municipality: Township of East Garafraxa
Subject Lands: Lot 5, Concession 14

on the adjoining lands, owned by the Township located west of the Plan, legally described as PIN 34078-0114.

11. The Owner shall agree in the subdivision agreement to secure a temporary access and construction right of way from the Township across the Township lands legally identified as PIN 34078-0112 where internal Street A is shown, and to secure a temporary access and construction right of way from the Township across the Township lands legally identified as PIN 34078-0114 where a turning bulb is shown, for the purpose of permitting the design and construction of Internal Street A and a turning bulb, that meet Township standards for public highways, all of which shall be to the satisfaction of the Township Engineer and Township Solicitor.
12. The Owner shall dedicate the road allowances, Street 'B', and Street 'C' and that part of the road allowance on Street 'A' gratuitously, free and clear of any encumbrances, as a public highway (by Certificate on the Plan) to the satisfaction of the Township Solicitor. It is noted that almost the entirety of Street 'A' is already owned by the Township of East Garafraxa by PIN 34078-0112 and all improvements made by the Owner to design, build and construct Street 'A' as a public highway to Township standards, shall be dedicated gratuitously to the Township, (by certificate on the Plan).
13. The Owner agrees to dedicate gratuitously any required access and/or drainage easements to the satisfaction of the Township and any such dedications shall be to the satisfaction of the Township Engineer, or Solicitor.
14. The Owner agrees that Block 68 shall be dedicated gratuitously as a public highway (by Certification on the Plan) and Block 66 and 67 for 0.3m reserves to the County of Dufferin to the satisfaction of the Township solicitor.
15. The Owner agrees to dedicate gratuitously to the Township, free and clear of any encumbrances, Block 59 for stormwater management, Block 60 for the drainage swale, Block 61 (noting that Block 61 is already owned by the Township of East Garafraxa and such dedication refers to improvements made by the Owner to Block 61) for open space, Block 62 for a walkway and Block 65 for reserve, which gratuitous dedications shall be to the satisfaction of the Township Solicitor. The Owner shall further dedicate gratuitously to the Township, free and clear of any encumbrances, any additional lands should same be required to implement the Draft Plan of Subdivision and conditions of draft approval, which gratuitous dedications shall be to the satisfaction of the Township Solicitor.
16. The Owner agrees to provide for watermain looping to the satisfaction of the Township Engineer and shall agree in the subdivision agreement that watermain looping shall be provided on both a temporary and a permanent basis and agrees to dedicate such lands to the Township, as necessary, to the satisfaction of the Township Engineer to ensure a temporary and permanent looped water system.

Applicants: Marsville Estates Inc.
 File Number: TWP File S1-20
 Municipality: Township of East Garafraxa
 Subject Lands: Lot 5, Concession 14

17. The Owner shall agree in a subdivision agreement to dedicate gratuitously all easements free and clear of any encumbrances to any public authority or utility, including, but not limited to the Township, cable, gas, hydro, or telecommunications companies, as may be required, (and with respect to cable and gas services subject to such services being available). It is recognized that these dedications are in addition to any easements that may be shown on the plan and any such dedications shall be to the satisfaction of the Township Solicitor.

PARKLAND –PAYMENT IN LIEU

18. The Owner shall satisfy the statutory 5% parkland requirement of the residential lands included in the plan, by providing payment of cash in lieu to the Township which shall be paid to the Township upon execution of the subdivision agreement. The Owner shall also satisfy the statutory 2% parkland requirement for the employment lands included with the area of the plan by providing payment of cash in lieu to the Township upon execution of this agreement.

ROADS

19. (a) The Owner shall design and construct internal Street 'A', Street 'B', and Street 'C' to Township standards, including meeting Township grading requirements, naming the road to the satisfaction of the Township.
- (b) The Owner shall design and construct the connection to Street 'A' to County Road 3 and Street 'B' to County Road 24 and make any necessary improvements to connect to the respective streets, to the satisfaction of the County.
20. The Owner acknowledges that notwithstanding that the lands where upon Street 'A' is shown in the plan are currently owned by the Township, the Owner shall, upon securing a temporary access and construction right of way from the Township, design, construct, and maintain Street 'A' as if it were in the Plan, and in the same way as Streets 'B' and 'C'. All works on Street 'A' Street 'B' and 'C' are local connections not to be funded through the Township's Development Charges (including not to be funded through Development Charges reserves).
21. The Owner shall provide standard pavement markings and traffic signage on all roads, and at all proposed intersections within and related to the plan of subdivision to the Township and County's satisfaction.
22. The Owner shall provide street lighting (Light Emitting Diode ("LED")) for the roads including temporary or permanent turning circles to the satisfaction of the Township and shall make operational the street lighting on all roads within 90 days of the issuance of the first building permit. It is acknowledged that the street lighting requirement for County Road 3 and

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Country Road 24 shall be restricted to the intersections of Street 'A' and Street 'B'.

23. The Owner shall agree in the subdivision agreement with the Township to locate and construct all driveways accessing municipal roads, including driveway aprons, all to the satisfaction of the Township Engineer. Driveways shall be limited to one access point from the municipal road. Driveway entrances shall not be permitted to connect to the adjacent County Roads.

FENCING

24. The Owner shall agree in the subdivision agreement with the Township to prepare a fencing plan and install appropriate fencing in accordance with that fencing plan all to the satisfaction of the Township. The Owner shall include post and wire fencing on the south boundary of the subject lands boarding agricultural field, black vinyl chain link fencing where each rear and side of the lots shown on the plan boarder Block 60, the stormwater management block, Walkway block all to the satisfaction of the Township.

STORMWATER MANAGEMENT

25. The Owner shall agree in the subdivision agreement with the Township to design and construct any required stormwater management facilities to the satisfaction of the Township and Grand River Conservation Authority. The stormwater management facility shall be designed to accommodate stormwater flow, conveyance and outfall from the adjoining lands owned by the Township, legally described as PIN 34078-0114 and the lands owned by the Township, where Street 'A' is to be designed and constructed, legally described as PIN 34078-0112. Stormwater management facilities shall be approved by the Ministry of the Environment, Conservation and Parks ("MECP") pursuant to Section 53 of the Ontario Water Resources Act, unless the Township has received, and works are authorized under the Township's Consolidated Linear Infrastructure Environmental Compliance Approval for the Township's Stormwater Management System. The Owner shall agree in the subdivision agreement to obtain such required approvals prior to construction of the stormwater management facilities occurring.
26. Prior to final approval of the plan, the Owner shall provide confirmation if Lot 15 is required for stormwater management or containment of peak flows from the drainage swale for major storms including the regional storm. If Lot 15 is not required at the sole discretion of the Township, the Township shall release the lot and allow it to be registered as a lot to be built upon. Alternatively, if it is required for stormwater management it shall be dedicated to the Township prior to Final Approval for it to be accepted by such terms as set out in the subdivision agreement for inclusion as part of the stormwater management facility.

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GRADING

27. The Owner shall agree that grading plans shall be prepared and submitted to the satisfaction of the Township prior to final approval; and that all such grading plans including the grading of roads meet all applicable standards, and shall be to the satisfaction of the Township and Township's Director of Public Works. Should such grading not be satisfactory, the Owner specifically agrees that the plan of subdivision shall be redlined, so as to make the grading acceptable and satisfactory to the Township. The Owner shall agree in the subdivision agreement with the Township to design and construct all grading, drainage, and servicing including the water supply system, under the Township's jurisdiction to the satisfaction of the Township. The Owner shall further agree and acknowledge that further design/lotting changes may be necessary within the draft plan of subdivision arising from the detailed grading plan. Recommendations of the detailed grading plan will be implemented to the satisfaction of the Township.
28. The Owner shall agree in the subdivision agreement to prepare a fill management plan in accordance with MECP's Management of Excess Soil – A Guide for Best Management Practices as well as Ontario Regulation 406/19 and the Soil Rules to the satisfaction of the Township should the plan require fill importation as determined during the detail design stage. The plan shall be prepared by a Qualified Person as defined in Ontario Regulation 153/04 and include provisions for road access, haul routes and monitoring, to comply with O Reg 406/19.

CONSTRUCTION AND SEDIMENT/EROSION CONTROL MEASURES

29. The Owner shall agree in the subdivision agreement with the Township to construct all works which must be considered temporary to facilitate the development of the subject property to the satisfaction of the Township and any other relevant public agency. These works may include but shall not be limited to, emergency access, temporary cul-de-sacs, temporary erosions control measures and temporary stormwater facilities.
30. The Owner shall agree in the subdivision agreement with the Township to erect temporary fencing, or snow fencing, as required on the property, prior to the commencement of site works, to the satisfaction of the Township and that such fencing remain in place until directed otherwise by the Township.
31. The Owner shall agree in the subdivision agreement with the Township to stabilize all disturbed soil within 90 days, or such other period as the Township may agree to taking into account standard engineering practices, of such soil being disturbed, control all noxious weeds, and maintain ground cover, and to keep the lands tidy and free of debris, all to the satisfaction of the Township.

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32. The Owner shall agree in the subdivision agreement with the Township to provide and maintain erosion and sediment control measures, as appropriate, prior to the commencement of topsoil stripping and during other construction activities to the satisfaction of the Township and GRCA.
33. The Owner shall agree in the subdivision agreement with the Township to provide to the Township sufficient securities for the maintenance and monitoring of sediment and erosion control measures, which securities shall be to the satisfaction of the Township.
34. The Owner shall agree in the subdivision agreement with the Township that topsoil, equipment, or materials may only be stockpiled to the satisfaction of the Township. The Owner further agrees there will be no stockpiling on any lands being conveyed to the Township or on any blocks or on other adjacent lands owned by the applicant without the written approval of the Township.
35. The Owner shall agree in the subdivision agreement to provide a mud tracking pad for construction vehicles at the site entrance, and to direct all construction traffic to and from the Draft Plan of subdivision lands, to the satisfaction of the Township Engineer

LANDSCAPING

36. The Owner shall agree in the subdivision agreement with the Township to have a qualified Arborist certify that all trees planted by the Owner and all existing trees located on lands to be deeded to the Township are disease free and healthy, after planting (if applicable) and prior to the assumption of public services, all to the satisfaction of the Township.

PLAN, MAPS AND BENCHMARKS

37. The Owner shall agree to deposit five (5) full size paper copies of the Registered Plan of Subdivision with the Township and provide the Township with computerized information in a format satisfactory to the Township. In addition, the subdivision agreement between the Owner and Township shall contain a provision whereby the Owner agrees to supply to the satisfaction of the Township, "as constructed" public services in a format suitable for use by the Township with the current version of AutoCAD being used by the Township/and or its consulting engineers.
38. The Owner shall agree in the subdivision agreement with the Township to provide two second order, second level Geodetic Benchmarks in suitable locations to the satisfaction of the Township.
39. The Owner shall prepare a Community Information Sign which shows the draft plan of subdivision together with surrounding land uses, which Community Information Sign shall be to the satisfaction of the Township Planner, and the Owner shall also obtain from the Township a Schedule

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with all notice clauses that the Township may require to be provided to potential purchasers of the lots, all of which is to occur prior to marketing or otherwise offering to sell any of the draft approved lots to builders or potential homebuyers. The approved Community Information Sign shall be posted in a prominent location in the sales office, if any, and a copy of the approved Sign and Schedule shall be provided directly to potential purchasers.

40. The Owner shall agree in the subdivision agreement to provide the approved Community Information Sign and obtain execution of the Schedule by each builder/homeowner which documents shall be submitted as part of the filings to the Township for its clearance of the requisite building permit application.

RETAINING WALLS

41. The subdivision agreement between the Owner and the Township and all offers of Purchase and Sale shall contain a clause stating that the maintenance of any retaining walls constructed within the Draft Plan of subdivision shall be the responsibility of the Owner and subsequent Owners, and that no retaining wall shall exceed a maximum height of 1.5 metres on the exposed face, unless any additional height is approved by the Township in writing. Retaining walls shall not be constructed upon lands to be transferred to the Township or other public authority, unless otherwise approved by the Township.

ENGINEERING AND TECHNICAL REPORTS

42. The Owner has prepared and submitted to the Township for approval, the reports listed below. Recommendations from these reports, as amended or modified to the satisfaction of the Township will be implemented in the detailed design process to the satisfaction of the Township and any other public body as noted below. All reports and studies must substantially conform to the draft plan of subdivision prepared by Innovative Planning Solutions dated as revised December 18, 2023, and may be further red-lined to address recommendations or requirements of the updated reports to the satisfaction of the Township
- (a) recommendations of the Functional Servicing Report prepared by Valdor Engineer Inc. (May 2022), and any amendments or modifications thereto approved by the Township and GRCA, shall be implemented to the satisfaction of the Township and GRCA. The Owner agrees that all facilities for stormwater management purposes shall be operational to the satisfaction of the Township and GRCA, prior to the placement of the road granulars. The Owner acknowledges that monies shall be deposited and paid to the Township as contribution to the long-term maintenance of the stormwater facilities which amount shall be addressed in the subdivision agreement;

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- (b) recommendations of the Amended Baseline Ecological Assessment dated January 13, 2021, and any amendments or modifications thereto approved by the Township;
 - (c) recommendations of the Hydrogeological Investigation Report prepared by Palmer (February 2, 2021) and technical memoranda dated January 6, 2021, and any amendments or modifications thereto, shall be implemented to the satisfaction of the Township;
 - (d) recommendations of the Geotechnical Investigation prepared by Alston Geotechnical Consultants Inc. (April 13 2020), and any amendments or modifications thereto approved by the Township.
43. The Owner agrees to have prepared, by a qualified Consulting Engineer(s) or other professionals as noted below, and submitted to the Township for review and approval, at its cost the following reports and plans. All plans and reports must substantially conform to the draft plan of subdivision dated as revised December 18, 2023. Recommendations from reports, as amended or modified to the satisfaction of the Township, must be implemented to the satisfaction of the Township:
- (a) Functional Servicing Report – the report dated May 2022 prepared by Valdor Engineering Inc. shall be updated to reflect the draft plan dated as revised December 18, 2023. The updated report shall also address the following:
 - (i) Updated design considerations for additional dwelling units pursuant to the Township By-Law 26-2023.
 - (ii) Updated stormwater management modelling to include Township owned lands being 9.07 acres, described as PIN 34078-0114 East Garafraxa Concession 14, Part Lot 5, RP 7R5924 Parts 11 and 12 that will be conveyed to the stormwater management facility in Block 59. The design shall provide stormwater management for these lands owned by the Township to accommodate future development at a similar imperviousness as the Subdivision Lands. The updated modelling is also to consider and justify the imperviousness per lot to allow for additional dwelling units pursuant to Township By-Law 26-2023. The updated stormwater management modelling shall also address the increase imperviousness related to employment uses. The Owner agrees that Lot 15 has a holding provision until it is confirmed that the area is not required for stormwater management or for conveyance of major storms.
 - (iii) Provide detailed analysis between Lots 32 and Block 64 to confirm conveyance of any drainage area from land to the south. This

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may necessitate granting a drainage easement to the Township to the satisfaction of the Township solicitor.

- (iv) Include analysis to inlet and convey through a pipe the 100 year storm from Block 63 to the stormwater management pond as to provide a piped outlet to the stormwater management facility to the satisfaction of the Township Engineer with conveyance of emergency overflow to the ultimate outlet on County Road 3.
 - (v) Include culvert calculations sized based on MTO Directive B-100.
 - (vi) Include analysis confirming conveyance of the major system can be contained within the road right of way.
 - (vii) Updated Floodplain analysis to reflect the location of the channel in Block 59 and Block 60 to verify that all storms up to the regional storm is fully contained within the blocks. Any portions of the channel that are engineered within the regional flooding area shall have channel side slopes that have a maximum 25 percent slope, a minimum 1 metre wide shelf at a minimum of two locations on each side with a maximum 5 percent slope and a minimum 3.5 metre maintenance access route adjacent to the channel. The Owner shall further agree and acknowledge that further design/lotting changes may be necessary within the draft plan of subdivision to ensure that runoff for storms up to the regional storm are fully contained within the block.
 - (viii) Updated to address requirements of permitted authorizations under the consolidated linear infrastructure environmental compliance approval. The Township is in the process of obtaining such approval. Should the approval not be in place, the Owner acknowledges they shall be required to submit an environmental compliance approval to the MECP for the Stormwater Management System.
 - (ix) Updated wastewater servicing analysis to address Township By-Law 26-2023. It is acknowledged, at minimum, that a Level IV Treatment Unit with minimum nitrogen removal capabilities of 50% CAN/BNQ 3680-600 is required. The report shall confirm whether a Treatment Unit with minimum nitrogen removal capabilities of 75% is required. It is acknowledged that this assessment could be completed by an update to the Hydrogeological Report.
- (b) Traffic Impact Study – To reflect the draft plan dated as revised December 18, 2023 including impacts of the Employment Block and new entrance points to the County Roads and proximity to the East Garafraxa Public School. The plan shall confirm whether external upgrades are

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required thereto approved by the Township shall be implemented to the satisfaction of the Township and County.

- (c) Updated Geotechnical Report – To address any potential impact from groundwater and provide recommendations for the construction of the subdivision including pavement design of internal roads, design of the stormwater management facilities, requirements for subdrains, provide a minimum basement elevation for each lot in order to be above the seasonally high groundwater level. The report shall include additional groundwater monitoring levels with readings that incorporate spring measurements between April and June to the satisfaction of the Township.
- (d) Landscape Plan – Prepare plan, by a qualified Landscape Architect to the satisfaction of the Township, including the following components:
 - (i) Shall incorporate the trees to be preserved and any required protection measures during construction;
 - (ii) Tree inventory and compensation plan;
 - (iii) Shall include street tree planting along Street 'A', Street 'B', and Street 'C'. A minimum of one (1) tree per lot along the lot frontage, and (2) trees per lot along exterior side yards is required. All trees shall be planted on private property.
 - (iv) Shall provide a 1.8 metre high landscaped berm, which berm shall be planted to provide treed screening along those residential lots adjacent to Country Road 3 and to screen the lots that are adjacent to Block 63 and 64 to the satisfaction of the Township. The berm side slopes shall be a maximum slope of 33%. The screening between Blocks 63 and 64 and residential lots may include a noise privacy fence or a landscaped berm to the satisfaction of the Township.
 - (v) Incorporate a landscape plan for Block 59 and Block 60.
 - (vi) Shall include a fencing plan including the location of fencing, type of fencing, and details of installation to the satisfaction of the Township.
- (e) Noise Report – the report dated January 2021 prepared by LEA shall be updated to reflect the draft plan dated as revised December 18, 2023. The updated report shall address the employment use and any required warning clauses or mitigative measure for the adjacent lots and any limitations regarding future development of the employment lands.

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- (f) Operations and Maintenance Plan – for the Stormwater Management System incorporating elements within the consolidated linear infrastructure environmental compliance approval.
- (g) Homeowner’s Manual –Provides information regarding the characteristics of the septic systems proposed and the required operations and maintenance instructions. The Manual should also provide details with respect to the local environment and pay particular attention to the potential impacts of misuse of the private septic system on the environment.
- (h) Rural Building Design Guideline – The guideline shall confirm architectural requirements and shall specifically address mitigation measures to be implemented when the house is raised to maintain separation from groundwater to the satisfaction of the Township. Specifically, houses with raised basements shall be bi-level, such that no more than three (3) stairs are utilized outside of the house for access to the front door and any additional stairs required to reach the first floor shall be internal to the house.
- (i) Detailed Engineering drawings – Drawings, prepared by a qualified Engineer, shall reflect the recommendations of all reports and studies requested as conditions of approval. All aspects of the servicing design must be in accordance with the appropriate requirements of the applicable legislation, including any applicable Class Environmental Assessment. The Detailed Engineering drawings shall be incorporated as part of the approved drawings under the subdivision agreement and shall be completed and approved prior to the execution of the subdivision agreement, and prior to final approval of the plan of subdivision.
 - (i) Erosion and Sediment Control Plan – Provide recommendations for the control, maintenance, and monitoring of sediment during all phases of construction and to address erosion control issues. The plan shall include inspection requirements for dry weather periods (active and inactive construction phase), after significant storm events and significant snowmelt events, and after any extreme weather to the satisfaction of the Township.
 - (ii) Cut and Fill Plan – The plan shall show the amount of cut and fill required to achieve the grading and drainage including a summary table of cut/fill volumes. The plan shall be reviewed by the private septic system specialist in order to determine the effect of the grading on the operation of the leaching beds. The characteristics and placement method of imported fill to be placed in areas where the private septic systems are to be

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constructed shall be approved by the private septic system specialist and requirements included within the engineering plans. The size of the septic system envelopes as shown on the Master Development Plan shall consider the Cut and Fill Plan and the expected soil characteristics and groundwater levels.

- (iii) Grading, Plan and Profile, and Servicing Plans – The detailed engineering drawing set shall include all plans for grading, servicing and road construction. The stormwater management facility shall include a maintenance access road around the facility with connections to Street B and Street C.
 - (iv) Master Development Plan – Plan shall illustrate building envelopes, suggested dwelling sittings, rear yard activity areas, driveways, private septic system envelopes with the corresponding grading and drainage requirements. The Master Development Plan shall be based on consideration of the soils and water table on site, as determined by groundwater monitoring and such other soils investigations to the satisfaction of the Township.
 - (v) Street Lighting Plans – Plans shall set out the placement of street lighting and associated details including photometric analysis for the Subject Lands to the satisfaction of the Township.
 - (vi) Composite Utility Plan – The Plan shall include all utilities being installed in the subdivision. All pedestals and transformers are to be placed near the property line on the back slope of the ditch. The Owner acknowledges and agrees to convey any easements as deemed necessary to the utility company(s) as required. The utility trenches be buried at a sufficient depth to ensure a 1.2m radius is maintained from the bottom of the ditch invert to the satisfaction of the Township.
 - (vii) Pavement Markings and Traffic Signage Plan – It is acknowledged that the Owner’s Engineer has prepared the cross section for the subdivision which consists of a rural cross section and a multi-use path on one side of the road. The Owner’s Engineer is to provide a plan showing all pavement markings and traffic signage required for this cross section. The plan shall also consider the adjacent school and consult with the Upper Grand District School Board on appropriate access points including any requirement for a layby, entrance to the school, which improvements shall be incorporated along Street ‘A’ adjacent to the school to the satisfaction of the Township.
44. The Owner acknowledges and agrees that ensuring the suitability of land for its proposed uses is the Owner’s responsibility. The Owner has

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submitted a Phase I Environmental Site Assessment, prepared by Watters Environmental Group Inc. dated April 2020. Prior to the final approval of the plan, the Owner shall:

- (i) Provide a letter of reliance in favour of the Township, to the satisfaction of the Township Solicitor for the Phase I Environmental Site Assessments, prepared by Watters Environmental Group Inc.
- (ii) File a Record of Site Condition (RSC) on the Provincial Environmental Registry for the subdivision lands including any lands to be conveyed to the Township. In addition, prior to the registration of the plan of subdivision, the Owner shall provide such environmental warranties and undertakings to the satisfaction of the Township Solicitor

45. The Owner shall agree that where a condition of approval requires the preparation of a report, study, or plan, the Owner shall:
- (a) carry out, or cause to be carried out, the study, report or plan, at the Owner's expense, prior to final approval, except in those circumstances that may be specifically authorized by the approving agency(s); and
 - (b) carry out, or cause to be carried out, the recommendation(s) or work(s) prescribed in the approved study, report, or plan, prior to final approval, except in those circumstances that may be specifically authorized by the approving agency(s).

SERVICING

46. The Owner shall specifically acknowledge and agree in the subdivision agreement that the Township is not agreeing to execute or enter into a responsibility agreement to provide public wastewater treatment for this development. It is also acknowledged that tertiary treatment systems (Level IV Treatment Systems) included as part of the private septic systems for the servicing of each lot, that the Township shall not be responsible for supervising, inspecting, monitoring, or guaranteeing that such systems are operational. The Subdivision Agreement between the Owner and the Township shall contain provision(s) that all lots will be made suitable for subsurface sewage disposal systems to the satisfaction of the Township. All installation of subsurface sewage disposal system(s) shall be in accordance with building permit(s) from the County of Dufferin.
47. The subdivision agreement shall also contain provisions with wording to the satisfaction of the Township that a detailed plot plan shall be approved by the Township prior to the issuance of municipal clearance for a building permit (which clearance is by the Township) that shows the building envelope, on-site sewage system, the proposed grading, the water service,

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and any other details that the Township may require, together with any other provisions that the Township may require for the proper construction, installation and operation of the on-site sewage system. The subdivision agreement shall also contain clauses regarding the requirement for a clause to be contained in the Agreement(s) of Purchase and Sale of the lot(s) advising that the lot is serviced by municipal water and a private sewage disposal system, and also advising the purchaser that an information package will be provided to the purchaser with detailed information regarding the operation of the private on-site sewage system including the nature, operation and maintenance of such systems, all to the satisfaction of the Township.

48. The Owner shall agree in the subdivision agreement that each of the lots shall be made suitable for the installation of an individual private subsurface sewage disposal system and the Owner shall install private septic system(s) on all building lot(s). In addition, the overall layout of the municipal water system and the private septic system(s) for the plan of subdivision shall be to the satisfaction of the Township and the detailed plot plan(s) as set out below shall be to the satisfaction of the Township. Should any lot be deemed by the Township to be unsuitable for such systems, such lot shall be combined with other lots or blocks, as the case may be.

The Owner further agrees to meet the following requirements in the design of the private septic system(s):

- (a) the engineering design team preparing the final engineering drawings for the subdivision shall include a specialist in private septic systems and lot grading to ensure the integration of sewage treatment considerations (including raised beds, if necessary) into the grading plans;
- (b) Septic systems shall be designed in accordance with the engineering reports prepared by the Owner's engineer. The Township and the Chief Building Official may approve any deviations from the approved design concept as they deem appropriate;
- (c) a primary area for the private septic system(s) shall be provided on each lot. The size of the areas provided shall be related to the percolation rate of the existing native soils and the dwelling characteristics;
- (d) leaching bed design shall be based on post-grading soils and water table conditions determined by a test pit excavated within the proposed leaching bed area and inspected by the Building Department and/or verified by report submitted by a Geotechnical Consultant to the satisfaction of the Chief building Official;

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- (e) consideration should be given to the potential for changes in the water table and the stormwater quantity and quality facilities. Wherever possible, the distance between leaching beds and the above should be maximized;
- (f) in order to prevent erosion of the leaching beds, the soils in the bed and related drainage swale areas shall be stabilized by hydro seeding immediately after bed construction. Any areas on raised beds each adjacent to and on the tapers shall be sodded immediately on completion;
- (g) the engineering plans shall include drawings indicating the amount of cut and fill required to achieve the grading and drainage required and these plans shall be reviewed and approved by the private septic system specialist in order to determine the effect of the grading on the operation of the leaching beds. The characteristics and placement method of imported fill to be placed in areas where the private septic systems are to be constructed shall be approved by the private septic system specialist and the Township and Chief Building Official;
- (h) during road and drainage system construction, vehicular traffic must be kept off the private septic system areas to prevent soil compaction. No building materials or soil should be stockpiled in private septic system envelopes;
- (i) where on-lot infiltration techniques, not to include soak-away pits, are proposed, consideration should be given to the potential impact of infiltration on the leaching beds;
- (j) prior to the issuance of a building permit for a private septic system, the following conditions must be fulfilled to the satisfaction of the Township and the Chief Building Official:
 - i) pre-grading has been completed to ensure that all leaching bed areas are adequately drained prior to the construction of a private septic system;
 - ii) a qualified consulting engineer, together with a specialist in the design and installation of private septic systems, shall be retained to submit the necessary detailed site plan with each application for a municipal approval of the detailed site plan and a building permit for the private septic system(s);
 - iii) the same consulting engineer and private septic system design specialist shall also be jointly responsible for:
 1. preparation of a detailed individual plot plan to be approved by the Township which illustrates all proposed buildings and structures, their elevation, the driveway and activity areas

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- (including showing any area proposed for a swimming pool), the septic tank, pump tank or siphon (if required), the detailed design of the leaching bed (and where a fully or partially raised leaching bed is proposed, a detailed cross-section), all existing and proposed grades including retaining walls or terraces, natural features and vegetation (existing and to be removed), the method of disposing of stormwater (drainage swales, directions and grades), water service location and all erosion control and sedimentation features, all of which must be shown. Existing and proposed grades must be provided.
2. obtaining approval from the Township indicating that the proposed grading conforms to the Master Development Plan. It is acknowledged that the Township at the municipal clearance for building permit stage may approve a detailed plot plan for a dwelling on a lot that varies from the Master Development Plan provided the Master Development Plan's integrity is not compromised:
 3. inspection of one or more test pits and the preparation of a grain size analysis and water table evaluation report. Where imported fill material is required, the consulting engineer/private septic system design specialist shall provide a detailed grain-size analysis report on the proposed fill and shall obtain Township and Chief Building Official approval prior to placement on the property;
 4. for raised beds, supervision of the laying out, excavation and scarification of the leaching bed bottom and placement of fill to ensure compliance with design and grading criteria; and
 5. prior to authorizing the construction of the leaching bed, the Consulting Engineer and private septic system design specialist will obtain confirmation that the dwelling has been constructed in the location and to the grades indicated in the approved site plan.
- (k) following the completion of construction, the Consulting Engineer and private septic system design specialist shall be responsible for:
- i. provision of a Certificate of Compliance for each lot within the subdivision stipulating that all grades and private septic system(s), including all its details have been constructed according to the approved detailed site plan and the approved design; and
 - ii. provision of certified "as constructed" drawings of the private septic system of each lot in a digitized electronic format acceptable to the Township, if so required by the Township.

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- (l) the Owner shall provide to the lot purchaser a copy of the site plan and a copy of the Home Owner's Manual for the private septic system (which Manual shall be approved by the Township), and a copy of the operating manual and the maintenance agreement for the private septic system;
 - (m) it is acknowledged that the primary responsibility of the Township is with respect to the general layout of the sewage system(s) and the grading of the plan of subdivision. It is acknowledged that the design of the individual private septic system(s) is subject to the Ontario Building Code Act and the regulations thereunder. Should any of the provisions of this condition conflict with the Ontario Building Code Act and the regulations thereunder, it is agreed that the Ontario Building Code Act and the regulations thereunder, as the case may be, govern;
49. The subdivision agreement between the Owner and the Township shall contain provision(s) incorporating the provisions of condition 48 to the satisfaction of the Township. The subdivision agreement shall also contain clauses regarding the requirement for a clause to be contained in the Agreement of Purchase and Sale for each lot advising that the lot is serviced by a municipal water and a private subsurface sewage disposal system and also advising the purchaser that an information package will be provided to the purchaser with detailed information regarding the nature, operation and maintenance of the private septic system, all to the satisfaction of the Township. The subdivision agreement shall also contain provisions that:
- (a) eaves trough, foundation drains and surface/stormwater drainage must not be directed to, the sewage disposal system, nor onto, or into the ground surface in the vicinity of the tile bed area in order to limit the impact of stormwater on the operation of the leaching beds;
 - (b) the Owner shall not permit the installation of any underground lawn irrigation systems within the primary leaching bed area, or in any area which may detrimentally affect the operation and effectiveness of the leaching bed. The Developer agrees to insert a provision in any agreement of purchase and sale to this effect;
 - (c) no structures, including accessory buildings and swimming pools, and no landscaping involving decks, berms, foundations, paving stones or trees shall be located within the primary leaching bed area and no structures, including accessory buildings and swimming pools, shall be located in the reserve leaching bed area; and
 - (d) the front and side yards of residential lots extending to the rear limit of each house at a minimum are to be sodded. The balance of the lot is to be top soiled and hydroseeded or sodded.

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WATER SERVICING AND FIRE PROTECTION

50. The Owner acknowledges that the Township's existing municipal water system requires expansion, and there are no existing watermains near the subject lands. The Township completed a Municipal Class Environmental Assessment titled 'Marsville Water System Expansion Municipal Class Environmental Assessment (Schedule B)' to determine the preferred solution to expand the municipal water system. Without limiting the generality of the foregoing, the preferred solution includes two new wells, storage, and a new pumphouse/treatment site, and all related works that are not located on the subject lands. The Owner shall agree that the water supply system expansion shall be operational prior to final approval of the subdivision (or of any phase of the subdivision, if the development is phased) being granted. The Owner acknowledges that other landowners within Marsville that have applied to develop their lands, collectively the developers including the Owner or the Owner themselves, shall financially secure the project, which project shall not commence until the Township is satisfied that financial arrangements are in place for the design and construction of the project. The Owner acknowledges that the Township does not own the land required for the preferred solution located on CON 13 E PT LOT 5 and the Owner cannot proceed with site alterations including clearing or topsoil stripping until these lands have been dedicated to the Township or other arrangements have been made to the satisfaction of the Township Solicitor and Township Engineer and nothing in the granting of Draft Approval shall place any obligation on the Township to secure lands, or facilitate their acquisition, or commissioning the necessary expansion of the water system. The Owner further agrees in the subdivision agreement that there shall be no presale of any lots, by agreement of purchase and sale, following draft plan approval, until such time as the Township receives confirmation that the expansion of the existing municipal water system to service the Plan, or any phase of the Plan is financially secured, all to the satisfaction of the Township.
51. The Owner shall agree to incur the cost of the design, installation and construction of the expansion of the Township's existing water supply system, and all necessary appurtenances thereto to the satisfaction of the Township. The Owner shall agree that the Township Engineer shall design those components of the water supply system as required by the Township. The Owner shall agree that the water supply system, and all related works and improvements shall be operational or financially secured to the satisfaction of the Township prior to final approval of the subdivision (or of any phase of the subdivision, if the development is phased) being granted.
52. The Owner shall agree in the subdivision agreement that requirements for a municipal residential drinking water system under Part V of the Safe Water Drinking Act and O. Reg. 170/03 (Drinking Water Systems

Applicants: Marsville Estates Inc.
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Municipality: Township of East Garafraxa
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- Regulation) shall apply in the design, construction and installation of the municipal water system all to the satisfaction of the Township Engineer.
53. The Owner acknowledges in the subdivision agreement that the Plan shall be serviced by full municipal water and may not proceed to Final Approval until the Township Engineer confirms that the Marsville municipal water system has capacity to service the subdivision with an adequate supply of potable water and fire protection services, and that arrangements have been made for satisfactory connecting watermains all to the satisfaction of the Township Engineer.
 54. The Owner shall agree that the Township Engineer shall design those components of the water system outside of the Plan including, without limiting the generality of the foregoing, two new wells, storage, and a new pumphouse/treatment facility as required by the Township and is responsible for all costs associated with such design, tendering, construction, and site inspection services.
 55. The Owner is to provide the subdivision with a looped water system to help ensure a safe, secure and reliable water supply. This can be accomplished with two or more feeds from the Township's water supply. Should the connection points not be readily available adjacent to the site, then the Owner shall be required to extend watermains to the site and acquire any necessary easements at their own cost for this purpose all to the satisfaction of the Township Engineer.
 56. The Owner shall dedicate gratuitously to the Township all lands and easements required for the water supply system, all of which shall be free and clear of all encumbrances.
 57. The Owner shall agree in the subdivision agreement to file digital drawings both in portable document format and AutoCAD of final approved construction drawings and as-constructed drawings to the satisfaction of the Township Engineer.
 58. The Owner shall agree in the subdivision agreement to provide each dwelling on each Lot with a water meter. The Owner, or where the Lot is sold to a builder by the Owner, the builder, shall make arrangements with the Township for the type of water meter and shall install the water meters to the satisfaction of the Township. The Owner shall ensure the installation of the water meters are easily accessible for the Township. The Owner shall install an appropriate water shutoff prior to the water meter. Each dwelling shall be required to have installed a dual check valve (no lead) for premise isolation, complete with an expansion tank, and other such requirements of the Township Engineer.

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59. The Owner shall agree that no water may be provided or used in the municipal water system until a water meter is installed and operational. The Owner shall also agree in the subdivision agreement that the Township shall set the applicable water rates, and will require provisions to require the collection of water usage from dwellings prior to assumption of the municipal water system of the Township.
60. As a component of the Owner's agreement to satisfy all the requirements, financial or otherwise of the Township with regard to supply, distribution and storage of municipal drinking water, the Owner agrees in the subdivision agreement to reimburse the Township for invoices incurred for the operation, design, routine maintenance, review, supervision and approval of connections of each dwelling to the Local Water System, any system upgrades, any costs incurred to meter the dwellings all to the satisfaction of the Township Engineer.

WELL MONITORING

61. The Owner agrees that:
- (a) prior to any site alteration, it shall conduct a Preconstruction Survey of the static water level and quality of all wells, subject to the consent of the well owner, within the greater of:
 - i. 500 m of development area; and
 - ii. the expected area of influence as determined by a hydrogeologist.
 - (b) should the Township receive complaints regarding alleged well interference from properties within the vicinity of the property, the Township may require the Owner to update the preconstruction survey from time to time or, in the alternative, monitor the wells on which complaints have been received, (should the resident so permit); and
 - (c) the Owner further agrees to resolve any claims of well interruption, if any, due to the development of the subdivision. Should there be any such interruption to properties located in proximity to the draft plan, then the Owner agrees that it shall supply temporary water to the affected home(s), and if necessary shall implement a permanent solution such as, but not limited to, the installation of a new well or connection to the municipal water system, to the satisfaction of the Township and/or MECP, as the case may be.

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GRAND RIVER CONSERVATION AUTHORITY

62. Prior to any grading and servicing and/or registration of the plan, or any phases thereof, the Owner shall prepare to the satisfaction of GRCA and the Township
- (a) A Final Stormwater Management Report in accordance with the 2003 Ministry of Environment Report entitled, "Stormwater Management Practices Planning and Design Manual" and in keeping with the Functional Servicing Report (Valdor Engineering, dated April 2020, Rev. May 2022.)
 - (b) Detailed Lot Grading and Drainage Plans showing existing and proposed grades.
 - (c) An Erosion and Siltation Control Plan in accordance with the Grand River Conservation Authority's Guidelines for sediment and erosion control, indicating the means whereby erosion will be minimized and silt maintained on-site throughout all phases of grading and construction
 - (d) The submission and approval of a Development, Interference with Wetlands and Alterations to Shorelines and Watercourses permit from the GRCA prior to any grading within the regulated area.
 - (e) The submission of floodplain mapping and updated HEC-RAS modelling.
 - (f) Updated analysis mitigating the post-development infiltration deficit and maintaining runoff volumes to Brouwer Drain are required to ensure there are no negative impacts to flooding or erosion downstream of the proposed development.

UPPER GRAND DISTRICT SCHOOL BOARD

63. The Owner agrees to the following provisions, to be included in the Township's subdivision agreement, to the satisfaction of the Upper Grand District School Board:
- (a) Education Development Charges shall be collected prior to the issuance of building permit(s);
 - (b) Provide the Upper Grand District School Board with a digital file of the plan of subdivision in either ArcGIS (shapefile or geodatabase) format or DXF format using a projected geographic coordinated system, containing parcel fabric and street network;
 - (c) That the developer shall agree in the subdivision agreement that adequate sidewalks, lighting and snow removal (on sidewalks and walkways) will be provided to allow children to walk safely to school or to a designated bus pickup point. *(The Township will not be provided sidewalks in the development)*

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- (d) That the Owner and the Upper Grand District School Board reach an agreement regarding the supply and erection of a sign at the Owner's expense and according to the Board's specifications, affixed to the permanent development sign, subject to the approval of the Township, advising prospective residents about schools in the area.
- (e) The Owner agrees that construction vehicle access is restricted to the access point on County Road 24, in order to limit the construction vehicle traffic at the school and to reserve the access point on County Road 3 as a school bus pick up/drop off point if one is necessary during construction.
- (f) That prior to final approval of any phase or stage of the subdivision, a detailed design of the pedestrian connection from Street A to the school property be provided for review and approval by Board Staff. Further, the cost of construction of such pedestrian connection shall be borne fully by the developer.
- (g) That prior to final approval of any phase or stage of the subdivision, a revised traffic impact study, detailed grading plan and stormwater management report be provided to the Board's satisfaction.

DUFFERIN-PEEL CATHOLIC DISTRICT SCHOOL BOARD

- 64. That the applicant shall agree in the Servicing and/or Subdivision Agreement to include the following warning clauses in all offers of purchase and sale of residential lots:
 - (a) Whereas, despite the best efforts of the Dufferin-Peel Catholic District School Board, sufficient accommodation may not be available for all anticipated students from the area, you are hereby notified that students may be accommodated in temporary facilities and/or bussed to a school outside of the neighbourhood, and further, that students may later be transferred to the neighbourhood school.
 - (b) That the purchasers agree that for the purpose of transportation to school, the residents of the subdivision shall agree that children will meet the bus on roads presently in existence or at another place designated by the Board.

COUNTY OF DUFFERIN

- 65. The Owner to the satisfaction of the County shall ensure all intersection sight triangle dimensions meet the greater of either the Township's Official Plan, or the County of Dufferin's Entrance Policy 5-3-17.
- 66. The Owner to the satisfaction of the County shall ensure that no pedestrian infrastructure is directed to the County road where no pedestrian infrastructure exists to the satisfaction of the County.

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67. The Owner agrees to provide a Traffic Impact Study (TIS) to reflect the draft plan as revised December 18, 2023 and confirm any external road improvements to Dufferin County Roads 3 and 24.
68. The Owner agrees that 0.3m reserves along the entire development frontage on Dufferin County Road 3 & 24 shall be provided and shall be dedicated gratuitously to the County of Dufferin.
69. The Owner agrees to provide auto-turn movements to confirm the turning circle on Street 'A' accommodates waste collection.
70. The Owner agrees to redline the plan to provide driveway access for the existing vacant lot outside the plan in the south east corner to Street 'B'.
71. The Owner agrees to review the proximity of the East Garafraxa Public School Entrance(s) and must consider the relocation of the entrance(s) from Dufferin 3 to Street 'A' providing access from a lower volume local road.

ENBRIDGE GAS DISTRIBUTION

72. The Owner agrees to the following provisions, to be included in the Township's subdivision agreement, to the satisfaction of Enbridge Gas Distribution Inc.:
 - (a) the Owner shall contact Enbridge Gas Inc.'s Customer Connections department by emailing SalesArea20@Enbridge.com to determine gas availability, service and meter installation details and to ensure all gas piping is installed prior to the commencement of site landscaping (including, but not limited to: tree planting, silva cells, and/or soil trenches) and/or asphalt paving;
 - (b) easement(s) are required to service this development and any future adjacent developments. The Owner will provide all easement(s) to Enbridge Gas Inc. at no cost;
 - (c) the Owner will contact Enbridge Gas Distribution's Customer Connections department by emailing SalesArea20@enbridge.com prior to any site construction activities to determine if existing piping facilities need to be relocated or abandoned;
 - (d) in the event a pressure reducing regulator station is required, the Owner is to provide a 3 metre by 3 metre exclusive use location that cannot project into the municipal road allowance. The final size and location of the regulator station will be confirmed by Enbridge Gas Distribution's Customer Connections department. The Owner shall contact

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SalesArea20@enbridge.com for further details with respect to the foregoing.

Note: the Township shall be consulted with respect to any such location;

- (e) the Owner will grade all road allowances to as final elevation as possible, provide necessary field survey information and all approved municipal road cross sections, identifying all utility locations prior to the installations of the gas piping; and
- (f) Enbridge Gas Distribution reserves the right to amend or remove development conditions

BELL

73. The Owner agrees to the following provisions, to be included in the Township's subdivision agreement, to the satisfaction of Bell Canada:
- (a) The Owner acknowledges and agrees to convey any easement(s) as deemed necessary by Bell Canada to service this new development. The Owner further agrees and acknowledges to convey such easements at no cost to Bell Canada.
 - (b) The Owner agrees that should any conflict arise with existing Bell Canada facilities where a current and valid easement exists within the subject area, the Owner shall be responsible for the relocation of any such facilities or easements at their own cost.
 - (c) The Owner is advised to contact Bell Canada at planninganddevelopment@bell.ca during the detailed utility design stage to confirm the provision of communication/telecommunication infrastructure needed to service the development.
 - (d) It shall be noted that it is the responsibility of the Owner to provide entrance/service duct(s) from Bell Canada's existing network infrastructure to service this development. In the event that no such network infrastructure exists, in accordance with the Bell Canada Act, the Owner may be required to pay for the extension of such network infrastructure.
 - (e) If the Owner elects not to pay for the above noted connection, Bell Canada may decide not to provide service to this development.

CANADA POST

74. The Owner agrees to the following provisions, to be included in the Township's subdivision agreement, to the satisfaction of Canada Post, to undertake the following:

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- (a) consult with Canada Post to determine suitable locations for the placement of Community Mailboxes and to indicate these locations on appropriate servicing plans;
- (b) prior to offering any residential units for sale, to place a "Display Map" on the wall of the sales office in a place readily available to the public which indicates the location of all Canada Post Mailbox site locations, as approved by Canada Post and the Township;
- (c) include in all Offers of Purchase and Sale a statement which advises the prospective purchaser that mail delivery will be from a designated Community Mailbox and to include the exact locations (list of lot numbers) of each of the Community Mailbox locations;
- (d) provide the following for each Community Mailbox site and include these requirements on appropriate servicing plans:
 - i. an appropriately sized sidewalk section (concrete pad), as per Canada Post specifications, upon which to place the Community Mailboxes;
 - ii. any required walkway across the boulevard, as per municipal standards;
 - iii. any required curb depressions for wheelchair access, and;
 - iv. redline the plan to show a lay-by for vehicular traffic prior to final approval.

Note: the Township shall be consulted with respect to any such location

- (e) determine, provide and maintain a suitable and safe temporary Community Mailbox location(s) to be "fit up" prior to first occupancy. This temporary site will be utilized by Canada Post until the above-mentioned criteria is completed at the permanent Community Mailbox site locations. This will enable Canada Post to provide mail service to new residences as soon as homes are occupied

UTILITIES

- 75. The Owner agrees in the subdivision agreement to provide to the Township confirmation from the telecommunication company, cable company, gas company and Hydro One, that arrangements have been made to their respective satisfaction for the installation of such utilities and services, including underground services in the draft plan of subdivision.

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MINISTRY OF TOURISM AND CULTURE

76. No grading or other soil disturbance shall take place on the subject property prior to a letter of clearance from the Ministry of Tourism, Culture and Sport, with respect to archaeological assessment. It is acknowledged in the letter dated May 20, 2020 by Ministry of Heritage, Sport, Tourism, and Culture Industries that the Stage 1 report has been entered into the Provincial register of archaeological reports. It is acknowledged in the letter dated June 9, 2022 by the Ministry of Heritage, Sport, Tourism, and Culture Industries that the Stage 2 report has been entered into the Provincial register of archaeological reports.

ROGERS

77. Prior to registration of the plan of Subdivision, the Owner will, at its own cost, grant all necessary easements and maintenance agreements required by those CRTC-licensed telephone companies and broadcasting distribution companies intending to serve the Subdivision (collectively, the "Communications Service Providers"). Immediately following registration of the Plan of Subdivision, the Owner will cause these documents to be registered on title.
78. Prior to registration of the plan of Subdivision, the Owner will, with consultation with the applicable utilities and Communication Service Providers, prepare an overall utility distribution plan that shows the locations of all utility infrastructure for the Subdivision, as well as the timing and phasing of installation.

NOISE AND ODOUR

79. Prior to any grading or development, the Owner shall agree that construction activities will be undertaken in accordance with the standards contained in the Township Noise By-law and any other requirements contained within the subdivision agreement.
80. The Owner agrees to notice clauses to be contained within the subdivision agreement with the Township together with the provision of statements in all Offers of Purchase and Sale to provide notice to prospective purchasers regarding surrounding land uses. The clauses and statements are as follows and shall be updated to incorporate any additional warning clauses, or mitigative measures determined through an updated Noise Report:
- (a) potential noise disturbances and odour may emanate from neighbouring properties including those noises and/or odours caused by area agricultural operations, East Garafraxa Public School, County Road 3, County Road 24 and future Employment Blocks located adjacent and in the Subject Lands. The following clause shall be included:

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All Lots

“The purchasers/tenants are advised that lands in the vicinity of the subdivision are farm lands and may be used for the growing of crops and the raising and housing of livestock, and normal farm practices are to be anticipated on these lands including noise and odour.”

“The purchasers are advised that the East Garafraxa Public School is near the subdivision and noise and increased traffic associated with school drop off and pick up times are to be anticipated on these lands”

“The purchasers are advised that County roads are adjacent to the subdivision lands. County roads are collector roads that are expected to have higher volumes of traffic.”

“The purchasers are advised that employment blocks are within the subdivision lands and noise, odour, and increased traffic on Street B should be anticipated. The official plan designates Employment use within the plan adjacent to Lot 33, Lots 34-40, , and Lot 41.”

Lots 10-14, 41-44, and Lot 15 if released for a building lot

“Purchasers/tenants are advised that sound levels due to increasing road traffic may on occasion interfere with some activities of the dwelling occupants as the outdoor sound levels exceed the sound level limits of the Ministry of the Environment, Conservation and Parks.”

“This dwelling unit has been designed with the provision for adding central air conditioning at the occupant’s discretion. Installation of central air conditioning by the occupant in low density developments will allow windows and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the sound levels limits of the Ministry of the Environment, Conservation and Parks.”

(b) together with the notice clauses to be part of the Schedule as set out in Condition 39; and

(c) together with any other notice clauses that the Township may deem appropriate and proper.

FEES AND CHARGES

81. The Owner agrees to pay all Township and County of Dufferin fees, charges, levies and development charges as may be required for the development.
82. The Owner agrees to maintain its account in good standing with the Township for reimbursement to the Township of Township expenses for outside consultant and legal services rendered to obtain approval, review,

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processing, registration and implementation of this draft plan of subdivision.

CLEARANCE OF CONDITIONS

83. That prior to final approval, the Township is to be advised in writing by GRCA how Conditions 25 (as referenced within), 32 (as referenced within), 42(a) (as referenced within), and 62 have been satisfied.
84. That prior to final approval, the Township is to be advised in writing by Upper Grand District School Board how Condition 63 has been satisfied.
85. That prior to final approval, the Township is to be advised in writing by Dufferin-Peel Catholic District School Board how Condition 64 has been satisfied.
86. That prior to final approval, the Township is to be advised in writing by the County of Dufferin how Conditions 65-71 have been addressed.
87. That prior to final approval, the Township is to be advised in writing by Enbridge Gas Distribution Inc. how Condition 72 has been satisfied.
88. That prior to final approval, the Township is to be advised in writing by Bell how Condition 73 has been satisfied.
89. That prior to final approval, the Township is to be advised in writing by Canada Post how Condition 74 has been satisfied.
90. That prior to final approval, the Township is to be advised in writing by Rogers how Conditions 77 and 78 has been satisfied.
91. The Owner agrees that Draft Approval shall apply for three (3) years from the date of issuance of Draft Approval and shall lapse on the anniversary of the date of the issuance of Draft Approval, unless draft plan approval is extended prior to the lapsing date. If so required, application shall be made to extend draft plan approval prior to such lapsing, which may or may not be granted.

NOTES TO DRAFT APPROVAL

The Owner is hereby advised:

- a) that pursuant to Section 69 of the Planning Act, the Owner will be required to pay processing fees to the Township for each final approval of this Subdivision, in accordance with the Township By-law, as amended from time to time. Fees are also required by the Township for each application to extend Draft Approval and for Major Revisions to the Draft Plan or conditions;

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- b) that Township and County of Dufferin Development Charges will be payable in accordance with the applicable municipal Development Charges by-laws;
- c) that Development Charges of the respective School Boards and Hydro One are payable in accordance with their respective Development Charge requirements.
- d) the Township shall require that a Letter of Credit, the amount of which shall be determined in accordance with the Township's requirements, be provided by the Owner to the Township required within the Subdivision Agreement and as part of the execution of the Subdivision Agreement to ensure satisfactory completion of the project;
- e) a copy of the draft and the executed subdivision agreement should be provided by the Owner to GRCA, School Boards, Canada Post, Hydro One, Enbridge Gas Distribution Inc. and other utilities to facilitate the clearance of conditions;
- f) if so required, the Owner agrees to red-line revise the draft plan to meet the requirements of the conditions contained herein;
- g) it is the Owner's responsibility to fulfil the conditions of draft approval and to ensure that the required clearance letters are forwarded by the appropriate agencies to the Township quoting the File Number S2-20;
- h) clearance is required from the following:
 - i. Township of East Garafraxa
065371 Dufferin County Road 3, Unit 2
East Garafraxa ON
L9W 7J8
 - ii. Grand Valley Conservation Authority
400 Clyde Road
PO Box 729
Cambridge, ON
N1R 5W6
 - iii. Upper Grand District School Board
500 Victoria Road North
Guelph, ON
N1E 6K2
 - iv. Dufferin-Peel Catholic District School Board
40 Matheson Boulevard West
Mississauga, ON
L5R 1C5

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- v. Enbridge Gas Distribution Inc.
500 Consumers Road
North York, ON
M2J 1P8
 - vi. Bell Canada
 - vii. Canada Post
193 Church Street, Suite 200
Oakville, ON
L6J 7S9
 - viii. Ministry of Tourism and Culture
900 Highbury Avenue
London, ON
N5Y 1A4
 - ix. Rogers
3573 Wolfedale Road
Mississauga, ON
L5C 1V8
 - x. County of Dufferin
30 Centre Street
Orangeville, ON
L9W 2X1
- i) All measurements in the Final Plan of Subdivision must be presented in metric units.

Note re Registration

The Final Plan of Subdivision approved by the Township must be registered within (30) thirty days or the Township may withdraw his approval under Section 51(59) of the Planning Act.

ONTARIO LAND TRIBUNAL

CASE NO(S): OLT-22-004307, OLT-22-004308

PROCEEDING COMMENCED UNDER subsection 34(11) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Applicant/Appellant: Marsville Estates Inc.
Subject: Application to amend Zoning By-law –
Refusal or neglect to make a decision
Description: To permit the development of a 59-unit
residential subdivision
Property Address: N/E Corner of John West Way and Wellington Street East
(unaddressed)
Reference Number: Z5-20
Property Address: 63076 County Road 3
Municipality/UT: East Garafraxa/Dufferin
OLT Case No.: OLT-22-004307
OLT Lead Case No. OLT-22-004307
OLT Case Name: Marsville Estates Inc. v. East Garafraxa (Township)

PROCEEDING COMMENCED UNDER subsection 51(34) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Applicant/Appellant: Marsville Estates Inc.
Subject: Proposed Plan of Subdivision – Failure of
Approval Authority to make a decision
Description: To permit the development of a 59-unit
Residential subdivision
Reference Number: S1-20
Property Address: 63076 County Road 3
Municipality/UT: East Garafraxa/Dufferin
OLT Case No.: OLT-22-004308
OLT Lead Case No. OLT-22-004307

MINUTES OF SETTLEMENT

MINUTES OF SETTLEMENT

BETWEEN:

MARSVILLE ESTATES INC.

("Marsville")

AND

TOWNSHIP OF EAST GARAFRAXA

(the "Township")

WHEREAS Marsville is the owner of 26.89 hectares of land municipally known as 063076 County Road 3 in the Township of East Garafraxa (the "**Subject Site**");

AND WHEREAS in May 2020 and May 2022, Marsville filed applications with the Township for approval of a Draft Plan of Subdivision and a Zoning By-law Amendment, respectively (collectively, the "**Applications**") to permit the development of 59 residential lots and 0.65 hectares of parkland on the Subject Site;

AND WHEREAS on August 11, 2022, Marsville appealed the Applications to the Ontario Land Tribunal ("**Tribunal**"), under sections 34(11) and 51(34) of the Planning Act (the "**Appeals**"), which are assigned OLT Case Nos. OLT-22-004307 and OLT-22-004308;

AND WHEREAS the Township and Marsville are the only parties to the Appeals;

AND WHEREAS the Tribunal has scheduled a seven-day Hearing of the Appeals to commence on May 2, 2024;

AND WHEREAS the Township and Marsville (each a "**Party**" and collectively, the "**Parties**") have agreed to a resolution of the Appeals, as between the parties, and wish to reflect their agreement in these Minutes of Settlement (the "**Minutes**");

NOW THEREFORE in consideration of the payment by each Party to the other Party of the sum of two dollars (\$2.00), the receipt and sufficiency of which is hereby acknowledged, the Parties agree as follows:

1. The Recitals above are true.
2. The following Schedules are attached to and form part of these Minutes:
 - a. Schedule "A": Draft Plan of Subdivision dated December 18, 2023
 - b. Schedule "B": Draft Plan of Subdivision Conditions
 - c. Schedule "C": Zoning By-law Amendment
 - d. Schedule "D": Invoices

Appeals

3. The Parties will jointly request that the Tribunal either (i) permit the filing of a written settlement hearing; or (ii) schedule a one-day settlement hearing on the next available date following the execution of these Minutes (the "**Settlement Hearing**"). For greater certainty, the Parties acknowledge and agree that the Settlement Hearing may occur in writing, virtually or in-person.
4. At the Settlement Hearing, the Parties will jointly request that the Tribunal approve:
 - a. The Draft Plan of Subdivision attached as **Schedule "A"**;
 - b. The Draft Plan of Subdivision Conditions attached as **Schedule "B"**; and
 - c. The Zoning By-law Amendment attached as **Schedule "C"**, including a request to extend the Zoning By-law Amendment to include Blocks 63 and 64 on the Draft Plan of Subdivision attached as **Schedule "A"** (the "**Draft Plan of Subdivision**")

(collectively, the "**Planning Instruments**").

5. Marsville shall be responsible to provide affidavit evidence from an expert land use planning witness retained on its behalf, and any oral evidence as may be required by the Tribunal, to support the request for approval of the Planning Instruments, and to prepare any necessary documentary and visual evidence to support the evidence to be presented.
6. The Parties agree to cooperate in providing evidence to the Tribunal in support of the Planning Instruments as mutually determined by the Parties to be necessary and appropriate for that purpose.
7. Pursuant with the payment terms of this Agreement, Marsville shall pay the sum of \$239,648.60 to the Township as set out in section 8 of these Minutes in full and final satisfaction of the reimbursement of the Township's costs incurred up to and including the date of execution of these Minutes in connection with the Applications and the Appeals as set out in the Invoices attached hereto as **Schedule "D"**.
8. Within thirty (30) days of execution of these Minutes, the Township shall deliver to Marsville replacement invoice(s) issued by the Township and addressed to Marsville for each Invoice attached hereto as **Schedule "D"** addressed to the Township (collectively, the "**Replacement Invoices**" and each a "**Replacement Invoice**"). Marsville agrees to pay each Replacement Invoice within fifteen (15) days of the Township providing Marsville with a Replacement Invoice.
9. Marsville shall be responsible for the reasonable costs incurred by the Township in relation to the implementation of these Minutes and shall reimburse the Township for their reasonably incurred expenses within thirty (30) days of the Township providing Marsville with an invoice issued by the Township and addressed to Marsville which includes proof of invoices from any third party consultants.
10. Neither Party to these Minutes shall make a request to the Tribunal for costs in connection with the Appeals.

Street A Lands

11. The Township shall grant Marsville access to enter the lands designated as Street A on the Draft Plan of Subdivision ("**Street A Lands**") and any other lands immediately adjacent to the Street A Lands as may be reasonably required by Marsville to undertake the construction of a municipal street on the Street A Lands ("**Street A**").
12. Once Street A has been constructed to the extent necessary to allow vehicular and/or pedestrian access to any of the lots and blocks shown on the Draft Plan of Subdivision, the Township shall grant a temporary easement in favour of Marsville to allow vehicular, pedestrian and other active transportation travel over the Street A Lands (the "**Temporary Easement**").
13. The Parties acknowledge and agree that the Temporary Easement shall be terminated once Street A is assumed by Township by-law as a public highway.

General

14. The Parties agree that if the Tribunal refuses to approve the Planning Instruments attached hereto as **Schedules "A", "B", and "C"**, except for a refusal of the request to extend the Zoning By-law Amendment to include Blocks 63 and 64 on the Draft Plan of Subdivision, then these Minutes shall be terminated and any obligations or benefits thereof shall no longer apply.
15. The Parties agree that they are contractually bound to the terms of these Minutes and that the obligations and benefits thereof are immediately enforceable by civil action should a Party be in breach of them.
16. These Minutes shall be binding and enure to the benefit of the Parties and their respective successors and assigns.
17. Subject to applicable law, the Parties shall execute diligently and expeditiously such further documents and take such further action as may reasonably be

required in order to implement and give full legal force and effect to the terms of these Minutes.

18. The Parties agree to act reasonably and with good faith in respect of all dealings between them pursuant to these Minutes.
19. These Minutes constitute the entire agreement between the Parties with respect to the matters contained herein and supersede all prior agreements, negotiations and understandings with respect thereto.
20. Any amendment to or waiver of these Minutes must be in writing and signed by the Parties.
21. If any provision of these Minutes is deemed illegal, invalid or unenforceable, by an arbitrator or any court of competent jurisdiction from which no appeal exists or is taken, that provision will be severed from these Minutes and the remaining provisions will remain in full force and effect.
22. These Minutes may be executed in one or more counterparts, which together shall constitute a complete set of these Minutes and executed counterparts may be executed and delivered by e-mail transmission or DocuSign and considered originals for all purposes.
23. Headings are included for ease of reference only and shall not affect the interpretation or construction of these Minutes.
24. These Minutes may be filed with the Tribunal as proof of the agreement reached between the Parties.

IN WITNESS WHEREOF, the Parties have executed these Minutes of Settlement as of the date(s) indicated below:

MARSVILLE ESTATES INC.

Date:

Name: Ken Michaud
Title: ASO
I have authority to bind the Corporation.

TOWNSHIP OF EAST GARAFRAXA

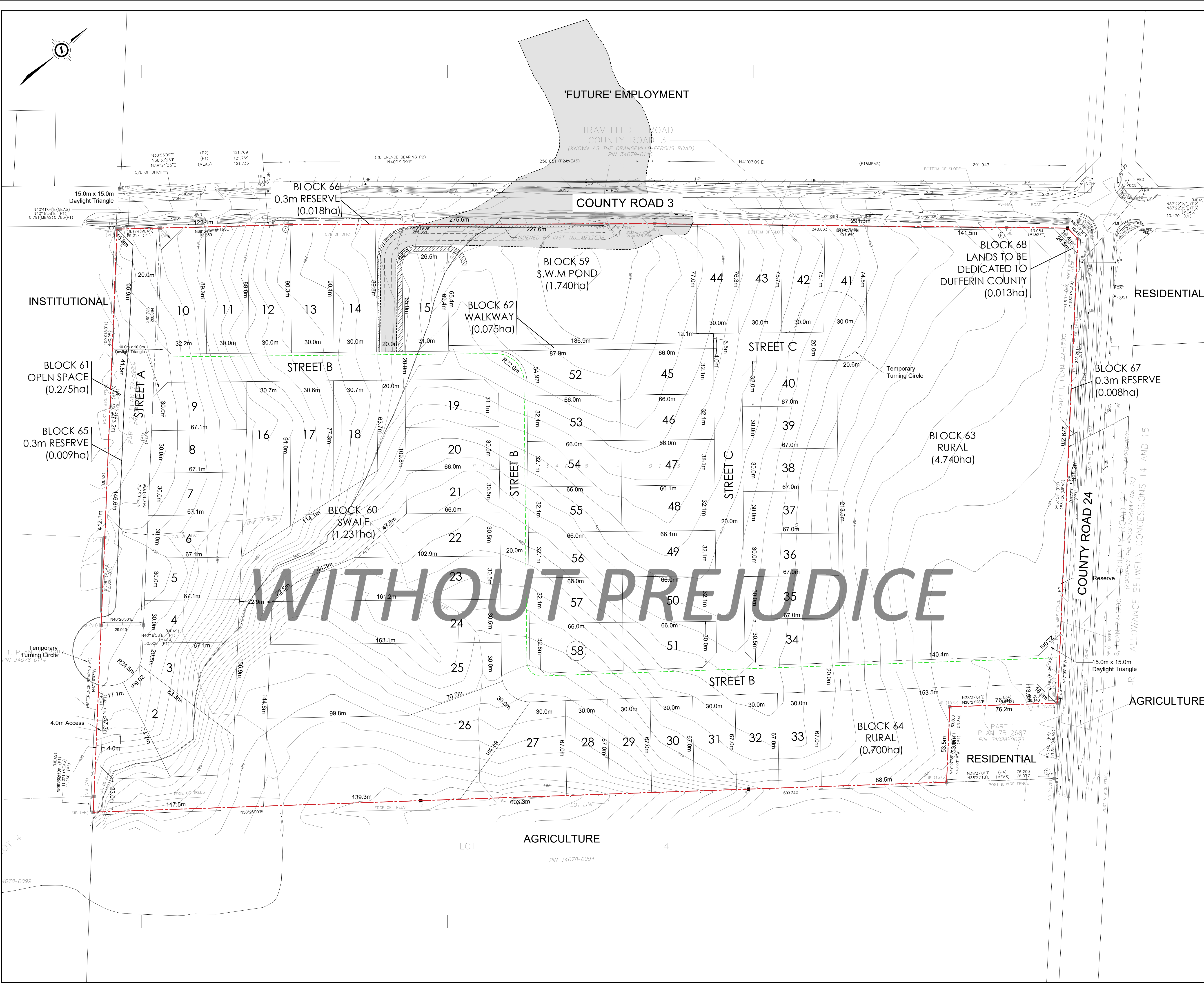
Date: _____, 2024

Name:
Title:
I have authority to bind the Corporation.

Name:
Title:
I have authority to bind the Corporation.

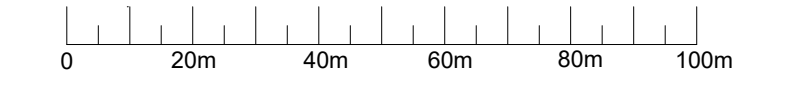
Schedule "A"
Draft Plan of Subdivision

Please see attached.



DRAFT PLAN OF SUBDIVISION

063076 COUNTY ROAD 3 AND PART 12, PLAN 7R-5924
 IN THE TOWNSHIP OF EAST GARAFRAXA
 COUNTY OF DUFFERIN
 Scale 1:12,000



- LEGEND**
- SUBJECT LANDS (268,934.36m² / 26.893ha)
 - MULTI - USE TRAIL

OWNER'S CERTIFICATE
 I HEREBY AUTHORIZE INNOVATIVE PLANNING SOLUTIONS TO PREPARE THIS DRAFT PLAN OF SUBDIVISION AND SUBMIT THIS DRAFT PLAN OF SUBDIVISION FOR APPROVAL.

Date: _____ RAY GUPTA
 MARSVILLE ESTATE INC.

SURVEYOR'S CERTIFICATE
 I CERTIFY THAT THE BOUNDARIES OF THE LAND TO BE SUBDIVIDED AND THEIR RELATIONSHIP TO ADJACENT LANDS ARE ACCURATELY AND CORRECTLY SHOWN.

Date: _____ RAYMOND SIBTHORP, O.L.S.
 BSR & D

ADDITIONAL INFORMATION REQUIRED UNDER SECTION 51(17) OF THE PLANNING ACT

- | | |
|-----------------------------|--------------------------------|
| a) SHOWN ON PLAN | g) SHOWN ON PLAN |
| b) SHOWN ON PLAN CURRENTLY | h) MUNICIPAL WATER UNAVAILABLE |
| c) SEE KEY PLAN | i) SAND, SILT GLACIAL TILL |
| d) RESIDENTIAL / EMPLOYMENT | j) SHOWN ON PLAN |
| e) SHOWN ON PLAN | k) MUNICIPAL WATER |
| f) SHOWN ON PLAN | l) NONE |

LAND USE STATISTICS			
LAND USE	LOT No.	BLOCK No.	AREA (ha)
Residential	1 - 58		14.967
SWM Pond		59	1.740
Swale		60	1.231
Open Space		61	0.275
Walkway		62	0.075
Rural		63 - 64	5.440
0.3m Reserve		65 - 67	0.035
Lands to be Dedicated to Dufferin County		68	0.013
Street 'A' - 'C'			3.117
TOTAL	58	68	26.893

IPS INNOVATIVE PLANNING SOLUTIONS
 PLANNERS • PROJECT MANAGERS • LAND DEVELOPERS
 647 WELHAM RD., UNIT 9, BARRIE, ONTARIO, L4N 0B7
 tel: 705 • 812 • 3281 fax: 705 • 812 • 3438 e: info@ipscollatinginc.com www.ipscollatinginc.com

Date:	Dec. 18, 2023	Drawn By:	AS
File:	19-869	Checked:	DV / KT

Schedule "B"
Draft Plan of Subdivision Conditions

Please see attached.

Applicants: Marsville Estates Inc.
File Number: TWP File S1-20
Municipality: Township of East Garafraxa
Subject Lands: Lot 5, Concession 14

File Number: S1-20

The conditions and amendments to final plan approval for registration of this subdivision file number S1-20 are as follows:

Conditions

1. That this approval applies to the draft plan of subdivision prepared by Innovative Planning Solutions, as revised December 18, 2023.

The plan of subdivision S1-20 ("Plan") shows:

- **58 residential lots**
 - **Block 59 for Stormwater Management**
 - **Block 60 for Drainage Swale**
 - **Block 61 for Open Space**
 - **Block 62 for Walkway**
 - **Block 63 for Restricted Rural**
 - **Block 64 for Restricted Rural**
 - **Block 65 for 0.3m reserve**
 - **Block 66 and 67 for 0.3m reserve to be dedicated to Dufferin County**
 - **Block 68 for Lands to be dedicated to Dufferin County**
 - **Internal Street A**
 - **Internal Street B**
 - **Internal Street C**
2. The Owner shall, prior to final approval, enter into a subdivision agreement to be registered on title to satisfy all requirements, including financial, servicing, environmental, and other requirements to the satisfaction of the Township of East Garafraxa ("Township").
 3. That before final approval, the Owner shall provide lot frontage and area information to the Township to ensure that all lots conform to the Zoning By-law.
 4. The subdivision shall be zoned to the satisfaction of the Township and such zoning shall be in full force and effect prior to final approval.
 5. The Owner shall agree that no works shall occur on the lands shown within the Plan until the Owner has entered into a subdivision agreement, a pre-servicing agreement or a model home agreement with the Township, unless otherwise agreed to by the Township in writing. The Owner shall also agree in the subdivision agreement or other agreements as referenced, to certain restrictions when undertaking the works and shall agree that tree clearing operations are only permitted between September 30 to March 31 of any given year.
 6. The Owner shall agree in the subdivision agreement with the Township that in the event that the future development of the property is to be phased, a

detailed development Phasing Plan must be submitted prior to final approval of the first phase of development. The Phasing Plan shall indicate the sequence of development, the land area in hectares, the number of lots and blocks in each phase, grading to minimize the total soil area exposed at a given time and construction of public services, including the provision of water supply servicing, to the satisfaction of the Township. The Phasing Plan must also be reflected in all required reports mentioned in these conditions. The Phasing Plan will not include Lot 15, 41 and 42 as a developable lot in the first phase of development. The Owner shall also agree in the subdivision agreement that the Owner will not enter into an agreement of purchase and sale for any draft approved lot prior to registration of this Plan unless so authorized by the approved Phasing Plan and in no case may the Owner enter an agreement of purchase and sale of Lot 15 until the stormwater management analysis and floodplain analysis has been completed to the satisfaction of the Township.

7. The Owner acknowledges that Lot 15 will have a holding provision in the Zoning By-Law until the stormwater management analysis and floodplain analysis has been completed to confirm that Block 59 the stormwater management block is sufficient for the stormwater management facility and conveyance of regional flows for the draft plan including the addition of the Rural Lands which stormwater management facility shall permit an increased imperviousness coverage in comparison to Residential Lands to the satisfaction of the Township.
8. The Owner acknowledges that Lot 41 and 42 may be developed as residential lots on the draft plan when the Township agrees at their sole discretion that the temporary turning circle is not required. The Owner agrees to maintain Lots 41 and 42 in a condition satisfactory to the Township, until such time as it is developed as residential lots and further planning justification supports removal of the temporary turning circle.. The Owner agrees that Lots 41 and 42 shall not be sold or conveyed until the final use of Block 63 has been confirmed and a thru road is constructed that eliminates the dead end road and requirement for a temporary turning circle.
9. The Owner shall agree in the subdivision agreement that Firebreak lots shall be to the satisfaction of the Fire Chief. The Owner agrees that no construction shall proceed on a lot, until the exterior finish cladding, roofing and windows on the abutting lot have been completed, unless otherwise approved by the Fire Chief.

DEDICATIONS

10. The Owner shall dedicate gratuitously to the Township all lands and easements required for the water supply and treatment system and all of the works and improvements which form the water supply and treatment system in accordance with the Township requirements and applicable legislation for the operation, maintenance and assumption of these works necessary to supply potable water and fire protection services to the lots shown within the Plan, and to future development that may be anticipated

on the adjoining lands, owned by the Township located west of the Plan, legally described as PIN 34078-0114.

11. The Owner shall agree in the subdivision agreement to secure a temporary access and construction right of way from the Township across the Township lands legally identified as PIN 34078-0112 where internal Street A is shown, and to secure a temporary access and construction right of way from the Township across the Township lands legally identified as PIN 34078-0114 where a turning bulb is shown, for the purpose of permitting the design and construction of Internal Street A and a turning bulb, that meet Township standards for public highways, all of which shall be to the satisfaction of the Township Engineer and Township Solicitor.
12. The Owner shall dedicate the road allowances, Street 'B', and Street 'C' and that part of the road allowance on Street 'A' gratuitously, free and clear of any encumbrances, as a public highway (by Certificate on the Plan) to the satisfaction of the Township Solicitor. It is noted that almost the entirety of Street 'A' is already owned by the Township of East Garafraxa by PIN 34078-0112 and all improvements made by the Owner to design, build and construct Street 'A' as a public highway to Township standards, shall be dedicated gratuitously to the Township, (by certificate on the Plan).
13. The Owner agrees to dedicate gratuitously any required access and/or drainage easements to the satisfaction of the Township and any such dedications shall be to the satisfaction of the Township Engineer, or Solicitor.
14. The Owner agrees that Block 68 shall be dedicated gratuitously as a public highway (by Certification on the Plan) and Block 66 and 67 for 0.3m reserves to the County of Dufferin to the satisfaction of the Township solicitor.
15. The Owner agrees to dedicate gratuitously to the Township, free and clear of any encumbrances, Block 59 for stormwater management, Block 60 for the drainage swale, Block 61 (noting that Block 61 is already owned by the Township of East Garafraxa and such dedication refers to improvements made by the Owner to Block 61) for open space, Block 62 for a walkway and Block 65 for reserve, which gratuitous dedications shall be to the satisfaction of the Township Solicitor. The Owner shall further dedicate gratuitously to the Township, free and clear of any encumbrances, any additional lands should same be required to implement the Draft Plan of Subdivision and conditions of draft approval, which gratuitous dedications shall be to the satisfaction of the Township Solicitor.
16. The Owner agrees to provide for watermain looping to the satisfaction of the Township Engineer and shall agree in the subdivision agreement that watermain looping shall be provided on both a temporary and a permanent basis and agrees to dedicate such lands to the Township, as necessary, to the satisfaction of the Township Engineer to ensure a temporary and permanent looped water system.

17. The Owner shall agree in a subdivision agreement to dedicate gratuitously all easements free and clear of any encumbrances to any public authority or utility, including, but not limited to the Township, cable, gas, hydro, or telecommunications companies, as may be required, (and with respect to cable and gas services subject to such services being available). It is recognized that these dedications are in addition to any easements that may be shown on the plan and any such dedications shall be to the satisfaction of the Township Solicitor.

PARKLAND –PAYMENT IN LIEU

18. The Owner shall satisfy the statutory 5% parkland requirement of the residential lands included in the plan, by providing payment of cash in lieu to the Township which shall be paid to the Township upon execution of the subdivision agreement. The Owner shall also satisfy the statutory 2% parkland requirement for the employment lands included with the area of the plan by providing payment of cash in lieu to the Township upon execution of this agreement.

ROADS

19. (a) The Owner shall design and construct internal Street 'A', Street 'B', and Street 'C' to Township standards, including meeting Township grading requirements, naming the road to the satisfaction of the Township.

(b) The Owner shall design and construct the connection to Street 'A' to County Road 3 and Street 'B' to County Road 24 and make any necessary improvements to connect to the respective streets, to the satisfaction of the County.
20. The Owner acknowledges that notwithstanding that the lands where upon Street 'A' is shown in the plan are currently owned by the Township, the Owner shall, upon securing a temporary access and construction right of way from the Township, design, construct, and maintain Street 'A' as if it were in the Plan, and in the same way as Streets 'B' and 'C'. All works on Street 'A' Street 'B' and 'C' are local connections not to be funded through the Township's Development Charges (including not to be funded through Development Charges reserves).
21. The Owner shall provide standard pavement markings and traffic signage on all roads, and at all proposed intersections within and related to the plan of subdivision to the Township and County's satisfaction.
22. The Owner shall provide street lighting (Light Emitting Diode ("LED")) for the roads including temporary or permanent turning circles to the satisfaction of the Township and shall make operational the street lighting on all roads within 90 days of the issuance of the first building permit. It is acknowledged that the street lighting requirement for County Road 3 and

Country Road 24 shall be restricted to the intersections of Street 'A' and Street 'B'.

23. The Owner shall agree in the subdivision agreement with the Township to locate and construct all driveways accessing municipal roads, including driveway aprons, all to the satisfaction of the Township Engineer. Driveways shall be limited to one access point from the municipal road. Driveway entrances shall not be permitted to connect to the adjacent County Roads.

FENCING

24. The Owner shall agree in the subdivision agreement with the Township to prepare a fencing plan and install appropriate fencing in accordance with that fencing plan all to the satisfaction of the Township. The Owner shall include post and wire fencing on the south boundary of the subject lands boarding agricultural field, black vinyl chain link fencing where each rear and side of the lots shown on the plan boarder Block 60, the stormwater management block, Walkway block all to the satisfaction of the Township.

STORMWATER MANAGEMENT

25. The Owner shall agree in the subdivision agreement with the Township to design and construct any required stormwater management facilities to the satisfaction of the Township and Grand River Conservation Authority. The stormwater management facility shall be designed to accommodate stormwater flow, conveyance and outfall from the adjoining lands owned by the Township, legally described as PIN 34078-0114 and the lands owned by the Township, where Street 'A' is to be designed and constructed, legally described as PIN 34078-0112. Stormwater management facilities shall be approved by the Ministry of the Environment, Conservation and Parks ("MECP") pursuant to Section 53 of the Ontario Water Resources Act, unless the Township has received, and works are authorized under the Township's Consolidated Linear Infrastructure Environmental Compliance Approval for the Township's Stormwater Management System. The Owner shall agree in the subdivision agreement to obtain such required approvals prior to construction of the stormwater management facilities occurring.
26. Prior to final approval of the plan, the Owner shall provide confirmation if Lot 15 is required for stormwater management or containment of peak flows from the drainage swale for major storms including the regional storm. If Lot 15 is not required at the sole discretion of the Township, the Township shall release the lot and allow it to be registered as a lot to be built upon. Alternatively, if it is required for stormwater management it shall be dedicated to the Township prior to Final Approval for it to be accepted by such terms as set out in the subdivision agreement for inclusion as part of the stormwater management facility.

GRADING

27. The Owner shall agree that grading plans shall be prepared and submitted to the satisfaction of the Township prior to final approval; and that all such grading plans including the grading of roads meet all applicable standards, and shall be to the satisfaction of the Township and Township's Director of Public Works. Should such grading not be satisfactory, the Owner specifically agrees that the plan of subdivision shall be redlined, so as to make the grading acceptable and satisfactory to the Township. The Owner shall agree in the subdivision agreement with the Township to design and construct all grading, drainage, and servicing including the water supply system, under the Township's jurisdiction to the satisfaction of the Township. The Owner shall further agree and acknowledge that further design/lotting changes may be necessary within the draft plan of subdivision arising from the detailed grading plan. Recommendations of the detailed grading plan will be implemented to the satisfaction of the Township.
28. The Owner shall agree in the subdivision agreement to prepare a fill management plan in accordance with MECP's Management of Excess Soil – A Guide for Best Management Practices as well as Ontario Regulation 406/19 and the Soil Rules to the satisfaction of the Township should the plan require fill importation as determined during the detail design stage. The plan shall be prepared by a Qualified Person as defined in Ontario Regulation 153/04 and include provisions for road access, haul routes and monitoring, to comply with O Reg 406/19.

CONSTRUCTION AND SEDIMENT/EROSION CONTROL MEASURES

29. The Owner shall agree in the subdivision agreement with the Township to construct all works which must be considered temporary to facilitate the development of the subject property to the satisfaction of the Township and any other relevant public agency. These works may include but shall not be limited to, emergency access, temporary cul-de-sacs, temporary erosions control measures and temporary stormwater facilities.
30. The Owner shall agree in the subdivision agreement with the Township to erect temporary fencing, or snow fencing, as required on the property, prior to the commencement of site works, to the satisfaction of the Township and that such fencing remain in place until directed otherwise by the Township.
31. The Owner shall agree in the subdivision agreement with the Township to stabilize all disturbed soil within 90 days, or such other period as the Township may agree to taking into account standard engineering practices, of such soil being disturbed, control all noxious weeds, and maintain ground cover, and to keep the lands tidy and free of debris, all to the satisfaction of the Township.

32. The Owner shall agree in the subdivision agreement with the Township to provide and maintain erosion and sediment control measures, as appropriate, prior to the commencement of topsoil stripping and during other construction activities to the satisfaction of the Township and GRCA.
33. The Owner shall agree in the subdivision agreement with the Township to provide to the Township sufficient securities for the maintenance and monitoring of sediment and erosion control measures, which securities shall be to the satisfaction of the Township.
34. The Owner shall agree in the subdivision agreement with the Township that topsoil, equipment, or materials may only be stockpiled to the satisfaction of the Township. The Owner further agrees there will be no stockpiling on any lands being conveyed to the Township or on any blocks or on other adjacent lands owned by the applicant without the written approval of the Township.
35. The Owner shall agree in the subdivision agreement to provide a mud tracking pad for construction vehicles at the site entrance, and to direct all construction traffic to and from the Draft Plan of subdivision lands, to the satisfaction of the Township Engineer

LANDSCAPING

36. The Owner shall agree in the subdivision agreement with the Township to have a qualified Arborist certify that all trees planted by the Owner and all existing trees located on lands to be deeded to the Township are disease free and healthy, after planting (if applicable) and prior to the assumption of public services, all to the satisfaction of the Township.

PLAN, MAPS AND BENCHMARKS

37. The Owner shall agree to deposit five (5) full size paper copies of the Registered Plan of Subdivision with the Township and provide the Township with computerized information in a format satisfactory to the Township. In addition, the subdivision agreement between the Owner and Township shall contain a provision whereby the Owner agrees to supply to the satisfaction of the Township, "as constructed" public services in a format suitable for use by the Township with the current version of AutoCAD being used by the Township/and or its consulting engineers.
38. The Owner shall agree in the subdivision agreement with the Township to provide two second order, second level Geodetic Benchmarks in suitable locations to the satisfaction of the Township.
39. The Owner shall prepare a Community Information Sign which shows the draft plan of subdivision together with surrounding land uses, which Community Information Sign shall be to the satisfaction of the Township Planner, and the Owner shall also obtain from the Township a Schedule

with all notice clauses that the Township may require to be provided to potential purchasers of the lots, all of which is to occur prior to marketing or otherwise offering to sell any of the draft approved lots to builders or potential homebuyers. The approved Community Information Sign shall be posted in a prominent location in the sales office, if any, and a copy of the approved Sign and Schedule shall be provided directly to potential purchasers.

40. The Owner shall agree in the subdivision agreement to provide the approved Community Information Sign and obtain execution of the Schedule by each builder/homeowner which documents shall be submitted as part of the filings to the Township for its clearance of the requisite building permit application.

RETAINING WALLS

41. The subdivision agreement between the Owner and the Township and all offers of Purchase and Sale shall contain a clause stating that the maintenance of any retaining walls constructed within the Draft Plan of subdivision shall be the responsibility of the Owner and subsequent Owners, and that no retaining wall shall exceed a maximum height of 1.5 metres on the exposed face, unless any additional height is approved by the Township in writing. Retaining walls shall not be constructed upon lands to be transferred to the Township or other public authority, unless otherwise approved by the Township.

ENGINEERING AND TECHNICAL REPORTS

42. The Owner has prepared and submitted to the Township for approval, the reports listed below. Recommendations from these reports, as amended or modified to the satisfaction of the Township will be implemented in the detailed design process to the satisfaction of the Township and any other public body as noted below. All reports and studies must substantially conform to the draft plan of subdivision prepared by Innovative Planning Solutions dated as revised December 18, 2023, and may be further red-lined to address recommendations or requirements of the updated reports to the satisfaction of the Township
 - (a) recommendations of the Functional Servicing Report prepared by Valdor Engineer Inc. (May 2022), and any amendments or modifications thereto approved by the Township and GRCA, shall be implemented to the satisfaction of the Township and GRCA. The Owner agrees that all facilities for stormwater management purposes shall be operational to the satisfaction of the Township and GRCA, prior to the placement of the road granulars. The Owner acknowledges that monies shall be deposited and paid to the Township as contribution to the long-term maintenance of the stormwater facilities which amount shall be addressed in the subdivision agreement;

- (b) recommendations of the Amended Baseline Ecological Assessment dated January 13, 2021, and any amendments or modifications thereto approved by the Township;
 - (c) recommendations of the Hydrogeological Investigation Report prepared by Palmer (February 2, 2021) and technical memoranda dated January 6, 2021, and any amendments or modifications thereto, shall be implemented to the satisfaction of the Township;
 - (d) recommendations of the Geotechnical Investigation prepared by Alston Geotechnical Consultants Inc. (April 13 2020), and any amendments or modifications thereto approved by the Township.
43. The Owner agrees to have prepared, by a qualified Consulting Engineer(s) or other professionals as noted below, and submitted to the Township for review and approval, at its cost the following reports and plans. All plans and reports must substantially conform to the draft plan of subdivision dated as revised December 18, 2023. Recommendations from reports, as amended or modified to the satisfaction of the Township, must be implemented to the satisfaction of the Township:
- (a) Functional Servicing Report – the report dated May 2022 prepared by Valdor Engineering Inc. shall be updated to reflect the draft plan dated as revised December 18, 2023. The updated report shall also address the following:
 - (i) Updated design considerations for additional dwelling units pursuant to the Township By-Law 26-2023.
 - (ii) Updated stormwater management modelling to include Township owned lands being 9.07 acres, described as PIN 34078-0114 East Garafraxa Concession 14, Part Lot 5, RP 7R5924 Parts 11 and 12 that will be conveyed to the stormwater management facility in Block 59. The design shall provide stormwater management for these lands owned by the Township to accommodate future development at a similar imperviousness as the Subdivision Lands. The updated modelling is also to consider and justify the imperviousness per lot to allow for additional dwelling units pursuant to Township By-Law 26-2023. The updated stormwater management modelling shall also address the increase imperviousness related to employment uses. The Owner agrees that Lot 15 has a holding provision until it is confirmed that the area is not required for stormwater management or for conveyance of major storms.
 - (iii) Provide detailed analysis between Lots 32 and Block 64 to confirm conveyance of any drainage area from land to the south. This

may necessitate granting a drainage easement to the Township to the satisfaction of the Township solicitor.

- (iv) Include analysis to inlet and convey through a pipe the 100 year storm from Block 63 to the stormwater management pond as to provide a piped outlet to the stormwater management facility to the satisfaction of the Township Engineer with conveyance of emergency overflow to the ultimate outlet on County Road 3.
 - (v) Include culvert calculations sized based on MTO Directive B-100.
 - (vi) Include analysis confirming conveyance of the major system can be contained within the road right of way.
 - (vii) Updated Floodplain analysis to reflect the location of the channel in Block 59 and Block 60 to verify that all storms up to the regional storm is fully contained within the blocks. Any portions of the channel that are engineered within the regional flooding area shall have channel side slopes that have a maximum 25 percent slope, a minimum 1 metre wide shelf at a minimum of two locations on each side with a maximum 5 percent slope and a minimum 3.5 metre maintenance access route adjacent to the channel. The Owner shall further agree and acknowledge that further design/lotting changes may be necessary within the draft plan of subdivision to ensure that runoff for storms up to the regional storm are fully contained within the block.
 - (viii) Updated to address requirements of permitted authorizations under the consolidated linear infrastructure environmental compliance approval. The Township is in the process of obtaining such approval. Should the approval not be in place, the Owner acknowledges they shall be required to submit an environmental compliance approval to the MECP for the Stormwater Management System.
 - (ix) Updated wastewater servicing analysis to address Township By-Law 26-2023. It is acknowledged, at minimum, that a Level IV Treatment Unit with minimum nitrogen removal capabilities of 50% CAN/BNQ 3680-600 is required. The report shall confirm whether a Treatment Unit with minimum nitrogen removal capabilities of 75% is required. It is acknowledged that this assessment could be completed by an update to the Hydrogeological Report.
- (b) Traffic Impact Study – To reflect the draft plan dated as revised December 18, 2023 including impacts of the Employment Block and new entrance points to the County Roads and proximity to the East Garafraxa Public School. The plan shall confirm whether external upgrades are

required thereto approved by the Township shall be implemented to the satisfaction of the Township and County.

- (c) Updated Geotechnical Report – To address any potential impact from groundwater and provide recommendations for the construction of the subdivision including pavement design of internal roads, design of the stormwater management facilities, requirements for subdrains, provide a minimum basement elevation for each lot in order to be above the seasonally high groundwater level. The report shall include additional groundwater monitoring levels with readings that incorporate spring measurements between April and June to the satisfaction of the Township.
- (d) Landscape Plan – Prepare plan, by a qualified Landscape Architect to the satisfaction of the Township, including the following components:
 - (i) Shall incorporate the trees to be preserved and any required protection measures during construction;
 - (ii) Tree inventory and compensation plan;
 - (iii) Shall include street tree planting along Street ‘A’, Street ‘B’, and Street ‘C’. A minimum of one (1) tree per lot along the lot frontage, and (2) trees per lot along exterior side yards is required. All trees shall be planted on private property.
 - (iv) Shall provide a 1.8 metre high landscaped berm, which berm shall be planted to provide treed screening along those residential lots adjacent to Country Road 3 and to screen the lots that are adjacent to Block 63 and 64 to the satisfaction of the Township. The berm side slopes shall be a maximum slope of 33%. The screening between Blocks 63 and 64 and residential lots may include a noise privacy fence or a landscaped berm to the satisfaction of the Township.
 - (v) Incorporate a landscape plan for Block 59 and Block 60.
 - (vi) Shall include a fencing plan including the location of fencing, type of fencing, and details of installation to the satisfaction of the Township.
- (e) Noise Report – the report dated January 2021 prepared by LEA shall be updated to reflect the draft plan dated as revised December 18, 2023. The updated report shall address the employment use and any required warning clauses or mitigative measure for the adjacent lots and any limitations regarding future development of the employment lands.

- (f) Operations and Maintenance Plan – for the Stormwater Management System incorporating elements within the consolidated linear infrastructure environmental compliance approval.
- (g) Homeowner’s Manual –Provides information regarding the characteristics of the septic systems proposed and the required operations and maintenance instructions. The Manual should also provide details with respect to the local environment and pay particular attention to the potential impacts of misuse of the private septic system on the environment.
- (h) Rural Building Design Guideline – The guideline shall confirm architectural requirements and shall specifically address mitigation measures to be implemented when the house is raised to maintain separation from groundwater to the satisfaction of the Township. Specifically, houses with raised basements shall be bi-level, such that no more than three (3) stairs are utilized outside of the house for access to the front door and any additional stairs required to reach the first floor shall be internal to the house.
- (i) Detailed Engineering drawings – Drawings, prepared by a qualified Engineer, shall reflect the recommendations of all reports and studies requested as conditions of approval. All aspects of the servicing design must be in accordance with the appropriate requirements of the applicable legislation, including any applicable Class Environmental Assessment. The Detailed Engineering drawings shall be incorporated as part of the approved drawings under the subdivision agreement and shall be completed and approved prior to the execution of the subdivision agreement, and prior to final approval of the plan of subdivision.
 - (i) Erosion and Sediment Control Plan – Provide recommendations for the control, maintenance, and monitoring of sediment during all phases of construction and to address erosion control issues. The plan shall include inspection requirements for dry weather periods (active and inactive construction phase), after significant storm events and significant snowmelt events, and after any extreme weather to the satisfaction of the Township.
 - (ii) Cut and Fill Plan – The plan shall show the amount of cut and fill required to achieve the grading and drainage including a summary table of cut/fill volumes. The plan shall be reviewed by the private septic system specialist in order to determine the effect of the grading on the operation of the leaching beds. The characteristics and placement method of imported fill to be placed in areas where the private septic systems are to be

constructed shall be approved by the private septic system specialist and requirements included within the engineering plans. The size of the septic system envelopes as shown on the Master Development Plan shall consider the Cut and Fill Plan and the expected soil characteristics and groundwater levels.

- (iii) Grading, Plan and Profile, and Servicing Plans – The detailed engineering drawing set shall include all plans for grading, servicing and road construction. The stormwater management facility shall include a maintenance access road around the facility with connections to Street B and Street C.
- (iv) Master Development Plan – Plan shall illustrate building envelopes, suggested dwelling sittings, rear yard activity areas, driveways, private septic system envelopes with the corresponding grading and drainage requirements. The Master Development Plan shall be based on consideration of the soils and water table on site, as determined by groundwater monitoring and such other soils investigations to the satisfaction of the Township.
- (v) Street Lighting Plans – Plans shall set out the placement of street lighting and associated details including photometric analysis for the Subject Lands to the satisfaction of the Township.
- (vi) Composite Utility Plan – The Plan shall include all utilities being installed in the subdivision. All pedestals and transformers are to be placed near the property line on the back slope of the ditch. The Owner acknowledges and agrees to convey any easements as deemed necessary to the utility company(s) as required. The utility trenches be buried at a sufficient depth to ensure a 1.2m radius is maintained from the bottom of the ditch invert to the satisfaction of the Township.
- (vii) Pavement Markings and Traffic Signage Plan – It is acknowledged that the Owner's Engineer has prepared the cross section for the subdivision which consists of a rural cross section and a multi-use path on one side of the road. The Owner's Engineer is to provide a plan showing all pavement markings and traffic signage required for this cross section. The plan shall also consider the adjacent school and consult with the Upper Grand District School Board on appropriate access points including any requirement for a layby, entrance to the school, which improvements shall be incorporated along Street 'A' adjacent to the school to the satisfaction of the Township.

44. The Owner acknowledges and agrees that ensuring the suitability of land for its proposed uses is the Owner's responsibility. The Owner has

submitted a Phase I Environmental Site Assessment, prepared by Watters Environmental Group Inc. dated April 2020. Prior to the final approval of the plan, the Owner shall:

- (i) Provide a letter of reliance in favour of the Township, to the satisfaction of the Township Solicitor for the Phase I Environmental Site Assessments, prepared by Watters Environmental Group Inc.
- (ii) File a Record of Site Condition (RSC) on the Provincial Environmental Registry for the subdivision lands including any lands to be conveyed to the Township. In addition, prior to the registration of the plan of subdivision, the Owner shall provide such environmental warranties and undertakings to the satisfaction of the Township Solicitor

45. The Owner shall agree that where a condition of approval requires the preparation of a report, study, or plan, the Owner shall:
- (a) carry out, or cause to be carried out, the study, report or plan, at the Owner's expense, prior to final approval, except in those circumstances that may be specifically authorized by the approving agency(s); and
 - (b) carry out, or cause to be carried out, the recommendation(s) or work(s) prescribed in the approved study, report, or plan, prior to final approval, except in those circumstances that may be specifically authorized by the approving agency(s).

SERVICING

46. The Owner shall specifically acknowledge and agree in the subdivision agreement that the Township is not agreeing to execute or enter into a responsibility agreement to provide public wastewater treatment for this development. It is also acknowledged that tertiary treatment systems (Level IV Treatment Systems) included as part of the private septic systems for the servicing of each lot, that the Township shall not be responsible for supervising, inspecting, monitoring, or guaranteeing that such systems are operational. The Subdivision Agreement between the Owner and the Township shall contain provision(s) that all lots will be made suitable for subsurface sewage disposal systems to the satisfaction of the Township. All installation of subsurface sewage disposal system(s) shall be in accordance with building permit(s) from the County of Dufferin.
47. The subdivision agreement shall also contain provisions with wording to the satisfaction of the Township that a detailed plot plan shall be approved by the Township prior to the issuance of municipal clearance for a building permit (which clearance is by the Township) that shows the building envelope, on-site sewage system, the proposed grading, the water service,

and any other details that the Township may require, together with any other provisions that the Township may require for the proper construction, installation and operation of the on-site sewage system. The subdivision agreement shall also contain clauses regarding the requirement for a clause to be contained in the Agreement(s) of Purchase and Sale of the lot(s) advising that the lot is serviced by municipal water and a private sewage disposal system, and also advising the purchaser that an information package will be provided to the purchaser with detailed information regarding the operation of the private on-site sewage system including the nature, operation and maintenance of such systems, all to the satisfaction of the Township.

48. The Owner shall agree in the subdivision agreement that each of the lots shall be made suitable for the installation of an individual private subsurface sewage disposal system and the Owner shall install private septic system(s) on all building lot(s). In addition, the overall layout of the municipal water system and the private septic system(s) for the plan of subdivision shall be to the satisfaction of the Township and the detailed plot plan(s) as set out below shall be to the satisfaction of the Township. Should any lot be deemed by the Township to be unsuitable for such systems, such lot shall be combined with other lots or blocks, as the case may be.

The Owner further agrees to meet the following requirements in the design of the private septic system(s):

- (a) the engineering design team preparing the final engineering drawings for the subdivision shall include a specialist in private septic systems and lot grading to ensure the integration of sewage treatment considerations (including raised beds, if necessary) into the grading plans;
- (b) Septic systems shall be designed in accordance with the engineering reports prepared by the Owner's engineer. The Township and the Chief Building Official may approve any deviations from the approved design concept as they deem appropriate;
- (c) a primary area for the private septic system(s) shall be provided on each lot. The size of the areas provided shall be related to the percolation rate of the existing native soils and the dwelling characteristics;
- (d) leaching bed design shall be based on post-grading soils and water table conditions determined by a test pit excavated within the proposed leaching bed area and inspected by the Building Department and/or verified by report submitted by a Geotechnical Consultant to the satisfaction of the Chief building Official;

- (e) consideration should be given to the potential for changes in the water table and the stormwater quantity and quality facilities. Wherever possible, the distance between leaching beds and the above should be maximized;
- (f) in order to prevent erosion of the leaching beds, the soils in the bed and related drainage swale areas shall be stabilized by hydro seeding immediately after bed construction. Any areas on raised beds each adjacent to and on the tapers shall be sodded immediately on completion;
- (g) the engineering plans shall include drawings indicating the amount of cut and fill required to achieve the grading and drainage required and these plans shall be reviewed and approved by the private septic system specialist in order to determine the effect of the grading on the operation of the leaching beds. The characteristics and placement method of imported fill to be placed in areas where the private septic systems are to be constructed shall be approved by the private septic system specialist and the Township and Chief Building Official;
- (h) during road and drainage system construction, vehicular traffic must be kept off the private septic system areas to prevent soil compaction. No building materials or soil should be stockpiled in private septic system envelopes;
- (i) where on-lot infiltration techniques, not to include soak-away pits, are proposed, consideration should be given to the potential impact of infiltration on the leaching beds;
- (j) prior to the issuance of a building permit for a private septic system, the following conditions must be fulfilled to the satisfaction of the Township and the Chief Building Official:
 - i) pre-grading has been completed to ensure that all leaching bed areas are adequately drained prior to the construction of a private septic system;
 - ii) a qualified consulting engineer, together with a specialist in the design and installation of private septic systems, shall be retained to submit the necessary detailed site plan with each application for a municipal approval of the detailed site plan and a building permit for the private septic system(s);
 - iii) the same consulting engineer and private septic system design specialist shall also be jointly responsible for:
 - 1. preparation of a detailed individual plot plan to be approved by the Township which illustrates all proposed buildings and structures, their elevation, the driveway and activity areas

(including showing any area proposed for a swimming pool), the septic tank, pump tank or siphon (if required), the detailed design of the leaching bed (and where a fully or partially raised leaching bed is proposed, a detailed cross-section), all existing and proposed grades including retaining walls or terraces, natural features and vegetation (existing and to be removed), the method of disposing of stormwater (drainage swales, directions and grades), water service location and all erosion control and sedimentation features, all of which must be shown. Existing and proposed grades must be provided.

2. obtaining approval from the Township indicating that the proposed grading conforms to the Master Development Plan. It is acknowledged that the Township at the municipal clearance for building permit stage may approve a detailed plot plan for a dwelling on a lot that varies from the Master Development Plan provided the Master Development Plan's integrity is not compromised:
 3. inspection of one or more test pits and the preparation of a grain size analysis and water table evaluation report. Where imported fill material is required, the consulting engineer/private septic system design specialist shall provide a detailed grain-size analysis report on the proposed fill and shall obtain Township and Chief Building Official approval prior to placement on the property;
 4. for raised beds, supervision of the laying out, excavation and scarification of the leaching bed bottom and placement of fill to ensure compliance with design and grading criteria; and
 5. prior to authorizing the construction of the leaching bed, the Consulting Engineer and private septic system design specialist will obtain confirmation that the dwelling has been constructed in the location and to the grades indicated in the approved site plan.
- (k) following the completion of construction, the Consulting Engineer and private septic system design specialist shall be responsible for:
- i. provision of a Certificate of Compliance for each lot within the subdivision stipulating that all grades and private septic system(s), including all its details have been constructed according to the approved detailed site plan and the approved design; and
 - ii. provision of certified "as constructed" drawings of the private septic system of each lot in a digitized electronic format acceptable to the Township, if so required by the Township.

- (l) the Owner shall provide to the lot purchaser a copy of the site plan and a copy of the Home Owner's Manual for the private septic system (which Manual shall be approved by the Township), and a copy of the operating manual and the maintenance agreement for the private septic system;
- (m) it is acknowledged that the primary responsibility of the Township is with respect to the general layout of the sewage system(s) and the grading of the plan of subdivision. It is acknowledged that the design of the individual private septic system(s) is subject to the Ontario Building Code Act and the regulations thereunder. Should any of the provisions of this condition conflict with the Ontario Building Code Act and the regulations thereunder, it is agreed that the Ontario Building Code Act and the regulations thereunder, as the case may be, govern;

49. The subdivision agreement between the Owner and the Township shall contain provision(s) incorporating the provisions of condition 48 to the satisfaction of the Township. The subdivision agreement shall also contain clauses regarding the requirement for a clause to be contained in the Agreement of Purchase and Sale for each lot advising that the lot is serviced by a municipal water and a private subsurface sewage disposal system and also advising the purchaser that an information package will be provided to the purchaser with detailed information regarding the nature, operation and maintenance of the private septic system, all to the satisfaction of the Township. The subdivision agreement shall also contain provisions that:

- (a) eaves trough, foundation drains and surface/stormwater drainage must not be directed to, the sewage disposal system, nor onto, or into the ground surface in the vicinity of the tile bed area in order to limit the impact of stormwater on the operation of the leaching beds;
- (b) the Owner shall not permit the installation of any underground lawn irrigation systems within the primary leaching bed area, or in any area which may detrimentally affect the operation and effectiveness of the leaching bed. The Developer agrees to insert a provision in any agreement of purchase and sale to this effect;
- (c) no structures, including accessory buildings and swimming pools, and no landscaping involving decks, berms, foundations, paving stones or trees shall be located within the primary leaching bed area and no structures, including accessory buildings and swimming pools, shall be located in the reserve leaching bed area; and
- (d) the front and side yards of residential lots extending to the rear limit of each house at a minimum are to be sodded. The balance of the lot is to be top soiled and hydroseeded or sodded.

WATER SERVICING AND FIRE PROTECTION

50. The Owner acknowledges that the Township's existing municipal water system requires expansion, and there are no existing watermains near the subject lands. The Township completed a Municipal Class Environmental Assessment titled 'Marsville Water System Expansion Municipal Class Environmental Assessment (Schedule B)' to determine the preferred solution to expand the municipal water system. Without limiting the generality of the foregoing, the preferred solution includes two new wells, storage, and a new pumphouse/treatment site, and all related works that are not located on the subject lands. The Owner shall agree that the water supply system expansion shall be operational prior to final approval of the subdivision (or of any phase of the subdivision, if the development is phased) being granted. The Owner acknowledges that other landowners within Marsville that have applied to develop their lands, collectively the developers including the Owner or the Owner themselves, shall financially secure the project, which project shall not commence until the Township is satisfied that financial arrangements are in place for the design and construction of the project. The Owner acknowledges that the Township does not own the land required for the preferred solution located on CON 13 E PT LOT 5 and the Owner cannot proceed with site alterations including clearing or topsoil stripping until these lands have been dedicated to the Township or other arrangements have been made to the satisfaction of the Township Solicitor and Township Engineer and nothing in the granting of Draft Approval shall place any obligation on the Township to secure lands, or facilitate their acquisition, or commissioning the necessary expansion of the water system. The Owner further agrees in the subdivision agreement that there shall be no presale of any lots, by agreement of purchase and sale, following draft plan approval, until such time as the Township receives confirmation that the expansion of the existing municipal water system to service the Plan, or any phase of the Plan is financially secured, all to the satisfaction of the Township.
51. The Owner shall agree to incur the cost of the design, installation and construction of the expansion of the Township's existing water supply system, and all necessary appurtenances thereto to the satisfaction of the Township. The Owner shall agree that the Township Engineer shall design those components of the water supply system as required by the Township. The Owner shall agree that the water supply system, and all related works and improvements shall be operational or financially secured to the satisfaction of the Township prior to final approval of the subdivision (or of any phase of the subdivision, if the development is phased) being granted.
52. The Owner shall agree in the subdivision agreement that requirements for a municipal residential drinking water system under Part V of the Safe Water Drinking Act and O. Reg. 170/03 (Drinking Water Systems

Regulation) shall apply in the design, construction and installation of the municipal water system all to the satisfaction of the Township Engineer.

53. The Owner acknowledges in the subdivision agreement that the Plan shall be serviced by full municipal water and may not proceed to Final Approval until the Township Engineer confirms that the Marsville municipal water system has capacity to service the subdivision with an adequate supply of potable water and fire protection services, and that arrangements have been made for satisfactory connecting watermains all to the satisfaction of the Township Engineer.
54. The Owner shall agree that the Township Engineer shall design those components of the water system outside of the Plan including, without limiting the generality of the foregoing, two new wells, storage, and a new pumphouse/treatment facility as required by the Township and is responsible for all costs associated with such design, tendering, construction, and site inspection services.
55. The Owner is to provide the subdivision with a looped water system to help ensure a safe, secure and reliable water supply. This can be accomplished with two or more feeds from the Township's water supply. Should the connection points not be readily available adjacent to the site, then the Owner shall be required to extend watermains to the site and acquire any necessary easements at their own cost for this purpose all to the satisfaction of the Township Engineer.
56. The Owner shall dedicate gratuitously to the Township all lands and easements required for the water supply system, all of which shall be free and clear of all encumbrances.
57. The Owner shall agree in the subdivision agreement to file digital drawings both in portable document format and AutoCAD of final approved construction drawings and as-constructed drawings to the satisfaction of the Township Engineer.
58. The Owner shall agree in the subdivision agreement to provide each dwelling on each Lot with a water meter. The Owner, or where the Lot is sold to a builder by the Owner, the builder, shall make arrangements with the Township for the type of water meter and shall install the water meters to the satisfaction of the Township. The Owner shall ensure the installation of the water meters are easily accessible for the Township. The Owner shall install an appropriate water shutoff prior to the water meter. Each dwelling shall be required to have installed a dual check valve (no lead) for premise isolation, complete with an expansion tank, and other such requirements of the Township Engineer.

59. The Owner shall agree that no water may be provided or used in the municipal water system until a water meter is installed and operational. The Owner shall also agree in the subdivision agreement that the Township shall set the applicable water rates, and will require provisions to require the collection of water usage from dwellings prior to assumption of the municipal water system of the Township.
60. As a component of the Owner's agreement to satisfy all the requirements, financial or otherwise of the Township with regard to supply, distribution and storage of municipal drinking water, the Owner agrees in the subdivision agreement to reimburse the Township for invoices incurred for the operation, design, routine maintenance, review, supervision and approval of connections of each dwelling to the Local Water System, any system upgrades, any costs incurred to meter the dwellings all to the satisfaction of the Township Engineer.

WELL MONITORING

61. The Owner agrees that:
- (a) prior to any site alteration, it shall conduct a Preconstruction Survey of the static water level and quality of all wells, subject to the consent of the well owner, within the greater of:
 - i. 500 m of development area; and
 - ii. the expected area of influence as determined by a hydrogeologist.
 - (b) should the Township receive complaints regarding alleged well interference from properties within the vicinity of the property, the Township may require the Owner to update the preconstruction survey from time to time or, in the alternative, monitor the wells on which complaints have been received, (should the resident so permit); and
 - (c) the Owner further agrees to resolve any claims of well interruption, if any, due to the development of the subdivision. Should there be any such interruption to properties located in proximity to the draft plan, then the Owner agrees that it shall supply temporary water to the affected home(s), and if necessary shall implement a permanent solution such as, but not limited to, the installation of a new well or connection to the municipal water system, to the satisfaction of the Township and/or MECP, as the case may be.

GRAND RIVER CONSERVATION AUTHORITY

62. Prior to any grading and servicing and/or registration of the plan, or any phases thereof, the Owner shall prepare to the satisfaction of GRCA and the Township
- (a) A Final Stormwater Management Report in accordance with the 2003 Ministry of Environment Report entitled, "Stormwater Management Practices Planning and Design Manual" and in keeping with the Functional Servicing Report (Valdor Engineering, dated April 2020, Rev. May 2022.)
 - (b) Detailed Lot Grading and Drainage Plans showing existing and proposed grades.
 - (c) An Erosion and Siltation Control Plan in accordance with the Grand River Conservation Authority's Guidelines for sediment and erosion control, indicating the means whereby erosion will be minimized and silt maintained on-site throughout all phases of grading and construction
 - (d) The submission and approval of a Development, Interference with Wetlands and Alterations to Shorelines and Watercourses permit from the GRCA prior to any grading within the regulated area.
 - (e) The submission of floodplain mapping and updated HEC-RAS modelling.
 - (f) Updated analysis mitigating the post-development infiltration deficit and maintaining runoff volumes to Brouwer Drain are required to ensure there are no negative impacts to flooding or erosion downstream of the proposed development.

UPPER GRAND DISTRICT SCHOOL BOARD

63. The Owner agrees to the following provisions, to be included in the Township's subdivision agreement, to the satisfaction of the Upper Grand District School Board:
- (a) Education Development Charges shall be collected prior to the issuance of building permit(s);
 - (b) Provide the Upper Grand District School Board with a digital file of the plan of subdivision in either ArcGIS (shapefile or geodatabase) format or DXF format using a projected geographic coordinated system, containing parcel fabric and street network;
 - (c) That the developer shall agree in the subdivision agreement that adequate sidewalks, lighting and snow removal (on sidewalks and walkways) will be provided to allow children to walk safely to school or to a designated bus pickup point. *(The Township will not be provided sidewalks in the development)*

- (d) That the Owner and the Upper Grand District School Board reach an agreement regarding the supply and erection of a sign at the Owner's expense and according to the Board's specifications, affixed to the permanent development sign, subject to the approval of the Township, advising prospective residents about schools in the area.
- (e) The Owner agrees that construction vehicle access is restricted to the access point on County Road 24, in order to limit the construction vehicle traffic at the school and to reserve the access point on County Road 3 as a school bus pick up/drop off point if one is necessary during construction.
- (f) That prior to final approval of any phase or stage of the subdivision, a detailed design of the pedestrian connection from Street A to the school property be provided for review and approval by Board Staff. Further, the cost of construction of such pedestrian connection shall be borne fully by the developer.
- (g) That prior to final approval of any phase or stage of the subdivision, a revised traffic impact study, detailed grading plan and stormwater management report be provided to the Board's satisfaction.

DUFFERIN-PEEL CATHOLIC DISTRICT SCHOOL BOARD

64. That the applicant shall agree in the Servicing and/or Subdivision Agreement to include the following warning clauses in all offers of purchase and sale of residential lots:
- (a) Whereas, despite the best efforts of the Dufferin-Peel Catholic District School Board, sufficient accommodation may not be available for all anticipated students from the area, you are hereby notified that students may be accommodated in temporary facilities and/or bussed to a school outside of the neighbourhood, and further, that students may later be transferred to the neighbourhood school.
 - (b) That the purchasers agree that for the purpose of transportation to school, the residents of the subdivision shall agree that children will meet the bus on roads presently in existence or at another place designated by the Board.

COUNTY OF DUFFERIN

65. The Owner to the satisfaction of the County shall ensure all intersection sight triangle dimensions meet the greater of either the Township's Official Plan, or the County of Dufferin's Entrance Policy 5-3-17.
66. The Owner to the satisfaction of the County shall ensure that no pedestrian infrastructure is directed to the County road where no pedestrian infrastructure exists to the satisfaction of the County.

67. The Owner agrees to provide a Traffic Impact Study (TIS) to reflect the draft plan as revised December 18, 2023 and confirm any external road improvements to Dufferin County Roads 3 and 24.
68. The Owner agrees that 0.3m reserves along the entire development frontage on Dufferin County Road 3 & 24 shall be provided and shall be dedicated gratuitously to the County of Dufferin.
69. The Owner agrees to provide auto-turn movements to confirm the turning circle on Street 'A' accommodates waste collection.
70. The Owner agrees to redline the plan to provide driveway access for the existing vacant lot outside the plan in the south east corner to Street 'B'.
71. The Owner agrees to review the proximity of the East Garafraxa Public School Entrance(s) and must consider the relocation of the entrance(s) from Dufferin 3 to Street 'A' providing access from a lower volume local road.

ENBRIDGE GAS DISTRIBUTION

72. The Owner agrees to the following provisions, to be included in the Township's subdivision agreement, to the satisfaction of Enbridge Gas Distribution Inc.:
 - (a) the Owner shall contact Enbridge Gas Inc.'s Customer Connections department by emailing SalesArea20@Enbridge.com to determine gas availability, service and meter installation details and to ensure all gas piping is installed prior to the commencement of site landscaping (including, but not limited to: tree planting, silva cells, and/or soil trenches) and/or asphalt paving;
 - (b) easement(s) are required to service this development and any future adjacent developments. The Owner will provide all easement(s) to Enbridge Gas Inc. at no cost;
 - (c) the Owner will contact Enbridge Gas Distribution's Customer Connections department by emailing SalesArea20@enbridge.com prior to any site construction activities to determine if existing piping facilities need to be relocated or abandoned;
 - (d) in the event a pressure reducing regulator station is required, the Owner is to provide a 3 metre by 3 metre exclusive use location that cannot project into the municipal road allowance. The final size and location of the regulator station will be confirmed by Enbridge Gas Distribution's Customer Connections department. The Owner shall contact

SalesArea20@enbridge.com for further details with respect to the foregoing.

Note: the Township shall be consulted with respect to any such location;

- (e) the Owner will grade all road allowances to as final elevation as possible, provide necessary field survey information and all approved municipal road cross sections, identifying all utility locations prior to the installations of the gas piping; and
- (f) Enbridge Gas Distribution reserves the right to amend or remove development conditions

BELL

73. The Owner agrees to the following provisions, to be included in the Township's subdivision agreement, to the satisfaction of Bell Canada:
- (a) The Owner acknowledges and agrees to convey any easement(s) as deemed necessary by Bell Canada to service this new development. The Owner further agrees and acknowledges to convey such easements at no cost to Bell Canada.
 - (b) The Owner agrees that should any conflict arise with existing Bell Canada facilities where a current and valid easement exists within the subject area, the Owner shall be responsible for the relocation of any such facilities or easements at their own cost.
 - (c) The Owner is advised to contact Bell Canada at planninganddevelopment@bell.ca during the detailed utility design stage to confirm the provision of communication/telecommunication infrastructure needed to service the development.
 - (d) It shall be noted that it is the responsibility of the Owner to provide entrance/service duct(s) from Bell Canada's existing network infrastructure to service this development. In the event that no such network infrastructure exists, in accordance with the Bell Canada Act, the Owner may be required to pay for the extension of such network infrastructure.
 - (e) If the Owner elects not to pay for the above noted connection, Bell Canada may decide not to provide service to this development.

CANADA POST

74. The Owner agrees to the following provisions, to be included in the Township's subdivision agreement, to the satisfaction of Canada Post, to undertake the following:

- (a) consult with Canada Post to determine suitable locations for the placement of Community Mailboxes and to indicate these locations on appropriate servicing plans;
- (b) prior to offering any residential units for sale, to place a “Display Map” on the wall of the sales office in a place readily available to the public which indicates the location of all Canada Post Mailbox site locations, as approved by Canada Post and the Township;
- (c) include in all Offers of Purchase and Sale a statement which advises the prospective purchaser that mail delivery will be from a designated Community Mailbox and to include the exact locations (list of lot numbers) of each of the Community Mailbox locations;
- (d) provide the following for each Community Mailbox site and include these requirements on appropriate servicing plans:
 - i. an appropriately sized sidewalk section (concrete pad), as per Canada Post specifications, upon which to place the Community Mailboxes;
 - ii. any required walkway across the boulevard, as per municipal standards;
 - iii. any required curb depressions for wheelchair access, and;
 - iv. redline the plan to show a lay-by for vehicular traffic prior to final approval.

Note: the Township shall be consulted with respect to any such location

- (e) determine, provide and maintain a suitable and safe temporary Community Mailbox location(s) to be “fit up” prior to first occupancy. This temporary site will be utilized by Canada Post until the above-mentioned criteria is completed at the permanent Community Mailbox site locations. This will enable Canada Post to provide mail service to new residences as soon as homes are occupied

UTILITIES

- 75. The Owner agrees in the subdivision agreement to provide to the Township confirmation from the telecommunication company, cable company, gas company and Hydro One, that arrangements have been made to their respective satisfaction for the installation of such utilities and services, including underground services in the draft plan of subdivision.

MINISTRY OF TOURISM AND CULTURE

76. No grading or other soil disturbance shall take place on the subject property prior to a letter of clearance from the Ministry of Tourism, Culture and Sport, with respect to archaeological assessment. It is acknowledged in the letter dated May 20, 2020 by Ministry of Heritage, Sport, Tourism, and Culture Industries that the Stage 1 report has been entered into the Provincial register of archaeological reports. It is acknowledged in the letter dated June 9, 2022 by the Ministry of Heritage, Sport, Tourism, and Culture Industries that the Stage 2 report has been entered into the Provincial register of archaeological reports.

ROGERS

77. Prior to registration of the plan of Subdivision, the Owner will, at its own cost, grant all necessary easements and maintenance agreements required by those CRTC-licensed telephone companies and broadcasting distribution companies intending to serve the Subdivision (collectively, the "Communications Service Providers"). Immediately following registration of the Plan of Subdivision, the Owner will cause these documents to be registered on title.
78. Prior to registration of the plan of Subdivision, the Owner will, with consultation with the applicable utilities and Communication Service Providers, prepare an overall utility distribution plan that shows the locations of all utility infrastructure for the Subdivision, as well as the timing and phasing of installation.

NOISE AND ODOUR

79. Prior to any grading or development, the Owner shall agree that construction activities will be undertaken in accordance with the standards contained in the Township Noise By-law and any other requirements contained within the subdivision agreement.
80. The Owner agrees to notice clauses to be contained within the subdivision agreement with the Township together with the provision of statements in all Offers of Purchase and Sale to provide notice to prospective purchasers regarding surrounding land uses. The clauses and statements are as follows and shall be updated to incorporate any additional warning clauses, or mitigative measures determined through an updated Noise Report:
- (a) potential noise disturbances and odour may emanate from neighbouring properties including those noises and/or odours caused by area agricultural operations, East Garafraxa Public School, County Road 3, County Road 24 and future Employment Blocks located adjacent and in the Subject Lands. The following clause shall be included:

All Lots

“The purchasers/tenants are advised that lands in the vicinity of the subdivision are farm lands and may be used for the growing of crops and the raising and housing of livestock, and normal farm practices are to be anticipated on these lands including noise and odour.”

“The purchasers are advised that the East Garafraxa Public School is near the subdivision and noise and increased traffic associated with school drop off and pick up times are to be anticipated on these lands”

“The purchasers are advised that County roads are adjacent to the subdivision lands. County roads are collector roads that are expected to have higher volumes of traffic.”

“The purchasers are advised that employment blocks are within the subdivision lands and noise, odour, and increased traffic on Street B should be anticipated. The official plan designates Employment use within the plan adjacent to Lot 33, Lots 34-40, , and Lot 41.”

Lots 10-14, 41-44, and Lot 15 if released for a building lot

“Purchasers/tenants are advised that sound levels due to increasing road traffic may on occasion interfere with some activities of the dwelling occupants as the outdoor sound levels exceed the sound level limits of the Ministry of the Environment, Conservation and Parks.”

“This dwelling unit has been designed with the provision for adding central air conditioning at the occupant’s discretion. Installation of central air conditioning by the occupant in low density developments will allow windows and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the sound levels limits of the Ministry of the Environment, Conservation and Parks.”

(b) together with the notice clauses to be part of the Schedule as set out in Condition 39; and

(c) together with any other notice clauses that the Township may deem appropriate and proper.

FEES AND CHARGES

81. The Owner agrees to pay all Township and County of Dufferin fees, charges, levies and development charges as may be required for the development.
82. The Owner agrees to maintain its account in good standing with the Township for reimbursement to the Township of Township expenses for outside consultant and legal services rendered to obtain approval, review,

processing, registration and implementation of this draft plan of subdivision.

CLEARANCE OF CONDITIONS

83. That prior to final approval, the Township is to be advised in writing by GRCA how Conditions 25 (as referenced within), 32 (as referenced within), 42(a) (as referenced within), and 62 have been satisfied.
84. That prior to final approval, the Township is to be advised in writing by Upper Grand District School Board how Condition 63 has been satisfied.
85. That prior to final approval, the Township is to be advised in writing by Dufferin-Peel Catholic District School Board how Condition 64 has been satisfied.
86. That prior to final approval, the Township is to be advised in writing by the County of Dufferin how Conditions 65-71 have been addressed.
87. That prior to final approval, the Township is to be advised in writing by Enbridge Gas Distribution Inc. how Condition 72 has been satisfied.
88. That prior to final approval, the Township is to be advised in writing by Bell how Condition 73 has been satisfied.
89. That prior to final approval, the Township is to be advised in writing by Canada Post how Condition 74 has been satisfied.
90. That prior to final approval, the Township is to be advised in writing by Rogers how Conditions 77 and 78 has been satisfied.
91. The Owner agrees that Draft Approval shall apply for three (3) years from the date of issuance of Draft Approval and shall lapse on the anniversary of the date of the issuance of Draft Approval, unless draft plan approval is extended prior to the lapsing date. If so required, application shall be made to extend draft plan approval prior to such lapsing, which may or may not be granted.

NOTES TO DRAFT APPROVAL

The Owner is hereby advised:

- a) that pursuant to Section 69 of the Planning Act, the Owner will be required to pay processing fees to the Township for each final approval of this Subdivision, in accordance with the Township By-law, as amended from time to time. Fees are also required by the Township for each application to extend Draft Approval and for Major Revisions to the Draft Plan or conditions;

Applicants: Marsville Estates Inc.
File Number: TWP File S1-20
Municipality: Township of East Garafraxa
Subject Lands: Lot 5, Concession 14

- b) that Township and County of Dufferin Development Charges will be payable in accordance with the applicable municipal Development Charges by-laws;
- c) that Development Charges of the respective School Boards and Hydro One are payable in accordance with their respective Development Charge requirements.
- d) the Township shall require that a Letter of Credit, the amount of which shall be determined in accordance with the Township's requirements, be provided by the Owner to the Township required within the Subdivision Agreement and as part of the execution of the Subdivision Agreement to ensure satisfactory completion of the project;
- e) a copy of the draft and the executed subdivision agreement should be provided by the Owner to GRCA, School Boards, Canada Post, Hydro One, Enbridge Gas Distribution Inc. and other utilities to facilitate the clearance of conditions;
- f) if so required, the Owner agrees to red-line revise the draft plan to meet the requirements of the conditions contained herein;
- g) it is the Owner's responsibility to fulfil the conditions of draft approval and to ensure that the required clearance letters are forwarded by the appropriate agencies to the Township quoting the File Number S2-20;
- h) clearance is required from the following:
 - i. Township of East Garafraxa
065371 Dufferin County Road 3, Unit 2
East Garafraxa ON
L9W 7J8
 - ii. Grand Valley Conservation Authority
400 Clyde Road
PO Box 729
Cambridge, ON
N1R 5W6
 - iii. Upper Grand District School Board
500 Victoria Road North
Guelph, ON
N1E 6K2
 - iv. Dufferin-Peel Catholic District School Board
40 Matheson Boulevard West
Mississauga, ON
L5R 1C5

Applicants: Marsville Estates Inc.
File Number: TWP File S1-20
Municipality: Township of East Garafraxa
Subject Lands: Lot 5, Concession 14

- v. Enbridge Gas Distribution Inc.
500 Consumers Road
North York, ON
M2J 1P8
 - vi. Bell Canada
 - vii. Canada Post
193 Church Street, Suite 200
Oakville, ON
L6J 7S9
 - viii. Ministry of Tourism and Culture
900 Highbury Avenue
London, ON
N5Y 1A4
 - ix. Rogers
3573 Wolfedale Road
Mississauga, ON
L5C 1V8
 - x. County of Dufferin
30 Centre Street
Orangeville, ON
L9W 2X1
- i) All measurements in the Final Plan of Subdivision must be presented in metric units.

Note re Registration

The Final Plan of Subdivision approved by the Township must be registered within (30) thirty days or the Township may withdraw his approval under Section 51(59) of the Planning Act.

Schedule "C"
Zoning By-law Amendment

Please see attached.

THE CORPORATION OF THE TOWNSHIP OF EAST GARAFRAXA
ZONING BY-LAW NUMBER _____-2024

“A By-law of the Township of East Garafraxa to amend Zoning By-Law 60-2004 and Schedule A-1 by rezoning portions of lands legally described as Part of Lot 5, Concession 14, in the Township of East Garafraxa, municipally known as 063076 County Road 3, from ‘Rural’ (RU) and ‘Environmental Protection’ (EP) to ‘Hamlet Residential Exception ___’ (HR-X), ‘Open Space Exception ___’ (OS-X), ‘Environmental Protection’ (EP), and ‘Rural Exception ___’ (RU-X) as depicted on Schedule ‘A-1’ attached hereto.”

WHEREAS the Council of the Corporation of the Township of East Garafraxa is empowered to pass By-laws to regulate the use of land pursuant to Section 34 of the Planning Act, R.S.O 1990, cP.13, as amended;

AND WHEREAS the Council of the Corporation of the Township of East Garafraxa has determined a need to rezone the lands described above;

AND WHEREAS the Council of the Corporation of the Township of East Garafraxa deems said application to be in conformity with the Official Plan of the Township of East Garafraxa, as amended, and deems it advisable to amend By-law 60-2004;

NOW THEREFORE the Council of the Township of East Garafraxa hereby enacts as follows:

1. THAT Schedule “A-1” of Zoning By-law No. 60-2004, as otherwise amended, is hereby further amended by rezoning portions of lands legally described as Part of Lot 5, Concession 14, in the Township of East Garafraxa, municipally known as 063076 County Road 3, from ‘Rural’ (RU) and ‘Environmental Protection’ (EP) to ‘Hamlet Residential Exception ___’ (HR-X), ‘Open Space Exception ___’ (OS-X), ‘Environmental Protection’ (EP), and ‘Rural Exception ___’ (RU-X) as depicted on Schedule ‘A-1’ attached hereto and forming part of this By-law.
2. Notwithstanding the provisions as set out in Zoning By-law 60-2004, lands zoned ‘Hamlet Residential Exception ___’ (HR-X) shall be permitted subject to the following provisions:
 - Minimum Lot Area: 0.18 hectares
 - Minimum Lot Frontage: 17.0 metres

- Minimum Exterior Side Yard: 3.0 metres
 - Maximum Lot Coverage: 30 %
 - Parking (home occupations): Permit parking in the front yard.
3. Notwithstanding the provisions as set out in Zoning By-law 60-2004, lands zoned 'Open Space Exception ____' (OS-X) shall be permitted subject to the following provisions:
- Minimum Lot Area: 0.07 hectares
 - Minimum Lot Frontage: 4.0 metres
4. Notwithstanding the provisions as set out in Zoning By-law 60-2004, lands zoned 'Rural Exception ____' (RU-X) shall be permitted subject to the following provisions:
- Minimum Lot Area: 0.70 hectares
 - Minimum Lot Frontage: 13.0 metres
5. Notwithstanding the permitted uses as set out in Zoning By-law 60-2004, uses on lands zoned 'Rural Exception ____' (RU-X) shall be limited to the following:
- Uses existing as of the date of passing of this By-law;
 - agricultural use;
 - bed and breakfast establishment;
 - farm produce sales outlet accessory to an agricultural use;
 - greenhouse;
 - home industry;
 - home occupation;
 - public open space;
 - single detached dwelling;
 - Veterinary hospital.
6. That all other provisions of Zoning By-law 60-2004, as amended, shall apply.
7. That Schedule "A-1", attached, does and shall form part of this By-law.
8. That this By-law shall come into force and take effect on the date of passing thereof, subject to the provisions of Section 34 of The Planning Act, R.S.O., 1990, as amended.

BY-LAW READ A FIRST, SECOND AND THIRD TIME THIS ____ DAY OF _____, 2024.

Mayor

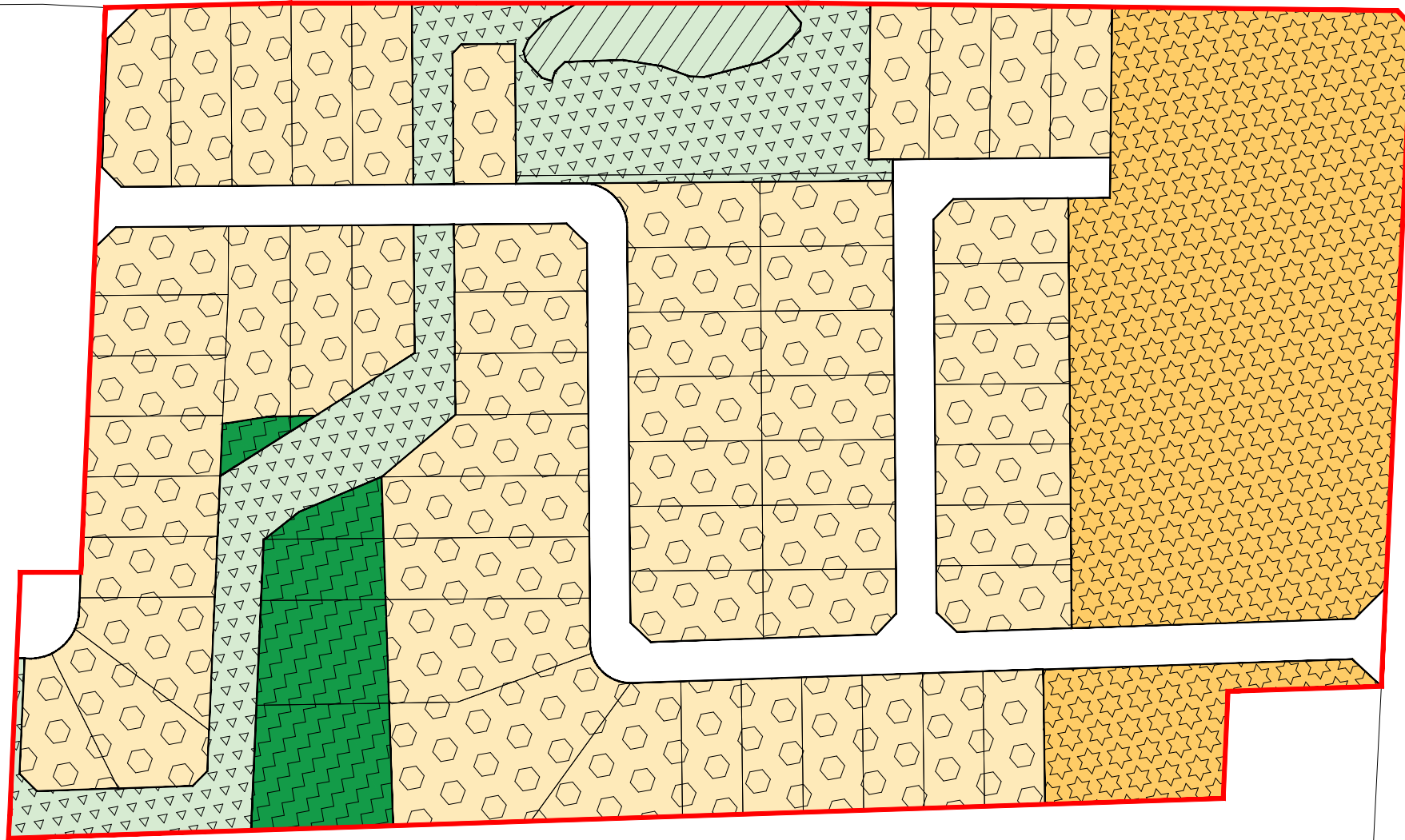
Clerk

DRAFT



COUNTY RD. 3







COUNTY RD. 24



SCHEDULE 'A-1' ZONING BY-LAW AMENDMENT

063076 COUNTY ROAD 3,
IN THE
TOWNSHIP OF EAST GARAFRAXA,
COUNTY OF DUFFERIN

LEGEND

-  Subject Site (26.04ha)
-  Lands to be rezoned from 'Rural (RU)' zone to 'Hamlet Residential with Exceptions (HR-X)' zone
-  Lands to be rezoned from 'Environmental Protection (EP)' zone to 'Open Space with Exceptions (OS-X)' zone
-  Lands to be rezoned from 'Rural (RU)' zone to 'Open Space with Exceptions (OS-X)' zone
-  Lands to be rezoned from 'Rural (RU)' zone to 'Environmental Protection (EP)' zone
-  Lands to be rezoned from 'Rural (RU)' zone to 'Rural with Exceptions (RU-X)' zone

Source: Township of East Garafraxa Zoning By-Law 60-2004, Schedule 'A-1' Marsville, Office Consolidation April 2011

Note: This drawing is for discussion purposes only.
The information shown is approximate and subject to change.

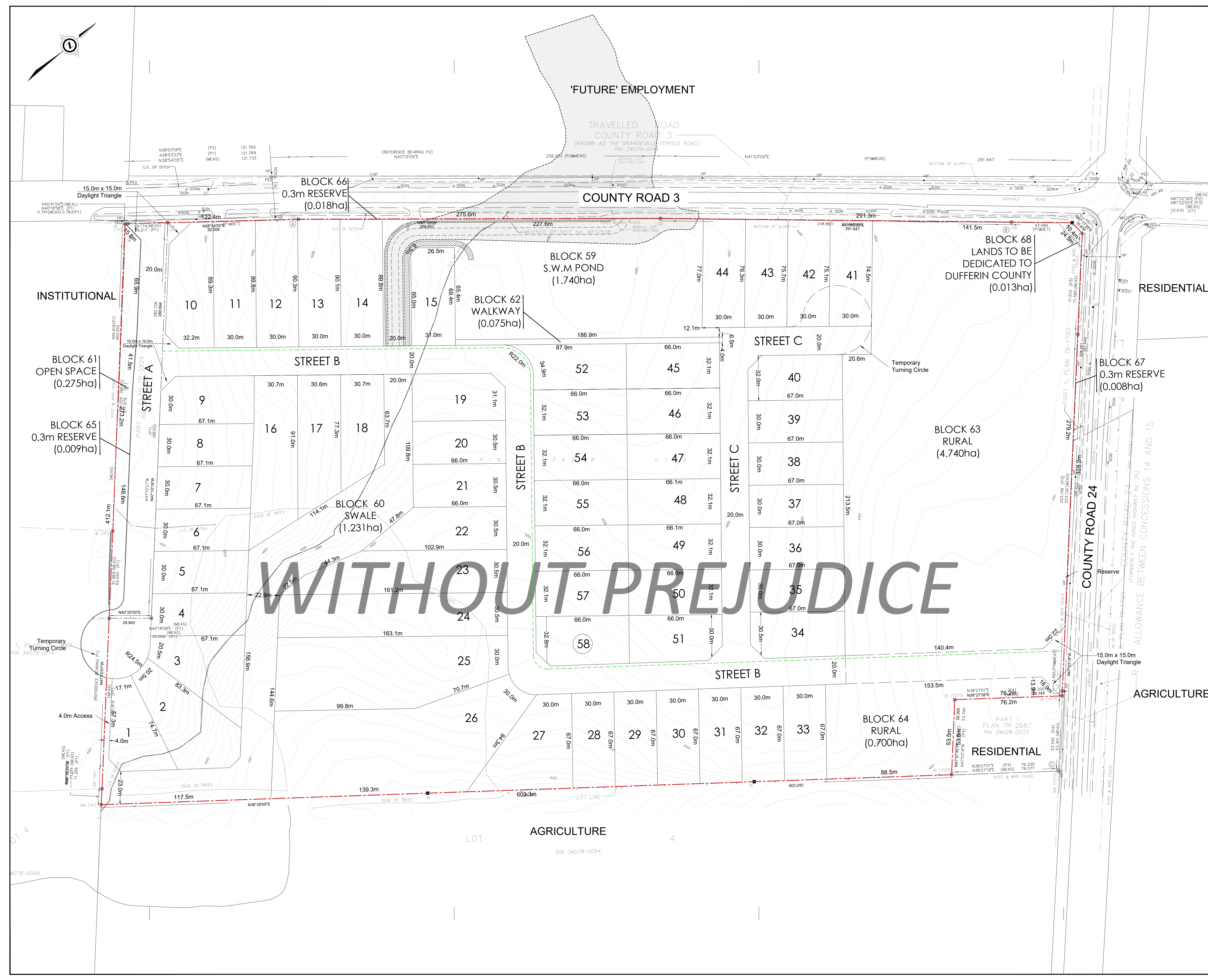


Date:	Dec. 20, 2023	Drawn By:	A.S.
File:	19 - 869	Drawn By:	D.V. / T.K.

IPS INNOVATIVE PLANNING SOLUTIONS
 PLANNERS • PROJECT MANAGERS • LAND DEVELOPERS
 647 WELHAM RD., UNIT 9, BARRIE, ONTARIO, L4N 0B7
 tel: 705 • 812 • 3281 fax: 705 • 812 • 3434 e: info@ipsconsultinginc.com www.ipsconsultinginc.com

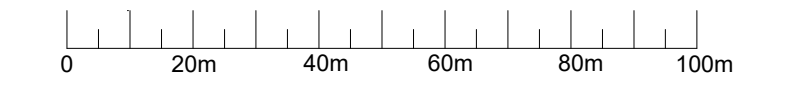
Schedule "D"
Invoices

Please see attached.



DRAFT PLAN OF SUBDIVISION

063076 COUNTY ROAD 3 AND PART 12, PLAN 7R-5924
 IN THE TOWNSHIP OF EAST GARAFRAXA
 COUNTY OF DUFFERIN
 Scale 1:12,000



LEGEND

- SUBJECT LANDS (268,934.36m² / 26.893ha)
- MULTI - USE TRAIL

OWNER'S CERTIFICATE
 I HEREBY AUTHORIZE INNOVATIVE PLANNING SOLUTIONS TO PREPARE THIS DRAFT PLAN OF SUBDIVISION AND SUBMIT THIS DRAFT PLAN OF SUBDIVISION FOR APPROVAL.

Date: _____ KEN MICHAUD
 MARSVILLE ESTATE INC.

SURVEYOR'S CERTIFICATE
 I CERTIFY THAT THE BOUNDARIES OF THE LAND TO BE SUBDIVIDED AND THEIR RELATIONSHIP TO ADJACENT LANDS ARE ACCURATELY AND CORRECTLY SHOWN.

Date: _____ RAYMOND SIBTHORP, O.L.S.
 BSR & D

ADDITIONAL INFORMATION REQUIRED UNDER SECTION 51(17) OF THE PLANNING ACT

- | | |
|-----------------------------|----------------------------|
| a) SHOWN ON PLAN | g) SHOWN ON PLAN |
| b) SHOWN ON PLAN | h) MUNICIPAL WATER |
| c) SEE KEY PLAN | UNAVAILABLE |
| d) RESIDENTIAL / EMPLOYMENT | i) SAND, SILT GLACIAL TILL |
| e) SHOWN ON PLAN | j) SHOWN ON PLAN |
| f) SHOWN ON PLAN | k) MUNICIPAL WATER |
| | l) NONE |

LAND USE STATISTICS			
LAND USE	LOT No.	BLOCK No.	AREA (ha)
Residential	1 - 58		14.967
SWM Pond		59	1.740
Swale		60	1.231
Open Space		61	0.275
Walkway		62	0.075
Rural		63 - 64	5.440
0.3m Reserve		65 - 67	0.035
Lands to be Dedicated to Dufferin County		68	0.013
Street 'A' - 'C'			3.117
TOTAL	58	68	26.893

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 647 WELHAM RD., UNIT 9, BARRIE, ONTARIO, L4N 0B7
 tel: 705 • 812 • 3281 fax: 705 • 812 • 3438 e: info@ipscollatinginc.com www.ipscollatinginc.com

Date: Dec. 18, 2023	Drawn By: AS
File: 19-869	Checked: DV / KT



**CORPORATION OF THE
TOWNSHIP OF EAST GARAFRAXA**

Staff Report

To: Council
From: Shannon Peart, Administrative Assistant/Clerk's Department
Report Date: May 30, 2024
Meeting Date: June 11, 2024
Subject: Respect in the Workplace - Preventing Violence, Harassment and
Discrimination Policy

RECOMMENDATION:

BE IT RESOLVED THAT:

The report dated May 30, 2024, titled Respect in the Workplace – Preventing Violence, Harassment and Discrimination Policy, be received;

AND THAT the attached Respect in the Workplace – Preventing Violence, Harassment and Discrimination Policy be approved as presented;

And FURTHER THAT the Harassment and Respectful Workplace policy and the Prevention of Violence in the Workplace policy be repealed.

PURPOSE:

The purpose of this report is to provide council with information on the changes made to the violence and harassment policies, and to seek approval for the attached draft Respect in the Workplace – Preventing Violence, Harassment and Discrimination Policy.

BACKGROUND AND DISCUSSION:

On June 15, 2010, Bill 168 amended the Occupational Health and Safety Act (OHSA) to include workplace violence and harassment. The Township has had a Workplace Harassment Policy in place since 2016, and a Prevention of Violence Policy in place since 2018.

To adhere to the latest guidance from the Ministry of Labour, Training and Skills Development (MLTSD), the County of Dufferin reviewed policies of other municipalities and other policies provided by MLTSD resources. These policies have been merged into a single document, as permitted by the employer's rights under OHSa, and offer enhanced details on the handling of workplace violence, harassment, or discrimination incidents.

The new policy provides new definitions and examples of various types of violence, harassment and discrimination, and expands on the responsibilities. It also includes the procedures for handling domestic violence, corrective action, record keeping, and confidentiality, sections which are required in any workplace violence and harassment program under Section 32 of the OHSa and which were not specified in the previous policies.

The new policy also outlines the Township's authority to conduct investigations and adhere to all legislative responsibilities, regardless of whether a complaint is formalized. Attached is a comparison chart detailing the differences between the previous harassment and violence policy and the new combined policy.

CONSULTATION:

Based on the County of Dufferin policy review, Township staff collaborated to draft the attached updated and expanded policy.

FINANCIAL IMPACTS:

No financial impact.

Respectfully Submitted,

Shannon Peart, Health & Safety Representative

Administrative Assistant/Clerk's Department

Attachments:

1. Draft Respect in the Workplace Policy – Preventing Violence, Harassment and Discrimination Policy
2. Respect in the Workplace Compliant Form
3. Respect in the Workplace Comparison Chart



Respect in the Workplace - Preventing Violence, Harassment and Discrimination Policy

Policy Category	Health & Safety	Policy Number
Department		Effective Date
Attachments		Revised Date
Related Documents/Legislation	Human Rights Code and Occupational Health & Safety Act	

1.0 Policy Statement

The Township of East Garafraxa (the “Township”) is committed to providing a safe, healthy, and respectful workplace free from all forms of discrimination, harassment and violence in accordance with the Human Rights Code and Occupational Health & Safety Act.

The Township expects and promotes respectful interactions which show regard for the rights, dignity, and health and safety of all. Any act of workplace discrimination, harassment and/or violence will not be tolerated and may result in discipline, up to and including the termination of employment. This Policy and Procedure (the “Policy”) is consistent with the spirit and provisions of the Ontario Human Rights Code and the Occupational Health and Safety Act and should be read in conjunction with any applicable legislation and collective agreement provisions.

2.0 Purpose

This Policy is intended to:

- Create and foster a work environment free from workplace discrimination, harassment and violence;
- Provide solution based approaches when conflict arises;
- Provide definitions of workplace discrimination, harassment and violence;
- Establish and detail the responsibilities of all persons in Township workplace(s) to maintain a workplace free from discrimination, harassment and violence;
- Ensure that incidents of workplace discrimination, harassment and violence are reported to Township management, Manager of Human Resources and/or law enforcement as appropriate; and
- Ensure that complaints of discrimination, harassment and violence are handled in a timely and equitable manner by the Township and that an investigation is conducted which is appropriate in the circumstances.

3.0 Scope and Application

This Policy applies to all Township employees regardless of position, classification or union membership. It applies to any location in which employees are engaged in work-related activities, including any remote environments (see definition of “Workplace” below).

This Policy also applies to all persons who attend a Township Workplace, including but not limited to visitors, contractors, vendors and delivery persons.

4.0 Definitions

4.1 Prohibited Ground

The Ontario Human Rights Code provides for the following prohibited grounds: race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, religion, gender, sexual orientation, age, record of offences, marital status, family status, gender identity, gender expression or disability the Ontario Human Rights Code also prohibits any form of harassment in the workplace.

4.2 Discrimination

The unequal treatment of a person on the basis of a prohibited ground. In general, workplace discrimination includes but is not limited to any act, rule, standard or practice that intentionally or unintentionally causes a type of disadvantage prohibited by the provisions of the Ontario Human Rights Code.

Examples of discrimination may include, but are not limited to:

- Refusal to work with, or differential treatment of a person on the basis of the prohibited grounds; and
- Decisions of recruitment, promotion, pay increases or employment practices based in whole or in part on one or more of the prohibited grounds.

4.3 Systemic (Indirect) Discrimination

The use or application of a requirement, either in policy or practice, that has a negative impact on an identified group on the basis of a prohibited ground. Systemic discrimination occurs when policies or practices by their very nature exclude, limit or restrict members of designated groups from employment or opportunities within employment.

4.4 Workplace

Any location where a Township employee is carrying out their occupational duties, including those locations that are not on primary work sites and virtual environments. This may include work-related social functions, training, and conferences, during work-related travel, at

restaurants, hotels or meeting facilities being used for business purposes, during telephone, email, or other communications.

4.5 Bullying

Bullying may include acts or verbal comments that could psychologically hurt or isolate an individual in the Workplace. Bullying usually involves repeated incidents of a pattern of behaviour which intimidates, degrades, humiliates, and ultimately undermines the self-confidence of an individual. It is generally repetitive, although a single serious incident of such behaviour may constitute bullying if it has a lasting harmful effect.

4.6 Workplace Harassment

Workplace harassment is defined under the Occupational Health and Safety Act as:

- a) Engaging in a course of vexatious comment or conduct against a worker in a workplace that is known, or ought reasonably to be known to be unwelcome; or
- b) Workplace sexual harassment.

Workplace harassment typically involves a pattern of comment or conduct that occurs over time that a reasonable person would consider to be welcome (for example, a course of comment or conduct that is humiliating, demeaning, offensive or intimidating). However, a single incident may constitute harassment, depending on the severity of the behaviour.

Examples of workplace harassment may include, but are not limited to:

- Unwelcome remarks, jokes, name-calling or insults whether made verbally or in writing that are demeaning, degrading, embarrassing, or humiliating;
- Yelling at an employee;
- Ostracizing an employee;
- Abuse of authority;
- False accusations/allegations;
- Practical jokes which insult or embarrass an individual;
- Sabotaging an employee's work;
- Belittling, condescending comments;
- Bullying, workplace pranks, vandalism, hazing;
- Gossiping or spreading malicious rumours;
- Behaviour designed to intimidate, insult or berate; and
- Inappropriate, embarrassing, humiliating comments or jokes about an individual.

In addition to contravening this Policy, workplace harassment may violate the Ontario Human Rights Code, where the course of comment or conduct is linked with a of the prohibited ground under the Human Rights Code.

Examples of discriminatory harassment may include, but are not limited to:

- Unwelcome remarks, jokes, innuendos, or taunting that disparage or ridicule a person's membership in one of the protected grounds;
- Practical jokes of a racial or religious nature which cause awkwardness or embarrassment;
- Displaying or electronically transmitting racist pictures, jokes or other offensive material;
- Condescending or paternalistic behaviour which undermines self-respect based on a person's membership in one of the protected grounds;
- Offensive gestures based on a person's membership in one of the protected grounds;
- Refusing to converse or work with an employee because of their race or ethnic background, or for any other protected ground under the Ontario Human Rights Code; and
- Imitating a person's accent, speech or mannerisms.

4.7 Sexual Harassment

The Occupational Health and Safety Act defines sexual harassment as:

- a) Engaging in a course of vexatious comment or conduct against a worker in a workplace because of sex, sexual orientation, gender identity or gender expression, where the course of comment or conduct is known or ought reasonably to be known to be unwelcome, or
- b) Making a sexual solicitation or advance where the person making the solicitation or advance is in a position to confer, grant or deny a benefit or advancement to the worker, and the person knows or ought reasonably to know that the solicitation or advance is unwelcome.

Examples may include, but are not limited to:

- Continuous conversation of a sexual nature;
- Persistent and offensive jokes of a sexual or gender-specific nature;
- Suggestive or insulting sounds (example, whistling or cat-calls);
- Lewd gestures;
- Advances that are unwelcome or ought reasonably to be known to be unwelcome, including unwanted touching, flirtation, propositions, requests for sexual favour or other verbal or physical conduct of a sexual nature;
- Sexual comments about body shape, clothes or weight;
- Comments about a person's sex life or relationship with partner;
- Posting or electronically transmitting pornographic or sexually explicit pictures and jokes;
- Sexual exposure;
- Unnecessary physical contact (example pinching, touching or patting);
- Sexual assault;
- Sexual innuendoes or taunting;
- Vulgar humour or language;
- Leering (persistent sexual staring)
- Sexual advances or demands that are unwelcome;
- Threats, punishment or denial of a benefit for refusing a sexual advance; and

- Offering a benefit in exchange for a sexual favour.

Workplace harassment does not include:

- Appropriate direction, delegation or discipline administered under the course of supervision;
- Measures to correct performance deficiencies such as placing someone on a performance improvement plan;
- Requesting medical documents in support of an absence from work or accommodation;
- Stressful events encountered in the performance of legitimate job duties;
- A relationship of mutual consent or flirtation;
- Friendly teasing or bantering that is mutually acceptable and not offensive to others; and
- Normal workplace conflict that may occur between individuals or difference of opinion or minor disagreements between co-workers.

4.8 Workplace Violence

Workplace violence includes but is not limited to the following:

- a) The use of physical force against or by a worker that causes or could cause physical injury, including but not limited to, physical acts such as punching, hitting, kicking, pushing, damaging property or throwing objects;
- b) The attempted use of physical force against or by a worker that could have caused physical injury; and
- c) An action or statement (or series of actions or statements) reasonably believed to be a threat of physical harm or as a threat to safety or security in the workplace.

Examples of workplace violence can include, but is not limited to:

- Physically threatening behavior such as shaking a fist at someone, destroying property, throwing objects;
- Verbal or written threats to physically attack a worker;
- Leaving threatening notes or sending threatening emails;
- Wielding a weapon at work;
- Engaging in stalking behaviour of any employee; and
- Physically aggressive behaviours including hitting, shoving, standing excessively close to someone in an aggressive manner, pushing, kicking, throwing an object at someone, physically restraining someone or any other form of physical or sexual assault.

Violence that occurs outside the normal workplace, but which has an impact on the working environment, including working relationships, may also be considered violence in the workplace.

4.9 Domestic Violence

Domestic violence is defined as behaviour used by one person to gain power and control over another with whom he/she has an intimate relationship. This behaviour may include physical violence or threats of violence, sexual, emotional, and psychological intimidation, and stalking.

Any employee experiencing violence outside of the workplace (i.e., domestic violence) that may create a risk of danger to themselves or others in the workplace is encouraged to report such violence as set out in the procedure below so that the Township can take reasonable precautions in the circumstances.

4.10 Poisoned Work Environment

An environment in which workplace harassment or discrimination create a hostile, negative, intolerable Workplace as assessed by a reasonable, objective observer.

4.11 Complainant

A person who brings a complaint forward under this Policy because the person was the target of or a witness to harassment or discrimination.

4.12 Respondent

A person named in the complaint who is alleged to have engaged in harassment or discrimination under this Policy.

4.13 Investigator

The CAO or designate or any third-party investigator who may be retained to conduct investigations under this Policy. The Township of East Garafraxa reserves the right to retain an external third party to investigate allegations against Senior Management, or other staff members depending upon the situation.

4.14 Abuse of Authority

An individual using undue authority or power related to their position with the intention of compromising an employee's job performance and adversely affecting their career.

4.15 Trivial, Frivolous or Malicious Complaints

Trivial or frivolous complaints are those with no merit. Malicious complaints are those which are made in bad faith with the intent to harm the Respondent.

5.0 Responsibility

5.1 Organization

It is the responsibility of the Township of East Garafraxa:

- To take reasonable, preventative measures to protect employees and others in the Workplace from workplace discrimination, harassment and violence;
- To ensure that all employees are trained in this Policy;
- To post this Policy in a conspicuous place in the workplace;
- To ensure that this Policy is communicated to contractors and other persons who attend Workplaces;
- To establish a process for reporting and responding to incidents of workplace discrimination, harassment and violence;
- To ensure the process for reporting and responding to incidents of workplace discrimination, harassment and violence is communicated, maintained and followed; and
- To ensure that this policy is reviewed annually.

5.2 Managers and Supervisors

It is the responsibility of managers and supervisors:

- To understand and abide by the requirements of this Policy and refrain from engaging in any behaviour that constitutes discrimination, harassment or violence;
- To establish and maintain a Workplace free of all forms of discrimination, harassment or violence for each individual;
- To communicate and review this Policy with the employees they supervise or manage;
- To verify that all contractors and others who attend the Workplace are aware of this Policy;
- To adequately train employees on the Policy, ensuring they are familiar with their roles and responsibilities in preventing discrimination, harassment and violence, and the process for reporting concerns, as well as the procedures for investigating and following up on such incidents;
- To encourage employees to report complaints or incidents of workplace discrimination, harassment and violence;
- To communicate and reinforce this Policy to new staff and ensuring that all staff are aware of the Complaint procedure, including their role in these procedures;
- To respond to all Complaints or incidents of workplace discrimination, harassment and violence in a professional manner appropriate in the circumstances; and
- To promptly report all Complaints or incidents of workplace discrimination, harassment or violence they receive or witness to the Human Resources Manager or designate.

5.3 Employees (including Managers and Supervisors)

It is the responsibility of employees:

- To comply with this Policy at all times and refrain from engaging in any behaviour that constitutes workplace discrimination, harassment or violence;
- To immediately notify their supervisor or other designated person of any incident of workplace discrimination, harassment or violence whether the notifying employee is the victim or not. In the case of an extreme or imminent threat of physical harm to themselves or any person, the employee should contact the police;
- To understand and be familiar with all corporate policies in place for protection against all forms of harassment, discrimination and violence;
- To participate in training regarding this policy and Township procedures directed at workplace harassment and violence risks in the workplace; and
- To fully cooperate in any investigation of complaints or incidents of workplace harassment, discrimination and violence, or breaches of this Policy.

6.0 Procedure

The CAO or designate as assigned is responsible for providing support and subject matter expertise related to this Policy.

Any individual may seek confidential advice or assistance from the CAO or designate on how to deal with a situation of discrimination or harassment and how to make a complaint if necessary.

6.1 Risk Assessment

The Township shall be responsible for assessing the risk of violence in the Workplace that may arise from the nature of the Workplace, type of work and conditions of work, taking into account circumstances that would be common to similar workplaces as well as circumstances specific to the Workplace. The assessments will be reviewed at least annually to determine if a reassessment is required.

Where a risk is identified, the nature and extent of the risk, as well as any precautions and procedures to eliminate or minimize the risk, will be conveyed to all impacted workers. In addition, the Township will take all reasonable steps to eliminate or minimize the risk to the extent possible. Reasonable steps to eliminate or minimize the risk may include such things as training, reviewing and/or revising this Policy, conducting additional assessments or safety reviews, implementing additional policies and/or procedures and/or implementing safety plans.

6.2 Informal Resolution Approaches

If an employee is either directly affected by, or has witnessed harassment or discrimination in the workplace, he/she is encouraged to speak to the person directly, and let them know that their behaviour is unwelcome, and ask for it to stop.

The CAO or designate will assist the employees to discuss the incident and their concerns and come to an agreed upon outcome.

As an alternative, informal mediation can be arranged with both employees. Participation in mediation is voluntary and either party can withdraw at any time.

Should the above approaches be ineffective, and/or the behaviour continues, it should be reported.

6.3 Reporting Incidents of Workplace Discrimination, Harassment and Violence

Where an employee requires immediate assistance because workplace violence is occurring or is likely to occur, employees should call their direct supervisor and/or where necessary, 911.

All employees are expected to raise any concerns about or report incidents of workplace discrimination, harassment or violence to the department Director, direct supervisor or to the CAO or designate.

All complaints must be submitted in writing by the Complainant to their supervisor or designate as soon as possible from the date when the incident is alleged to have occurred. A complaint should include, but not be limited to the following information:

1. Name(s) of the Complainant(s) and contact information.
2. Name of the alleged Respondent(s), position and contact information (if known).
3. Names of the witness(es) (if any) or other person(s) with relevant information to provide about the incident (if any) and contact information (if known).
4. Details of what happened including date(s), time(s), frequency and location(s) of the alleged incident(s)
 - a) Any supporting documents the worker who complains of harassment may have in his/her possession that are relevant to the complaint.
 - b) List any documents a witness, another person or the alleged harasser may have in their possession that are relevant to the complaint.

If the alleged Respondent is the manager or supervisor of the individual, the incident or complaint may be reported directly to the CAO or designate. However, if a complaint is regarding the conduct of senior management, or staff are uncomfortable or unable to report it internally, the complaint may be reported to an outside party such as the Ministry of Labour.

If an incident of workplace harassment or violence involves a Respondent who is not an employee of the Township, a member of the Senior Management team will report the incident to that person's employer and/or such other person as the Township determines is appropriate in the circumstances.

Nothing in this Policy prevents or discourages an employee from filing an application with the Human Rights Tribunal of Ontario on a matter related to the Ontario Human Rights Code. An employee also retains the right to exercise any other legal avenues that may be available, including filing a grievance if the employee is a member of the bargaining unit.

6.4 Investigation

All Complaints or incidents of workplace harassment, discrimination and/or violence will be promptly and fairly investigated as reasonable in the circumstances. The CAO or designate may appoint a person or persons, including external third party investigators where necessary, to investigate a Complaint under this procedure (the "Investigator").

Every effort will be made to protect the privacy of the individuals involved in an investigation and to ensure that the Complainant(s) and Respondent(s) are treated fairly and respectfully. Information about the alleged incident or complaint of workplace harassment or discrimination, including identifying information about any individuals involved, will not be disclosed unless the disclosure is necessary for the purposes of investigating or taking corrective action with respect to the incident or complaint, or is otherwise required by law.

The Township may commence an investigation into any circumstances which it believes may constitute a violation of this Policy, notwithstanding that a Complaint has not been made by an employee or other person. Workers must fully cooperate with any investigation.

The Investigator will review the written complaint, gather information, and contact the alleged Respondent(s)/witness(es) to investigate accordingly. The investigation will include:

- A documented interview with the Complainant and/or victim;
- A documented interview with the alleged Respondent(s);
- A documented interview with any witnesses with relevant information;
- Any other step the Investigator(s) deems necessary to fully and fairly investigate the Complaint or incident;
- At the conclusion of the investigation into an incident or complaint, the Investigator will prepare a written report of the factual findings;
- Where the Respondent is a Township employee, their supervisor and/or, in consultation with management, will take any necessary corrective action warranted in the circumstances;
- Where the Complainant is a Township employee and is found to have brought forward a complaint in bad faith, their supervisor, in consultation with management, will take any necessary disciplinary action;
- The severity of any disciplinary action, which may include dismissal from employment, will be consistent with the seriousness of the conduct at issue, such that more significant discipline will follow more serious conduct or repeated violations of this Policy; and
- Upon completion of the investigation, the Township of East Garafraxa will advise in writing the Complainant and Respondent, if the Respondent is a Township employee, of the findings of the investigation and any corrective action that has been or will be taken as a result of the investigation.

6.5 No Reprisal

This Policy prohibits reprisals against employees, acting in good faith, who report or provide information regarding a complaint or incident of workplace discrimination, harassment or violence.

Employees who engage in reprisals or threats of reprisals may be disciplined up to and including dismissal from employment.

Reprisal includes:

- Any act of retaliation that occurs because a person has complained of or provided information about an incident of workplace discrimination, harassment or violence;
- Intentionally pressuring a person to ignore or not report an incident of workplace discrimination, harassment or violence; and
- Intentionally pressuring a person to lie or provide less than full cooperation with an investigation of a complaint or incident of workplace discrimination, harassment or violence.

6.6 False Complaints

An employee who makes a false complaint or otherwise abuses this Policy may be disciplined up to and including dismissal from employment. Such discipline is not a reprisal or breach of this Policy.

6.7 Other Recourse

The provisions of this Policy in no way affect the right of any person to exercise his or her rights under the Occupational Health and Safety Act or the Ontario Human Rights Code, within the time limits specified by the applicable legislation.

6.8 Training

All employees will be provided with information and instruction on the application of this Policy.

6.9 Record Keeping

The CAO will keep records of the investigation including:

1. A copy of the complaint or details about the incident;
2. A record of the investigation including notes;
3. A copy of the investigation report (if any);
4. A summary of the results of the investigation that was provided to the Complainant; and
5. A copy of any corrective action taken to address
6. the complaint or incident.

All records of the investigation will be kept confidential. The investigation documents shall not be disclosed unless it is necessary to investigate an incident or complaint of workplace harassment, take corrective action or otherwise as required by law.

7.0 Approval

As required by the Occupational Health and Safety Act, the Township of East Garafraxa will review this Policy annually and will post the policy in a conspicuous place in the workplace.

Harassment and Respectful Workplace
6/5/2024 3:30 PM

DRAFT

CONFIDENTIAL

Dufferin County and Municipal Respect in the Workplace Complaint Form

Employee Name: Click or tap here to enter text. Position: Click or tap here to enter text.
Supervisor: Click or tap here to enter text. Date: Click or tap here to enter text.

Name(s) of individual(s)
the complaint is about: Click or tap here to enter text.
Position: Click or tap here to enter text.

Details of the Complaint

Please describe in as much detail as possible the bullying, harassment and discrimination incident(s), including:

- a) The names of the parties involved
- b) Any witnesses to the incident(s)
- c) The location, date and time of the incidents(s)
- d) Details about the incident(s) – behavior and/or words used
- e) Any additional details

Attach additional pages if required

Click or tap here to enter text.

Relevant documents/evidence

Attach any supporting documents, such as emails, handwritten notes, or photographs. Physical evidence, such as vandalized personal belongings, can also be submitted. If you are not able to attach documents and they are relevant to your complaint, please list the documents below. If someone else has relevant documents, please note that below.

Click or tap here to enter text.

Your Response

Outline what you have done in response to this problem to date if anything, including speaking to the person your complaint is about or raising your concerns with anyone else.

Click or tap here to enter text.

Information about complaints and incidents shall be kept confidential to the extent possible. Information obtained about an incident or complaint of workplace harassment, including identifying information about any individuals involved, will not be disclosed unless disclosure is necessary to protect workers, to investigate the complaint or incident, to take corrective action or otherwise as required by law.

Signature: Click or tap here to enter text.

Date: Click or tap here to enter text.

	Previous Harassment Policy	Previous Violence Policy	New Combined Policy¹
Purpose	✓	✓	✓
General Policy Statement		✓	✓
Scope and Application	✓	✓	✓
Definitions	✓	✓	✓ ²
Responsibilities	✓	✓	✓ ³
Reporting Harassment	✓		✓ ⁴
Informal Harassment Resolution	✓		✓ ⁵
Formal Harassment Resolution			✓
Investigating Harassment	✓		✓
Reporting incidents of Violence (Emergencies)		✓	✓
Reporting incidents of Violence (Non-Emergencies)		✓	✓
Investigating Incidents of Violence		✓	✓
Procedure to Address Domestic Violence			✓
No Reprisal	✓		✓
Corrective Action			✓
Record Keeping			✓
Confidentiality			✓
Timeline for Review	✓	✓	✓
They/them pronouns			✓

¹ Combines both the Policy and Program. Both are required under the *Occupational Health and Safety Act*, and are allowed to be combined.

² Expanded to provide more clarity and examples, including 'the test of harassment' and further explanation of workplace discrimination on prohibited grounds and discriminatory harassment

³ Expanded to include the JHSC and Director of People and Equity

⁴ Expanded options in how to report without a written report and created new reporting form

⁵ Expanded to include examples of how to do this

The new policy also states "The employer reserves the right to act in accordance with all legislative responsibilities" for all incidents of violence, harassment and discrimination.



Grand River Conservation Authority

Summary of the General Membership Meeting – May 24, 2024

To GRCA/GRCF Boards and Grand River watershed municipalities - Please share as appropriate.

Action Items

The Board approved the resolutions in the following reports as presented in the agenda:

- GM-05-24-49 - Financial Summary
- GM-05-24-47 - Conformity and Housekeeping Update - GRCA's Policies for the Administration of Ontario Regulation 41/24
- GM-05-24-44 - Elora Low Level Bridge Construction
- GM-05-24-46 - Conestogo Dam Concrete Repair Tender Award

Information Items

The Board received the following reports as information:

- GM-05-24-48 - Report of the Audit Committee
- Minutes of the Ad-hoc CA Act Regulations Committee - May 2, 2024, and GM-05-24-43 - ERO Posting 019-8462 - Review of Proposed Policies for a new Provincial Planning Policy Instrument
- GM-05-24-50 - Current Watershed Conditions
- GM-05-24-C05 - Cyber Security (Closed agenda)

Correspondence

The Board received the following correspondence:

- Michael Melvin - MZO Application by the City of Waterloo

Delegations

There were no registered delegations.

Source Protection Authority

The General Membership of the GRCA also acts as the Source Protection Authority Board.

Correspondence & Action Items

The SPA Board approved the resolutions in the following reports as presented in the agenda:

- Ministry of the Environment, Conservation and Parks - Long Point Source Protection Area Extension Request
- SPA-05-24-02 - Source Protection Committee Member Appointments

For full information, please refer to the [May 24 Agenda Package](#). Complete agenda packages for the General Membership and Source Water Protection Authority, and minutes of past meetings can be viewed on our [online calendar](#). The minutes of this meeting will be posted on our online calendar following approval at the next meeting of the General Membership.

You are receiving this email as a GRCA board member, GRCF board member, or a Grand River watershed member municipality. If you do not wish to receive this monthly summary, please respond to this email with the word 'unsubscribe'.

**GRAND VALLEY & DISTRICT FIRE DEPARTMENT
BOARD OF MANAGEMENT
May 6, 2024 Minutes**

MEMBERS PRESENT: Sue Graham, Guy Gardhouse, Chris Gerrits, Lorne Dart, Paul Latam, Dave Halls, Fire Chief Justin Foreman, Helena Snider Secretary/Treasurer

REGRETS:

1. Call Meeting to order

Chair Gerrits called the meeting to order at 5:35pm.

2. Approval of Agenda

#2024-05-01

Moved By: G. Gardhouse

Seconded By: D. Halls

BE IT RESOLVED THAT the May 6, 2024, regular meeting agenda be approved as circulated.

Carried

3. Disclosure of Pecuniary Interest

None

4. Adoption of Minutes

4.1 March 4, 2024

#2024-05-02

Moved By: D. Halls

Seconded By: L. Dart

BE IT RESOLVED THAT the March 4, 2024, regular meeting minutes of the Grand Valley and District Fire Board be adopted as circulated.

Carried.

5. Deputations/Presentations

None

6. Unfinished Business

6.1. GIC Investment

The secretary/treasurer provided proof of the GIC investment for the Boards knowledge.

6.2. Wage Comparison Report

#2024-05-03

Moved By: P. Latam

Seconded By: G. Gardhouse

BE IT RESOLVED THAT the Board receive the Wage Comparison Report and will put this off until the end of the year, for consideration with the 2025 budget.
Carried.

7. Financials

7.1. Accounts Payable

#2024-05-04

Moved By: S. Graham

Seconded By: L. Dart

BE IT RESOLVED THAT the Bills and Accounts for March 2024 in the amount of \$42, 303.29 and the Bills and Accounts for April 2024 in the amount of \$38, 888.17 be approved and paid from the General Account.
Carried.

7.2. Accounts Receivable

7.3. Response Report

7.4. Budget Variance Report

The Board questioned the EHT Return & CPP payables line. The amount is over the budgeted amount due to a discrepancy that was caught after the budget was passed, when CRA was in doing their audit. The EHT payable was not considered when preparing the budget for 2024.

8. Fire Chief's Report

8.1 Recruitment

Chief Foreman informed the Board that he let two firefighters go due to contravention of the operating policies. A recruitment notice has been advertised which will be open from May 1st to June 26th. Chief Foreman is looking to increase the number of firefighters to 40. The Board discussed and advised hiring as many

applicants as possible, knowing that some firefighters are going to be leaving due to life and family changes. As well as not meeting attendance requirements set out by the department policy, and not all applicants will be successful in obtaining a position. The Board asked what the cost would be to train the 10 new hires. Chief Foreman informed the Board it would be roughly \$50,000. Chief Foreman informed the Board that he will be losing a few more firefighters in a few months due to them moving out of the area. The Board has asked staff to forward the recruitment notice to the Township of East Garafraxa and Amaranth.

Chief Foreman informed the Board that the cost of bunker gear is going to increase. PFAS is being eliminated from bunker gear, which means the firefighters will all require new bunker gear. The cost of the current bunker gear is roughly \$2700.00, the new bunker gear will be roughly \$4500.00.

8.3 Save on Energy Lighting Program

Chief Foreman informed the Board that a \$3000.00 grant was issued for replacement of all the lights in the Fire Station from fluorescent to LED. The grant does not cover the full cost to replace all the lights, the additional cost was accounted for in the budget.

9. Correspondence

9.1 Correspondence from East Garafraxa

9.2 Regulatory By-Law 2024-14 Grand Valley

#2024-05-05

Moved By: G. Gardhouse

Seconded By: S. Graham

BE IT RESOLVED THAT the Board receive the correspondence from East Garafraxa regarding the 2024 levy,

AND FURTHER THAT the Board receive the correspondence from the Town of Grand Valley regarding the Regulating By-Law.

Carried.

9.3 Carnegie Hero Ad – Orangeville Citizen Information purposes for the Board

9.4 RLB Financial Statement 2023

#2024-05-06

Moved By: P. Latam

Seconded By: G. Gardhouse

Grand Valley & District Medical & Dental Board 5 MAIN ST. N.

MINUTES

April 16, 2024, at 6pm
Council Chambers

Present: Lenora Banfield, Paul Latam, Philip Rentsch, Steve Soloman, Chris Gerrits, Helena Snider - Secretary/Treasurer

Regrets:

1. Call to Order

Chair Banfield called the meeting to order at 6:07pm.

2. Agenda Approval

#2024-04-01

Moved By: S. Soloman

Seconded By: C. Gerrits

BE IT RESOLVED THAT the April 16, 2024, regular meeting agenda be approved as amended, Section 9 addition of grass cutting.

Carried.

3. Disclosure of Pecuniary Interest

None

4. Minutes of Previous Meeting

4.1 February 20, 2024

#2024-04-02

Moved By:

Seconded By: S. Soloman

BE IT RESOLVED THAT the minutes of January 30, 2024, be adopted as circulated.

Carried.

5. Business arising from Minutes

6. Deputation/Presentation

7. Financial Reports

7.1. Accounts Receivable

#2024-04-03

Moved By: S. Soloman

Seconded By: P. Rentsch

BE IT RESOLVED THAT the Accounts Received presented to the Board in the amount of \$5, 903.03 for the period of February 2024 and \$4, 922.95 for the period of March 2024 be approved.

Carried.

7.2. Accounts Payable

The Board had a question regarding the capital expenses for February and March. The secretary/treasurer informed the Board that these charges were the repairs to the Dental office space and the deposit for the Medical office space renovations. The Board has requested a letter be signed by Highland Networks to state that the Board is not responsible if any damages occur to the exam beds when our contractor is working on the renovations, reason being Highland Networks does not want to move the beds out of the premise for the renovations.

#2024-04-04

Moved By: C. Gerrits

Seconded By: S. Soloman

BE IT RESOLVED THAT the Accounts Payable presented to the Board in the amount of \$22, 444.14 for the period of February 2024 and \$16, 992.45 for the period of March 2024 be approved.

Carried.

7.3. Budget Variance

The Board questioned the consulting fees amount, this is the invoice from R.J. Burnside for the building assessment.

8. Unfinished Business

8.1 Structural Review from R.J. Burnside

#2024-04-05

Moved By: C. Gerrits

Seconded By: P. Rentsch

BE IT RESOLVED THAT the Burnside report dated April 2, 2024 be received and that staff be instructed to investigate repairs on the back retaining wall. We recommend repairing the missing section of concrete at the southeast corner of the retaining wall as follows:

- Remove the cast-in wood post stub and remove all debris
- Cut the edges of the damages area square and remove all feathered edges

- Roughen all surfaces to a minimum amplitude of 5mm
- Apply bonding agent to all surfaces, and
- Form and place concrete
Carried.

8.2 Snow Contract at The Upper – Verbal Update

As per the Boards direction from the February 20th 2024 meeting, staff sent an email to 787497 Ont Inc, Bruce Hostrawser, regarding the snow removal contract. Staff have not received any response regarding this. The Board requested that staff reach out in July regarding snow removal for the new season. The Board would also like to know what percentage of the parking lot is owned by the Town.

9. New Business

9.1 Grass Cutting

The Town of Grand Valley provided details for the grass cutting contract. The Board requested staff to obtain further details regarding the contract. What portion will affect the Board.

10. Closed Session

#2024-04-06

Moved By: P. Rentsch

Seconded By: P. Latam

BE IT RESOLVED THAT the Board resolve itself into closed session at 6:35pm under the provision of Section 239(2) of the Municipal Act, 2001 to discuss:

- (k) a position, plan, procedure, criteria, or instruction to be applied to any negotiations carried on or to be carries on by or on behalf of the municipality or local board. 2001, c.25, s. 239(2); 2017, c. 10. Sched. 1, s. 26

Carried.

#2024-04-09

Moved By: P. Rentsch

Seconded By: C. Gerrits

BE IT RESOLVED THAT staff proceed as directed in closed session.

Carried.

11. Correspondence

11.1 2024 Levy Payment Schedule

#2024-02-07

Moved By: P. Rentsch

Seconded By: S. Soloman

BE IT RESOLVED THAT the Board approve the 2024 Levy payment schedule.

Carried.

11.2 Correspondence from East Garafraxa

#2024-04-11

Moved By: P. Rentsch

Seconded By: C. Gerrits

BE IT RESOLVED THAT the correspondence on the agenda be received.

Carried.

12. Confirmation of Meeting

#2024-04-12

Moved By: C. Gerrits

Seconded By: P. Latam

BE IT RESOLVED THAT leave be given to confirm the proceedings of the Grand Valley Medical/Dental Board meeting of April 16, 2024.

Carried.

13. Adjournment

#2024-4-13

Moved By: P. Rentsch

Seconded By: C. Gerrits

BE IT RESOLVED THAT we do now adjourn this meeting of the Board to meet at the call of the Chairperson.

Carried.

ORIGINAL SIGNED BY

Lenora Banfield, Chair

ORIGINAL SIGNED BY

Helena Snider, Secretary/Treasurer

From: [Andrew Garner](#)
To: [Info](#)
Subject: Re: Plant Based Treaty Endorsement
Date: Monday, May 27, 2024 1:34:15 PM

Dear Mayor Guy Gardhouse,

Rainbow Lake in Alberta has become the first place in Canada to endorse the call for a Plant Based Treaty.

29 municipalities worldwide, including Los Angeles, Amsterdam, Edinburgh, and Belfast, have endorsed the call for a Plant Based Treaty, which aims to promote a shift towards healthier, sustainable plant-based diets.

A coalition of individuals, groups and businesses, including Toronto350, Odd Burger, Ocean Preservation Society and chapters of Greenpeace and Friends of the Earth, are urging councillors across the country to support sustainable diets by signing the Plant Based Treaty initiative.

Greenhouse gases must be cut in a rapid and sustained manner to avoid temperatures rising above 1.5C. According to the 2021 UN Global Methane Assessment, methane, of which a third comes from animal agriculture, must be cut by 45% by 2030. Doing so will prevent a 0.3C temperature rise by 2045, buying us time for carbon dioxide, a longer-lived gas, to reduce.

More than 1000 politicians back the treaty, along with IPCC scientists Dr. Peter Carter and Professor Julia Steinberger, and Nobel Laureates, including Klaus Hasselmann and Roger D. Kornberg. Leah Taylor Roy, MP for Aurora—Oak Ridges—Richmond Hill, Ontario, said, “We can all support this! You don’t need to be vegan - eating more plant-based meals is easy. You can make a difference in fighting climate change.”

Please visit www.plantbasedtreaty.org, where you can **sign your name to endorse the Plant Based Treaty or consider putting forward a motion for your city to endorse.**

You can email hello@plantbasedtreaty.org for a sample motion.

Thank you for your consideration, we look forward to working with you.

Kind regards,
Andrew Garner

Shannon Peart

From: Clerks
Subject: FW: REMINDER FINAL WEEK: Association of Municipalities of Ontario (AMO) Delegation Form

From: Delegations (MMAH)
Sent: Monday, June 3, 2024 9:11 AM
Subject: REMINDER FINAL WEEK: Association of Municipalities of Ontario (AMO) Delegation Form

Please be advised that the Municipal Delegation Request Form for the AMO Annual Conference is available online. Information about delegations and a link to the form are available here: [English](#). The deadline to submit requests is **Friday June 7th at 5:00pm**.

Le formulaire pour demander une rencontre avec les ministères pour le Congrès annuel de la (Conférence Nom) est disponible en ligne. Pour plus d'information sur les délégations et le formulaire, veuillez suivre le lien suivant : [Français](#). Date limite pour présenter une demande: **Vendredi 7 juin à 17h00**.

Thank you/ Merci

THE CORPORATION OF THE TOWNSHIP OF EAST GARAFRAXA

BY-LAW NUMBER XX-2024

**Being a By-Law to Number Zoning By-Law Amendment for the Lands
Described as Part Lot 5, Concession 14, Township of East Garafraxa**

WHEREAS The Ontario Land Tribunal (Case Number: OLT-22-004307) by its Decision dated April 25, 2024 approved the site specific Zoning By-Law (application file Z5-20) along with the associated Plan of Subdivision (application file S1-20) (known as Marsville Estates Inc. (MEI)) with respect to Part Lot 5, Concession 14 (063076 County Road 3), Township of East Garafraxa;

AND WHEREAS the Ontario Land Tribunal by its Order authorizes the Township Clerk to assign a By-Law number to the Zoning By-Law approved by the Tribunal for the subject lands for record keeping purposes;

NOW THEREFORE Council of the Corporation of the Township of East Garafraxa enacts as follows:

1. That Zoning By-Law Amendment attached as Schedule "A" be numbered XX-2024 pursuant to the Ontario Land Tribunal Order dated April 25, 2024 attached as Schedule "B".
2. That Schedule "A" be provided with the following rezoning exceptions numbers:
 - 2.1. Hamlet Residential Exception Two (HR-2) (Schedule "A", Section 2);
 - 2.2. Open Space Exception Two (OS-2) (Schedule "A", Section 3);
 - 2.3. Rural Exception Twelve (RU-12) (Schedule "A", Section 4); and
 - 2.4. Rural Exception Thirteen (RU-13) (Schedule "A", Section 5).
3. In all other respects the provisions of By-Law 60-2004, as amended, shall apply.
4. This by-law shall take effect from the date of passing thereof.

BY-LAW READ A FIRST AND SECOND TIME THIS **11th** DAY OF **JUNE 2024**

BY-LAW READ A THIRD TIME AND PASSED THIS **11th** DAY OF **JUNE 2024**

Clerk

Head of Council

THE CORPORATION OF THE TOWNSHIP OF EAST GARAFRAXA
ZONING BY-LAW NUMBER _____-2024

“A By-law of the Township of East Garafraxa to amend Zoning By-Law 60-2004 and Schedule A-1 by rezoning portions of lands legally described as Part of Lot 5, Concession 14, in the Township of East Garafraxa, municipally known as 063076 County Road 3, from ‘Rural’ (RU) and ‘Environmental Protection’ (EP) to ‘Hamlet Residential Exception ___’ (HR-X), ‘Open Space Exception ___’ (OS-X), ‘Environmental Protection’ (EP), and ‘Rural Exception ___’ (RU-X) as depicted on Schedule ‘A-1’ attached hereto.”

WHEREAS the Council of the Corporation of the Township of East Garafraxa is empowered to pass By-laws to regulate the use of land pursuant to Section 34 of the Planning Act, R.S.O 1990, cP.13, as amended;

AND WHEREAS the Council of the Corporation of the Township of East Garafraxa has determined a need to rezone the lands described above;

AND WHEREAS the Council of the Corporation of the Township of East Garafraxa deems said application to be in conformity with the Official Plan of the Township of East Garafraxa, as amended, and deems it advisable to amend By-law 60-2004;

NOW THEREFORE the Council of the Township of East Garafraxa hereby enacts as follows:

1. THAT Schedule “A-1” of Zoning By-law No. 60-2004, as otherwise amended, is hereby further amended by rezoning portions of lands legally described as Part of Lot 5, Concession 14, in the Township of East Garafraxa, municipally known as 063076 County Road 3, from ‘Rural’ (RU) and ‘Environmental Protection’ (EP) to ‘Hamlet Residential Exception ___’ (HR-X), ‘Open Space Exception ___’ (OS-X), ‘Environmental Protection’ (EP), and ‘Rural Exception ___’ (RU-X) as depicted on Schedule ‘A-1’ attached hereto and forming part of this By-law.
2. Notwithstanding the provisions as set out in Zoning By-law 60-2004, lands zoned ‘Hamlet Residential Exception ___’ (HR-X) shall be permitted subject to the following provisions:
 - Minimum Lot Area: 0.18 hectares
 - Minimum Lot Frontage: 17.0 metres

- Minimum Exterior Side Yard: 3.0 metres
 - Maximum Lot Coverage: 30 %
 - Parking (home occupations): Permit parking in the front yard.
3. Notwithstanding the provisions as set out in Zoning By-law 60-2004, lands zoned 'Open Space Exception ____' (OS-X) shall be permitted subject to the following provisions:
- Minimum Lot Area: 0.07 hectares
 - Minimum Lot Frontage: 4.0 metres
4. Notwithstanding the provisions as set out in Zoning By-law 60-2004, lands zoned 'Rural Exception ____' (RU-X) shall be permitted subject to the following provisions:
- Minimum Lot Area: 0.70 hectares
 - Minimum Lot Frontage: 13.0 metres
5. Notwithstanding the permitted uses as set out in Zoning By-law 60-2004, uses on lands zoned 'Rural Exception ____' (RU-X) shall be limited to the following:
- Uses existing as of the date of passing of this By-law;
 - agricultural use;
 - bed and breakfast establishment;
 - farm produce sales outlet accessory to an agricultural use;
 - greenhouse;
 - home industry;
 - home occupation;
 - public open space;
 - single detached dwelling;
 - Veterinary hospital.
6. That all other provisions of Zoning By-law 60-2004, as amended, shall apply.
7. That Schedule "A-1", attached, does and shall form part of this By-law.
8. That this By-law shall come into force and take effect on the date of passing thereof, subject to the provisions of Section 34 of The Planning Act, R.S.O., 1990, as amended.

BY-LAW READ A FIRST, SECOND AND THIRD TIME THIS ____ DAY OF _____, 2024.

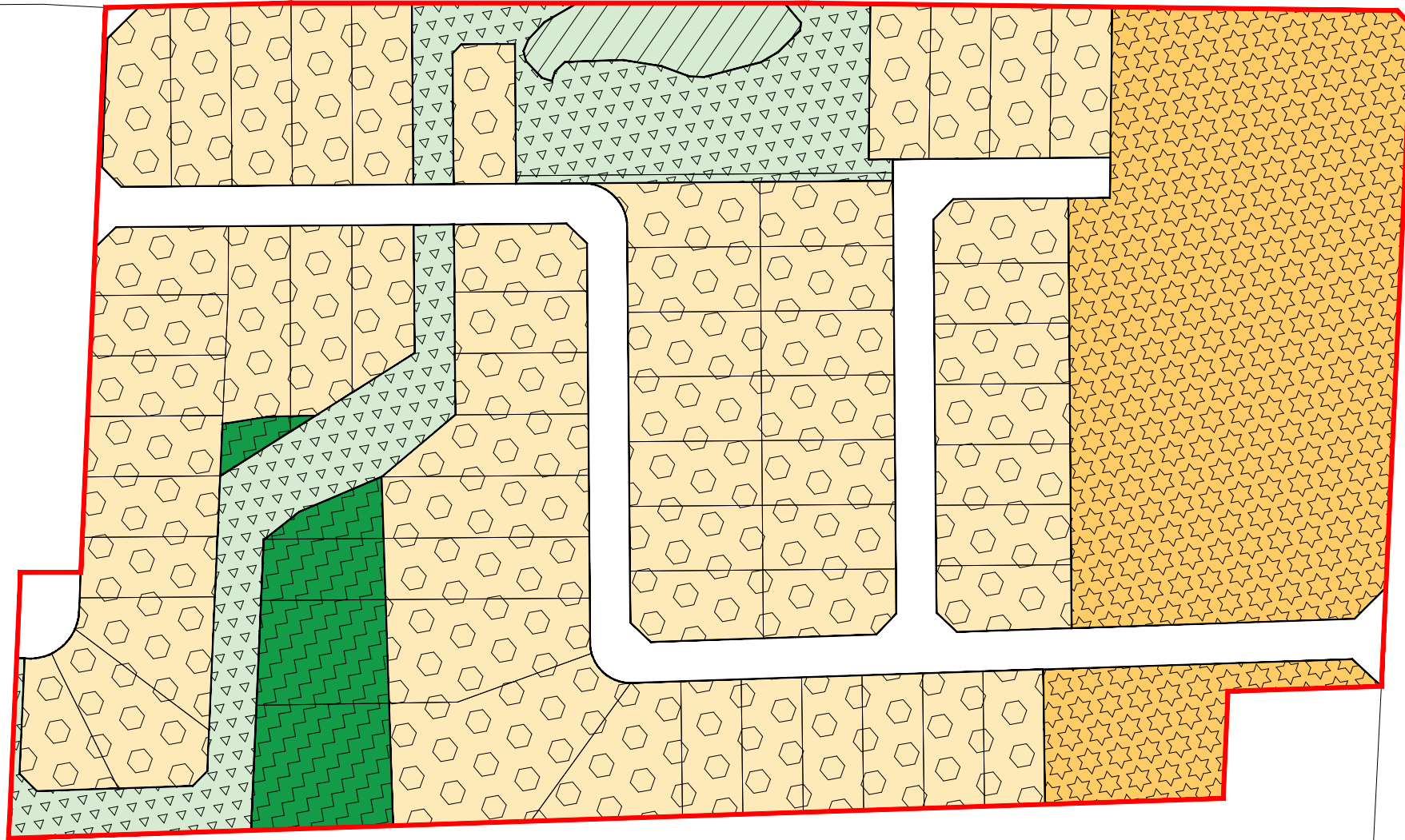
Mayor

Clerk



COUNTY RD. 3







COUNTY RD. 24



SCHEDULE 'A-1' ZONING BY-LAW AMENDMENT

063076 COUNTY ROAD 3,
IN THE
TOWNSHIP OF EAST GARAFRAXA,
COUNTY OF DUFFERIN

LEGEND

-  Subject Site (26.04ha)
-  Lands to be rezoned from 'Rural (RU)' zone to 'Hamlet Residential with Exceptions (HR-X)' zone
-  Lands to be rezoned from 'Environmental Protection (EP)' zone to 'Open Space with Exceptions (OS-X)' zone
-  Lands to be rezoned from 'Rural (RU)' zone to 'Open Space with Exceptions (OS-X)' zone
-  Lands to be rezoned from 'Rural (RU)' zone to 'Environmental Protection (EP)' zone
-  Lands to be rezoned from 'Rural (RU)' zone to 'Rural with Exceptions (RU-X)' zone

Source: Township of East Garafraxa Zoning By-Law 60-2004, Schedule 'A-1' Marsville, Office Consolidation April 2011

Note: This drawing is for discussion purposes only.
The information shown is approximate and subject to change.



Date:	Dec. 20, 2023	Drawn By:	A.S.
File:	19 - 869	Drawn By:	D.V. / T.K.

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 647 WELHAM RD., UNIT 9, BARRIE, ONTARIO, L4N 0B7
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Ontario Land Tribunal
Tribunal ontarien de l'aménagement
du territoire



ISSUE DATE: April 25, 2024

CASE NO(S):

OLT-22-004307

PROCEEDING COMMENCED UNDER section 34(11) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Applicant/Appellant: Marsville Estates Inc.
Subject: Application to amend the Zoning By-law –
Refusal or neglect to make a decision
Description: To permit the development of a 59-unit
residential subdivision
Reference Number: Z5-20
Property Address: 63076 County Road 3
Municipality/UT: East Garafraxa/Dufferin
OLT Case No.: OLT-22-004307
OLT Lead Case No.: OLT-22-004307
OLT Case Name: Marsville Estates Inc. v. East Garafraxa
(Township)

PROCEEDING COMMENCED UNDER section 51(34) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Applicant/Appellant: Marsville Estates Inc.
Subject: Proposed Plan of Subdivision – Failure of
Approval Authority to make a decision
Description: To permit the development of a 59-unit
residential subdivision
Reference Number: S1-20
Property Address: 63076 County Road 3
Municipality/UT: East Garafraxa/Dufferin
OLT Case No.: OLT-22-004308
OLT Lead Case No.: OLT-22-004307

Heard: April 18, 2024, in writing

APPEARANCES:**Parties**

Marsville Estates Inc.

Township of East Garafraxa

CounselA. Jeanrie
S. BrazzellJ. Wilker
S. Floras**DECISION DELIVERED BY P. TOMILIN AND ORDER OF THE TRIBUNAL**

[Link to Order](#)

[1] This was a Hearing in the matter of the appeal by Marsville Estates Inc. (“Applicant” / “Appellant”) from the failure of the Township of East Garafraxa (“Township”) to make a decision within the statutory timeframes on applications for a Zoning By-Law Amendment and a Plan of Subdivision (“Applications”), pursuant to s. 34(11) and 51(34) of the *Planning Act* (“Act”), for the property municipally known as 63076 County Road 3 (“subject property” / “site”).

[2] Planning evidence was provided to the Tribunal by means of the written Affidavit of Darren Vella. Mr. Vella has over 24 years of experience in planning matters, including extensive experience in rural planning. After reviewing the qualifications and the signed Acknowledgement of Expert Duty, the Tribunal is satisfied that Mr. Vella is a qualified professional land use planner.

LOCATION AND SITE CONTEXT

[3] The subject property, is located at the southwest corner of County Road (“CR”) 3 and CR 24. It has a frontage of 641 metres (“m”) on CR 3 and 328 m of frontage on CR 24, and is approximately 26.1 hectares (“ha”) in size. The site has a vehicular access from both roads.

[4] The subject property is designated Community Settlement Area in the County of

Dufferin (“County”) Official Plan (“OP”). It is designated Employment, Community Residential and Environmental Protection in the Township OP. The site is zoned Rural (RU) and Environmental Protection (EP) by the Township's Zoning By-law and is located within the Settlement Area of Marsville, which is a small rural hamlet containing a school, has a small residential population, and commercial/employment uses.

[5] Mr. Vella explained that the majority of the property (23.2 ha or 87.8%) was previously used for agricultural purposes and is currently vacant. A woodlot area is located in the southwest portion of the lot, covering 3.12 ha, or 11.9%, of the subject property. The County identifies a watercourse and woodlands as part of the County's Preliminary Natural Heritage System in the County OP. Ganarska Region Conservation Authority ("GRCA") identifies a small area in the north of the subject property as regulated area, and it is associated with the Butler Creek floodplain.

[6] Mr. Vella provided that the subject property is not located within the Greenbelt, the Oak Ridges Moraine, or the Niagara Escarpment Planning Areas. The site is located within the Greater Golden Horseshoe and is subject to the A Place to Grow: Growth Plan for the Greater Golden Horseshoe (“GP”) and the Provincial Policy Statement, 2020 (“PPS”).

HISTORY OF THE APPLICATIONS

[7] Mr. Vella provided an overview of the history of the Applications. He stated that the original proposal contemplated a larger development proposal in which the entirety of the lands were proposed for residential development. The application for Official Plan Amendment (“OPA”) proposed to redesignate the Employment Land to Community Residential through an Employment Land Conversion and aimed to create an 80-unit residential subdivision with a stormwater management pond, a stormwater bypass channel for surface water drainage, and a public park. Two access points were proposed, one from CR 3 with another from CR 24 on five internal streets with right-of-way widths of 20 m.

[8] After receiving comments from the Township and external agencies, the Applicant revised the original proposal and resubmitted the application in February of 2021. The proposal was reduced to a 78-unit residential subdivision and maintained the stormwater management pond and bypass channel. The public park was relocated to a central location and the municipal road access point from CR 24 was replaced with an emergency exit only. The five municipal roads proposed under the original proposal were reduced to three municipal roads, with one main access from CR 3.

[9] The revised proposal was circulated for agency comments. Mr. Vella submitted that he met with Township staff, their consultants, and external agencies to discuss the proposal in order to resolve outstanding issues, following which the final submission was made in May, 2022, accompanied by the updated technical reports.

[10] Following the discussions, Mr. Vella submits that the proposed development was reduced to a 58-unit residential subdivision by deferring the OPA application based on the County undertaking a Municipal Comprehensive Review. The final submission requested the Township to review the modified Zoning By-law Amendment and Draft Plan of Subdivision applications, consisting of a stormwater management pond, bypass channel, public park and three municipal roads.

[11] Mr. Vella proffered that the final submission was circulated for municipal and agency comments. Based on comments received, the Applicant decided to file an Appeal, due to the Township Council's failure to make a decision within the required timeline under the Act. In the mean time, the Appellant has continued to work with the Township to resolve any remaining issues. As a result of discussions, a revised set of plans were agreed to and submitted to the Township on January 18, 2024. The Township Council and the Appellant reached an agreement on February 13, 2024.

LEGISLATIVE FRAMEWORK

[12] Under the applicable planning instruments, the Tribunal must be satisfied that the proposed development represents good planning, have regard for matters of provincial

interest under s. 2 of the Act, is consistent with the PPS, and conforms to the GP, the OPs and the applicable Zoning By-laws.

EVIDENCE

[13] In Mr. Vella's view, the proposed development has regard for the matters of provincial interest, as outlined in s. 2 of the Act.

[14] Mr. Vella is of the opinion that the proposed development will increase the supply of housing in the area while preserving the area's rural character by offering generously sized estate lots. He explained that the Applications propose single-detached residential development under the Hamlet Residential (HR) zone, with reduced lot areas and frontages in order to optimize site efficiency.

[15] Mr. Vella proffered that the proposed subdivision is not premature, as the lands have remained vacant for a number of years, and would introduce much needed housing into the market.

[16] It is Mr. Vella's opinion that the development proposal has regard for matters of provincial interest, including the orderly development of safe and healthy communities; the adequate provision of increasing housing stock; the appropriate location of growth and development; and the promotion of development that is designed to be sustainable, to support pedestrians and community building.

[17] Mr. Vella reviewed the applicable policies of the PPS, the GP, the County OP and Township OP, and s. 51(24) of the Act.

[18] In summary, in Mr. Vella's opinion, the development proposal has regard to matters of provincial interest in the Act, is consistent with the PPS and conforms with the GP; the County OP, and the Township OP.

[19] Mr. Vella provided that the proposed development will increase the housing supply, and would allow the community of Marsville to develop into a more complete community. He further provided that the proposed development would lead to the existing municipal water system upgrade that will benefit the entire community.

[20] Mr. Vella concluded that it is his opinion that the proposed development represents good planning, is in the public interest, and should be approved.

ANALYSIS AND FINDINGS

[21] The Tribunal accepts the uncontroverted professional opinion of Mr. Vella and finds that the proposed Zoning By-law Amendment and Draft Plan of Subdivision represent good planning, are consistent and/or conform with the higher-level policy documents, such as the PPS, the GP, the County OP, Township OP, and s. 51(24) of the Act.

ORDER

[22] **THE TRIBUNAL ORDERS** that the appeal is allowed in part and directs the municipality to amend By-law No. 60-2004. The Tribunal authorizes the municipal clerk of the Township of East Garafraxa to assign a number to this by-law for record keeping purposes;

[23] **THE TRIBUNAL ORDERS** that the appeal is allowed in part and the draft plan shown on the plan prepared by Innovative Planning Solutions dated December 20, 2023 comprising 63076 County Road 3, in the Township Of East Garafraxa, County of Dufferin is approved subject to the fulfillment of the conditions set out in Attachment 1 to this Order;

[24] **AND THE TRIBUNAL ORDERS** that pursuant to subsection 51(56.1) of the *Planning Act*, the Township of East Garafraxa shall have the authority to clear the conditions of draft plan approval and to administer final approval of the plan of

subdivision for the purposes of subsection 51(58) of the *Act*. In the event that there are any difficulties implementing any of the conditions of draft plan approval, or if any changes are required to be made to the draft plan, the Tribunal may be spoken to.

“P. Tomilin”

P. TOMILIN
MEMBER

Ontario Land Tribunal

Website: olt.gov.on.ca Telephone: 416-212-6349 Toll Free: 1-866-448-2248

The Conservation Review Board, the Environmental Review Tribunal, the Local Planning Appeal Tribunal and the Mining and Lands Tribunal are amalgamated and continued as the Ontario Land Tribunal (“Tribunal”). Any reference to the preceding tribunals or the former Ontario Municipal Board is deemed to be a reference to the Tribunal.

ATTACHMENT 1

Applicants: Marsville Estates Inc.
File Number: TWP File S1-20
Municipality: Township of East Garafraxa
Subject Lands: Lot 5, Concession 14

File Number: S1-20

The conditions and amendments to final plan approval for registration of this subdivision file number S1-20 are as follows:

Conditions

1. That this approval applies to the draft plan of subdivision prepared by Innovative Planning Solutions, as revised December 18, 2023.

The plan of subdivision S1-20 ("Plan") shows:
 - **58 residential lots**
 - **Block 59 for Stormwater Management**
 - **Block 60 for Drainage Swale**
 - **Block 61 for Open Space**
 - **Block 62 for Walkway**
 - **Block 63 for Restricted Rural**
 - **Block 64 for Restricted Rural**
 - **Block 65 for 0.3m reserve**
 - **Block 66 and 67 for 0.3m reserve to be dedicated to Dufferin County**
 - **Block 68 for Lands to be dedicated to Dufferin County**
 - **Internal Street A**
 - **Internal Street B**
 - **Internal Street C**
2. The Owner shall, prior to final approval, enter into a subdivision agreement to be registered on title to satisfy all requirements, including financial, servicing, environmental, and other requirements to the satisfaction of the Township of East Garafraxa ("Township").
3. That before final approval, the Owner shall provide lot frontage and area information to the Township to ensure that all lots conform to the Zoning By-law.
4. The subdivision shall be zoned to the satisfaction of the Township and such zoning shall be in full force and effect prior to final approval.
5. The Owner shall agree that no works shall occur on the lands shown within the Plan until the Owner has entered into a subdivision agreement, a pre-servicing agreement or a model home agreement with the Township, unless otherwise agreed to by the Township in writing. The Owner shall also agree in the subdivision agreement or other agreements as referenced, to certain restrictions when undertaking the works and shall agree that tree clearing operations are only permitted between September 30 to March 31 of any given year.
6. The Owner shall agree in the subdivision agreement with the Township that in the event that the future development of the property is to be phased, a

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detailed development Phasing Plan must be submitted prior to final approval of the first phase of development. The Phasing Plan shall indicate the sequence of development, the land area in hectares, the number of lots and blocks in each phase, grading to minimize the total soil area exposed at a given time and construction of public services, including the provision of water supply servicing, to the satisfaction of the Township. The Phasing Plan must also be reflected in all required reports mentioned in these conditions. The Phasing Plan will not include Lot 15, 41 and 42 as a developable lot in the first phase of development. The Owner shall also agree in the subdivision agreement that the Owner will not enter into an agreement of purchase and sale for any draft approved lot prior to registration of this Plan unless so authorized by the approved Phasing Plan and in no case may the Owner enter an agreement of purchase and sale of Lot 15 until the stormwater management analysis and floodplain analysis has been completed to the satisfaction of the Township.

7. The Owner acknowledges that Lot 15 will have a holding provision in the Zoning By-Law until the stormwater management analysis and floodplain analysis has been completed to confirm that Block 59 the stormwater management block is sufficient for the stormwater management facility and conveyance of regional flows for the draft plan including the addition of the Rural Lands which stormwater management facility shall permit an increased imperviousness coverage in comparison to Residential Lands to the satisfaction of the Township.
8. The Owner acknowledges that Lot 41 and 42 may be developed as residential lots on the draft plan when the Township agrees at their sole discretion that the temporary turning circle is not required. The Owner agrees to maintain Lots 41 and 42 in a condition satisfactory to the Township, until such time as it is developed as residential lots and further planning justification supports removal of the temporary turning circle.. The Owner agrees that Lots 41 and 42 shall not be sold or conveyed until the final use of Block 63 has been confirmed and a thru road is constructed that eliminates the dead end road and requirement for a temporary turning circle.
9. The Owner shall agree in the subdivision agreement that Firebreak lots shall be to the satisfaction of the Fire Chief. The Owner agrees that no construction shall proceed on a lot, until the exterior finish cladding, roofing and windows on the abutting lot have been completed, unless otherwise approved by the Fire Chief.

DEDICATIONS

10. The Owner shall dedicate gratuitously to the Township all lands and easements required for the water supply and treatment system and all of the works and improvements which form the water supply and treatment system in accordance with the Township requirements and applicable legislation for the operation, maintenance and assumption of these works necessary to supply potable water and fire protection services to the lots shown within the Plan, and to future development that may be anticipated

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on the adjoining lands, owned by the Township located west of the Plan, legally described as PIN 34078-0114.

11. The Owner shall agree in the subdivision agreement to secure a temporary access and construction right of way from the Township across the Township lands legally identified as PIN 34078-0112 where internal Street A is shown, and to secure a temporary access and construction right of way from the Township across the Township lands legally identified as PIN 34078-0114 where a turning bulb is shown, for the purpose of permitting the design and construction of Internal Street A and a turning bulb, that meet Township standards for public highways, all of which shall be to the satisfaction of the Township Engineer and Township Solicitor.
12. The Owner shall dedicate the road allowances, Street 'B', and Street 'C' and that part of the road allowance on Street 'A' gratuitously, free and clear of any encumbrances, as a public highway (by Certificate on the Plan) to the satisfaction of the Township Solicitor. It is noted that almost the entirety of Street 'A' is already owned by the Township of East Garafraxa by PIN 34078-0112 and all improvements made by the Owner to design, build and construct Street 'A' as a public highway to Township standards, shall be dedicated gratuitously to the Township, (by certificate on the Plan).
13. The Owner agrees to dedicate gratuitously any required access and/or drainage easements to the satisfaction of the Township and any such dedications shall be to the satisfaction of the Township Engineer, or Solicitor.
14. The Owner agrees that Block 68 shall be dedicated gratuitously as a public highway (by Certification on the Plan) and Block 66 and 67 for 0.3m reserves to the County of Dufferin to the satisfaction of the Township solicitor.
15. The Owner agrees to dedicate gratuitously to the Township, free and clear of any encumbrances, Block 59 for stormwater management, Block 60 for the drainage swale, Block 61 (noting that Block 61 is already owned by the Township of East Garafraxa and such dedication refers to improvements made by the Owner to Block 61) for open space, Block 62 for a walkway and Block 65 for reserve, which gratuitous dedications shall be to the satisfaction of the Township Solicitor. The Owner shall further dedicate gratuitously to the Township, free and clear of any encumbrances, any additional lands should same be required to implement the Draft Plan of Subdivision and conditions of draft approval, which gratuitous dedications shall be to the satisfaction of the Township Solicitor.
16. The Owner agrees to provide for watermain looping to the satisfaction of the Township Engineer and shall agree in the subdivision agreement that watermain looping shall be provided on both a temporary and a permanent basis and agrees to dedicate such lands to the Township, as necessary, to the satisfaction of the Township Engineer to ensure a temporary and permanent looped water system.

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17. The Owner shall agree in a subdivision agreement to dedicate gratuitously all easements free and clear of any encumbrances to any public authority or utility, including, but not limited to the Township, cable, gas, hydro, or telecommunications companies, as may be required, (and with respect to cable and gas services subject to such services being available). It is recognized that these dedications are in addition to any easements that may be shown on the plan and any such dedications shall be to the satisfaction of the Township Solicitor.

PARKLAND –PAYMENT IN LIEU

18. The Owner shall satisfy the statutory 5% parkland requirement of the residential lands included in the plan, by providing payment of cash in lieu to the Township which shall be paid to the Township upon execution of the subdivision agreement. The Owner shall also satisfy the statutory 2% parkland requirement for the employment lands included with the area of the plan by providing payment of cash in lieu to the Township upon execution of this agreement.

ROADS

19. (a) The Owner shall design and construct internal Street 'A', Street 'B', and Street 'C' to Township standards, including meeting Township grading requirements, naming the road to the satisfaction of the Township.
- (b) The Owner shall design and construct the connection to Street 'A' to County Road 3 and Street 'B' to County Road 24 and make any necessary improvements to connect to the respective streets, to the satisfaction of the County.
20. The Owner acknowledges that notwithstanding that the lands where upon Street 'A' is shown in the plan are currently owned by the Township, the Owner shall, upon securing a temporary access and construction right of way from the Township, design, construct, and maintain Street 'A' as if it were in the Plan, and in the same way as Streets 'B' and 'C'. All works on Street 'A' Street 'B' and 'C' are local connections not to be funded through the Township's Development Charges (including not to be funded through Development Charges reserves).
21. The Owner shall provide standard pavement markings and traffic signage on all roads, and at all proposed intersections within and related to the plan of subdivision to the Township and County's satisfaction.
22. The Owner shall provide street lighting (Light Emitting Diode ("LED")) for the roads including temporary or permanent turning circles to the satisfaction of the Township and shall make operational the street lighting on all roads within 90 days of the issuance of the first building permit. It is acknowledged that the street lighting requirement for County Road 3 and

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Country Road 24 shall be restricted to the intersections of Street 'A' and Street 'B'.

23. The Owner shall agree in the subdivision agreement with the Township to locate and construct all driveways accessing municipal roads, including driveway aprons, all to the satisfaction of the Township Engineer. Driveways shall be limited to one access point from the municipal road. Driveway entrances shall not be permitted to connect to the adjacent County Roads.

FENCING

24. The Owner shall agree in the subdivision agreement with the Township to prepare a fencing plan and install appropriate fencing in accordance with that fencing plan all to the satisfaction of the Township. The Owner shall include post and wire fencing on the south boundary of the subject lands boarding agricultural field, black vinyl chain link fencing where each rear and side of the lots shown on the plan boarder Block 60, the stormwater management block, Walkway block all to the satisfaction of the Township.

STORMWATER MANAGEMENT

25. The Owner shall agree in the subdivision agreement with the Township to design and construct any required stormwater management facilities to the satisfaction of the Township and Grand River Conservation Authority. The stormwater management facility shall be designed to accommodate stormwater flow, conveyance and outfall from the adjoining lands owned by the Township, legally described as PIN 34078-0114 and the lands owned by the Township, where Street 'A' is to be designed and constructed, legally described as PIN 34078-0112. Stormwater management facilities shall be approved by the Ministry of the Environment, Conservation and Parks ("MECP") pursuant to Section 53 of the Ontario Water Resources Act, unless the Township has received, and works are authorized under the Township's Consolidated Linear Infrastructure Environmental Compliance Approval for the Township's Stormwater Management System. The Owner shall agree in the subdivision agreement to obtain such required approvals prior to construction of the stormwater management facilities occurring.
26. Prior to final approval of the plan, the Owner shall provide confirmation if Lot 15 is required for stormwater management or containment of peak flows from the drainage swale for major storms including the regional storm. If Lot 15 is not required at the sole discretion of the Township, the Township shall release the lot and allow it to be registered as a lot to be built upon. Alternatively, if it is required for stormwater management it shall be dedicated to the Township prior to Final Approval for it to be accepted by such terms as set out in the subdivision agreement for inclusion as part of the stormwater management facility.

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GRADING

27. The Owner shall agree that grading plans shall be prepared and submitted to the satisfaction of the Township prior to final approval; and that all such grading plans including the grading of roads meet all applicable standards, and shall be to the satisfaction of the Township and Township's Director of Public Works. Should such grading not be satisfactory, the Owner specifically agrees that the plan of subdivision shall be redlined, so as to make the grading acceptable and satisfactory to the Township. The Owner shall agree in the subdivision agreement with the Township to design and construct all grading, drainage, and servicing including the water supply system, under the Township's jurisdiction to the satisfaction of the Township. The Owner shall further agree and acknowledge that further design/lotting changes may be necessary within the draft plan of subdivision arising from the detailed grading plan. Recommendations of the detailed grading plan will be implemented to the satisfaction of the Township.
28. The Owner shall agree in the subdivision agreement to prepare a fill management plan in accordance with MECP's Management of Excess Soil – A Guide for Best Management Practices as well as Ontario Regulation 406/19 and the Soil Rules to the satisfaction of the Township should the plan require fill importation as determined during the detail design stage. The plan shall be prepared by a Qualified Person as defined in Ontario Regulation 153/04 and include provisions for road access, haul routes and monitoring, to comply with O Reg 406/19.

CONSTRUCTION AND SEDIMENT/EROSION CONTROL MEASURES

29. The Owner shall agree in the subdivision agreement with the Township to construct all works which must be considered temporary to facilitate the development of the subject property to the satisfaction of the Township and any other relevant public agency. These works may include but shall not be limited to, emergency access, temporary cul-de-sacs, temporary erosions control measures and temporary stormwater facilities.
30. The Owner shall agree in the subdivision agreement with the Township to erect temporary fencing, or snow fencing, as required on the property, prior to the commencement of site works, to the satisfaction of the Township and that such fencing remain in place until directed otherwise by the Township.
31. The Owner shall agree in the subdivision agreement with the Township to stabilize all disturbed soil within 90 days, or such other period as the Township may agree to taking into account standard engineering practices, of such soil being disturbed, control all noxious weeds, and maintain ground cover, and to keep the lands tidy and free of debris, all to the satisfaction of the Township.

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32. The Owner shall agree in the subdivision agreement with the Township to provide and maintain erosion and sediment control measures, as appropriate, prior to the commencement of topsoil stripping and during other construction activities to the satisfaction of the Township and GRCA.
33. The Owner shall agree in the subdivision agreement with the Township to provide to the Township sufficient securities for the maintenance and monitoring of sediment and erosion control measures, which securities shall be to the satisfaction of the Township.
34. The Owner shall agree in the subdivision agreement with the Township that topsoil, equipment, or materials may only be stockpiled to the satisfaction of the Township. The Owner further agrees there will be no stockpiling on any lands being conveyed to the Township or on any blocks or on other adjacent lands owned by the applicant without the written approval of the Township.
35. The Owner shall agree in the subdivision agreement to provide a mud tracking pad for construction vehicles at the site entrance, and to direct all construction traffic to and from the Draft Plan of subdivision lands, to the satisfaction of the Township Engineer

LANDSCAPING

36. The Owner shall agree in the subdivision agreement with the Township to have a qualified Arborist certify that all trees planted by the Owner and all existing trees located on lands to be deeded to the Township are disease free and healthy, after planting (if applicable) and prior to the assumption of public services, all to the satisfaction of the Township.

PLAN, MAPS AND BENCHMARKS

37. The Owner shall agree to deposit five (5) full size paper copies of the Registered Plan of Subdivision with the Township and provide the Township with computerized information in a format satisfactory to the Township. In addition, the subdivision agreement between the Owner and Township shall contain a provision whereby the Owner agrees to supply to the satisfaction of the Township, "as constructed" public services in a format suitable for use by the Township with the current version of AutoCAD being used by the Township/and or its consulting engineers.
38. The Owner shall agree in the subdivision agreement with the Township to provide two second order, second level Geodetic Benchmarks in suitable locations to the satisfaction of the Township.
39. The Owner shall prepare a Community Information Sign which shows the draft plan of subdivision together with surrounding land uses, which Community Information Sign shall be to the satisfaction of the Township Planner, and the Owner shall also obtain from the Township a Schedule

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with all notice clauses that the Township may require to be provided to potential purchasers of the lots, all of which is to occur prior to marketing or otherwise offering to sell any of the draft approved lots to builders or potential homebuyers. The approved Community Information Sign shall be posted in a prominent location in the sales office, if any, and a copy of the approved Sign and Schedule shall be provided directly to potential purchasers.

40. The Owner shall agree in the subdivision agreement to provide the approved Community Information Sign and obtain execution of the Schedule by each builder/homeowner which documents shall be submitted as part of the filings to the Township for its clearance of the requisite building permit application.

RETAINING WALLS

41. The subdivision agreement between the Owner and the Township and all offers of Purchase and Sale shall contain a clause stating that the maintenance of any retaining walls constructed within the Draft Plan of subdivision shall be the responsibility of the Owner and subsequent Owners, and that no retaining wall shall exceed a maximum height of 1.5 metres on the exposed face, unless any additional height is approved by the Township in writing. Retaining walls shall not be constructed upon lands to be transferred to the Township or other public authority, unless otherwise approved by the Township.

ENGINEERING AND TECHNICAL REPORTS

42. The Owner has prepared and submitted to the Township for approval, the reports listed below. Recommendations from these reports, as amended or modified to the satisfaction of the Township will be implemented in the detailed design process to the satisfaction of the Township and any other public body as noted below. All reports and studies must substantially conform to the draft plan of subdivision prepared by Innovative Planning Solutions dated as revised December 18, 2023, and may be further red-lined to address recommendations or requirements of the updated reports to the satisfaction of the Township
- (a) recommendations of the Functional Servicing Report prepared by Valdor Engineer Inc. (May 2022), and any amendments or modifications thereto approved by the Township and GRCA, shall be implemented to the satisfaction of the Township and GRCA. The Owner agrees that all facilities for stormwater management purposes shall be operational to the satisfaction of the Township and GRCA, prior to the placement of the road granulars. The Owner acknowledges that monies shall be deposited and paid to the Township as contribution to the long-term maintenance of the stormwater facilities which amount shall be addressed in the subdivision agreement;

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- (b) recommendations of the Amended Baseline Ecological Assessment dated January 13, 2021, and any amendments or modifications thereto approved by the Township;
 - (c) recommendations of the Hydrogeological Investigation Report prepared by Palmer (February 2, 2021) and technical memoranda dated January 6, 2021, and any amendments or modifications thereto, shall be implemented to the satisfaction of the Township;
 - (d) recommendations of the Geotechnical Investigation prepared by Alston Geotechnical Consultants Inc. (April 13 2020), and any amendments or modifications thereto approved by the Township.
43. The Owner agrees to have prepared, by a qualified Consulting Engineer(s) or other professionals as noted below, and submitted to the Township for review and approval, at its cost the following reports and plans. All plans and reports must substantially conform to the draft plan of subdivision dated as revised December 18, 2023. Recommendations from reports, as amended or modified to the satisfaction of the Township, must be implemented to the satisfaction of the Township:
- (a) Functional Servicing Report – the report dated May 2022 prepared by Valdor Engineering Inc. shall be updated to reflect the draft plan dated as revised December 18, 2023. The updated report shall also address the following:
 - (i) Updated design considerations for additional dwelling units pursuant to the Township By-Law 26-2023.
 - (ii) Updated stormwater management modelling to include Township owned lands being 9.07 acres, described as PIN 34078-0114 East Garafraxa Concession 14, Part Lot 5, RP 7R5924 Parts 11 and 12 that will be conveyed to the stormwater management facility in Block 59. The design shall provide stormwater management for these lands owned by the Township to accommodate future development at a similar imperviousness as the Subdivision Lands. The updated modelling is also to consider and justify the imperviousness per lot to allow for additional dwelling units pursuant to Township By-Law 26-2023. The updated stormwater management modelling shall also address the increase imperviousness related to employment uses. The Owner agrees that Lot 15 has a holding provision until it is confirmed that the area is not required for stormwater management or for conveyance of major storms.
 - (iii) Provide detailed analysis between Lots 32 and Block 64 to confirm conveyance of any drainage area from land to the south. This

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may necessitate granting a drainage easement to the Township to the satisfaction of the Township solicitor.

- (iv) Include analysis to inlet and convey through a pipe the 100 year storm from Block 63 to the stormwater management pond as to provide a piped outlet to the stormwater management facility to the satisfaction of the Township Engineer with conveyance of emergency overflow to the ultimate outlet on County Road 3.
 - (v) Include culvert calculations sized based on MTO Directive B-100.
 - (vi) Include analysis confirming conveyance of the major system can be contained within the road right of way.
 - (vii) Updated Floodplain analysis to reflect the location of the channel in Block 59 and Block 60 to verify that all storms up to the regional storm is fully contained within the blocks. Any portions of the channel that are engineered within the regional flooding area shall have channel side slopes that have a maximum 25 percent slope, a minimum 1 metre wide shelf at a minimum of two locations on each side with a maximum 5 percent slope and a minimum 3.5 metre maintenance access route adjacent to the channel. The Owner shall further agree and acknowledge that further design/lotting changes may be necessary within the draft plan of subdivision to ensure that runoff for storms up to the regional storm are fully contained within the block.
 - (viii) Updated to address requirements of permitted authorizations under the consolidated linear infrastructure environmental compliance approval. The Township is in the process of obtaining such approval. Should the approval not be in place, the Owner acknowledges they shall be required to submit an environmental compliance approval to the MECP for the Stormwater Management System.
 - (ix) Updated wastewater servicing analysis to address Township By-Law 26-2023. It is acknowledged, at minimum, that a Level IV Treatment Unit with minimum nitrogen removal capabilities of 50% CAN/BNQ 3680-600 is required. The report shall confirm whether a Treatment Unit with minimum nitrogen removal capabilities of 75% is required. It is acknowledged that this assessment could be completed by an update to the Hydrogeological Report.
- (b) Traffic Impact Study – To reflect the draft plan dated as revised December 18, 2023 including impacts of the Employment Block and new entrance points to the County Roads and proximity to the East Garafraxa Public School. The plan shall confirm whether external upgrades are

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required thereto approved by the Township shall be implemented to the satisfaction of the Township and County.

- (c) Updated Geotechnical Report – To address any potential impact from groundwater and provide recommendations for the construction of the subdivision including pavement design of internal roads, design of the stormwater management facilities, requirements for subdrains, provide a minimum basement elevation for each lot in order to be above the seasonally high groundwater level. The report shall include additional groundwater monitoring levels with readings that incorporate spring measurements between April and June to the satisfaction of the Township.
- (d) Landscape Plan – Prepare plan, by a qualified Landscape Architect to the satisfaction of the Township, including the following components:
 - (i) Shall incorporate the trees to be preserved and any required protection measures during construction;
 - (ii) Tree inventory and compensation plan;
 - (iii) Shall include street tree planting along Street 'A', Street 'B', and Street 'C'. A minimum of one (1) tree per lot along the lot frontage, and (2) trees per lot along exterior side yards is required. All trees shall be planted on private property.
 - (iv) Shall provide a 1.8 metre high landscaped berm, which berm shall be planted to provide treed screening along those residential lots adjacent to Country Road 3 and to screen the lots that are adjacent to Block 63 and 64 to the satisfaction of the Township. The berm side slopes shall be a maximum slope of 33%. The screening between Blocks 63 and 64 and residential lots may include a noise privacy fence or a landscaped berm to the satisfaction of the Township.
 - (v) Incorporate a landscape plan for Block 59 and Block 60.
 - (vi) Shall include a fencing plan including the location of fencing, type of fencing, and details of installation to the satisfaction of the Township.
- (e) Noise Report – the report dated January 2021 prepared by LEA shall be updated to reflect the draft plan dated as revised December 18, 2023. The updated report shall address the employment use and any required warning clauses or mitigative measure for the adjacent lots and any limitations regarding future development of the employment lands.

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- (f) Operations and Maintenance Plan – for the Stormwater Management System incorporating elements within the consolidated linear infrastructure environmental compliance approval.
- (g) Homeowner’s Manual –Provides information regarding the characteristics of the septic systems proposed and the required operations and maintenance instructions. The Manual should also provide details with respect to the local environment and pay particular attention to the potential impacts of misuse of the private septic system on the environment.
- (h) Rural Building Design Guideline – The guideline shall confirm architectural requirements and shall specifically address mitigation measures to be implemented when the house is raised to maintain separation from groundwater to the satisfaction of the Township. Specifically, houses with raised basements shall be bi-level, such that no more than three (3) stairs are utilized outside of the house for access to the front door and any additional stairs required to reach the first floor shall be internal to the house.
- (i) Detailed Engineering drawings – Drawings, prepared by a qualified Engineer, shall reflect the recommendations of all reports and studies requested as conditions of approval. All aspects of the servicing design must be in accordance with the appropriate requirements of the applicable legislation, including any applicable Class Environmental Assessment. The Detailed Engineering drawings shall be incorporated as part of the approved drawings under the subdivision agreement and shall be completed and approved prior to the execution of the subdivision agreement, and prior to final approval of the plan of subdivision.
 - (i) Erosion and Sediment Control Plan – Provide recommendations for the control, maintenance, and monitoring of sediment during all phases of construction and to address erosion control issues. The plan shall include inspection requirements for dry weather periods (active and inactive construction phase), after significant storm events and significant snowmelt events, and after any extreme weather to the satisfaction of the Township.
 - (ii) Cut and Fill Plan – The plan shall show the amount of cut and fill required to achieve the grading and drainage including a summary table of cut/fill volumes. The plan shall be reviewed by the private septic system specialist in order to determine the effect of the grading on the operation of the leaching beds. The characteristics and placement method of imported fill to be placed in areas where the private septic systems are to be

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constructed shall be approved by the private septic system specialist and requirements included within the engineering plans. The size of the septic system envelopes as shown on the Master Development Plan shall consider the Cut and Fill Plan and the expected soil characteristics and groundwater levels.

- (iii) Grading, Plan and Profile, and Servicing Plans – The detailed engineering drawing set shall include all plans for grading, servicing and road construction. The stormwater management facility shall include a maintenance access road around the facility with connections to Street B and Street C.
 - (iv) Master Development Plan – Plan shall illustrate building envelopes, suggested dwelling sittings, rear yard activity areas, driveways, private septic system envelopes with the corresponding grading and drainage requirements. The Master Development Plan shall be based on consideration of the soils and water table on site, as determined by groundwater monitoring and such other soils investigations to the satisfaction of the Township.
 - (v) Street Lighting Plans – Plans shall set out the placement of street lighting and associated details including photometric analysis for the Subject Lands to the satisfaction of the Township.
 - (vi) Composite Utility Plan – The Plan shall include all utilities being installed in the subdivision. All pedestals and transformers are to be placed near the property line on the back slope of the ditch. The Owner acknowledges and agrees to convey any easements as deemed necessary to the utility company(s) as required. The utility trenches be buried at a sufficient depth to ensure a 1.2m radius is maintained from the bottom of the ditch invert to the satisfaction of the Township.
 - (vii) Pavement Markings and Traffic Signage Plan – It is acknowledged that the Owner’s Engineer has prepared the cross section for the subdivision which consists of a rural cross section and a multi-use path on one side of the road. The Owner’s Engineer is to provide a plan showing all pavement markings and traffic signage required for this cross section. The plan shall also consider the adjacent school and consult with the Upper Grand District School Board on appropriate access points including any requirement for a layby, entrance to the school, which improvements shall be incorporated along Street ‘A’ adjacent to the school to the satisfaction of the Township.
44. The Owner acknowledges and agrees that ensuring the suitability of land for its proposed uses is the Owner’s responsibility. The Owner has

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submitted a Phase I Environmental Site Assessment, prepared by Watters Environmental Group Inc. dated April 2020. Prior to the final approval of the plan, the Owner shall:

- (i) Provide a letter of reliance in favour of the Township, to the satisfaction of the Township Solicitor for the Phase I Environmental Site Assessments, prepared by Watters Environmental Group Inc.
- (ii) File a Record of Site Condition (RSC) on the Provincial Environmental Registry for the subdivision lands including any lands to be conveyed to the Township. In addition, prior to the registration of the plan of subdivision, the Owner shall provide such environmental warranties and undertakings to the satisfaction of the Township Solicitor

45. The Owner shall agree that where a condition of approval requires the preparation of a report, study, or plan, the Owner shall:
- (a) carry out, or cause to be carried out, the study, report or plan, at the Owner's expense, prior to final approval, except in those circumstances that may be specifically authorized by the approving agency(s); and
 - (b) carry out, or cause to be carried out, the recommendation(s) or work(s) prescribed in the approved study, report, or plan, prior to final approval, except in those circumstances that may be specifically authorized by the approving agency(s).

SERVICING

46. The Owner shall specifically acknowledge and agree in the subdivision agreement that the Township is not agreeing to execute or enter into a responsibility agreement to provide public wastewater treatment for this development. It is also acknowledged that tertiary treatment systems (Level IV Treatment Systems) included as part of the private septic systems for the servicing of each lot, that the Township shall not be responsible for supervising, inspecting, monitoring, or guaranteeing that such systems are operational. The Subdivision Agreement between the Owner and the Township shall contain provision(s) that all lots will be made suitable for subsurface sewage disposal systems to the satisfaction of the Township. All installation of subsurface sewage disposal system(s) shall be in accordance with building permit(s) from the County of Dufferin.
47. The subdivision agreement shall also contain provisions with wording to the satisfaction of the Township that a detailed plot plan shall be approved by the Township prior to the issuance of municipal clearance for a building permit (which clearance is by the Township) that shows the building envelope, on-site sewage system, the proposed grading, the water service,

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and any other details that the Township may require, together with any other provisions that the Township may require for the proper construction, installation and operation of the on-site sewage system. The subdivision agreement shall also contain clauses regarding the requirement for a clause to be contained in the Agreement(s) of Purchase and Sale of the lot(s) advising that the lot is serviced by municipal water and a private sewage disposal system, and also advising the purchaser that an information package will be provided to the purchaser with detailed information regarding the operation of the private on-site sewage system including the nature, operation and maintenance of such systems, all to the satisfaction of the Township.

48. The Owner shall agree in the subdivision agreement that each of the lots shall be made suitable for the installation of an individual private subsurface sewage disposal system and the Owner shall install private septic system(s) on all building lot(s). In addition, the overall layout of the municipal water system and the private septic system(s) for the plan of subdivision shall be to the satisfaction of the Township and the detailed plot plan(s) as set out below shall be to the satisfaction of the Township. Should any lot be deemed by the Township to be unsuitable for such systems, such lot shall be combined with other lots or blocks, as the case may be.

The Owner further agrees to meet the following requirements in the design of the private septic system(s):

- (a) the engineering design team preparing the final engineering drawings for the subdivision shall include a specialist in private septic systems and lot grading to ensure the integration of sewage treatment considerations (including raised beds, if necessary) into the grading plans;
- (b) Septic systems shall be designed in accordance with the engineering reports prepared by the Owner's engineer. The Township and the Chief Building Official may approve any deviations from the approved design concept as they deem appropriate;
- (c) a primary area for the private septic system(s) shall be provided on each lot. The size of the areas provided shall be related to the percolation rate of the existing native soils and the dwelling characteristics;
- (d) leaching bed design shall be based on post-grading soils and water table conditions determined by a test pit excavated within the proposed leaching bed area and inspected by the Building Department and/or verified by report submitted by a Geotechnical Consultant to the satisfaction of the Chief building Official;

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- (e) consideration should be given to the potential for changes in the water table and the stormwater quantity and quality facilities. Wherever possible, the distance between leaching beds and the above should be maximized;
- (f) in order to prevent erosion of the leaching beds, the soils in the bed and related drainage swale areas shall be stabilized by hydro seeding immediately after bed construction. Any areas on raised beds each adjacent to and on the tapers shall be sodded immediately on completion;
- (g) the engineering plans shall include drawings indicating the amount of cut and fill required to achieve the grading and drainage required and these plans shall be reviewed and approved by the private septic system specialist in order to determine the effect of the grading on the operation of the leaching beds. The characteristics and placement method of imported fill to be placed in areas where the private septic systems are to be constructed shall be approved by the private septic system specialist and the Township and Chief Building Official;
- (h) during road and drainage system construction, vehicular traffic must be kept off the private septic system areas to prevent soil compaction. No building materials or soil should be stockpiled in private septic system envelopes;
- (i) where on-lot infiltration techniques, not to include soak-away pits, are proposed, consideration should be given to the potential impact of infiltration on the leaching beds;
- (j) prior to the issuance of a building permit for a private septic system, the following conditions must be fulfilled to the satisfaction of the Township and the Chief Building Official:
 - i) pre-grading has been completed to ensure that all leaching bed areas are adequately drained prior to the construction of a private septic system;
 - ii) a qualified consulting engineer, together with a specialist in the design and installation of private septic systems, shall be retained to submit the necessary detailed site plan with each application for a municipal approval of the detailed site plan and a building permit for the private septic system(s);
 - iii) the same consulting engineer and private septic system design specialist shall also be jointly responsible for:
 1. preparation of a detailed individual plot plan to be approved by the Township which illustrates all proposed buildings and structures, their elevation, the driveway and activity areas

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- (including showing any area proposed for a swimming pool), the septic tank, pump tank or siphon (if required), the detailed design of the leaching bed (and where a fully or partially raised leaching bed is proposed, a detailed cross-section), all existing and proposed grades including retaining walls or terraces, natural features and vegetation (existing and to be removed), the method of disposing of stormwater (drainage swales, directions and grades), water service location and all erosion control and sedimentation features, all of which must be shown. Existing and proposed grades must be provided.
2. obtaining approval from the Township indicating that the proposed grading conforms to the Master Development Plan. It is acknowledged that the Township at the municipal clearance for building permit stage may approve a detailed plot plan for a dwelling on a lot that varies from the Master Development Plan provided the Master Development Plan's integrity is not compromised:
 3. inspection of one or more test pits and the preparation of a grain size analysis and water table evaluation report. Where imported fill material is required, the consulting engineer/private septic system design specialist shall provide a detailed grain-size analysis report on the proposed fill and shall obtain Township and Chief Building Official approval prior to placement on the property;
 4. for raised beds, supervision of the laying out, excavation and scarification of the leaching bed bottom and placement of fill to ensure compliance with design and grading criteria; and
 5. prior to authorizing the construction of the leaching bed, the Consulting Engineer and private septic system design specialist will obtain confirmation that the dwelling has been constructed in the location and to the grades indicated in the approved site plan.
- (k) following the completion of construction, the Consulting Engineer and private septic system design specialist shall be responsible for:
- i. provision of a Certificate of Compliance for each lot within the subdivision stipulating that all grades and private septic system(s), including all its details have been constructed according to the approved detailed site plan and the approved design; and
 - ii. provision of certified "as constructed" drawings of the private septic system of each lot in a digitized electronic format acceptable to the Township, if so required by the Township.

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- (l) the Owner shall provide to the lot purchaser a copy of the site plan and a copy of the Home Owner's Manual for the private septic system (which Manual shall be approved by the Township), and a copy of the operating manual and the maintenance agreement for the private septic system;
 - (m) it is acknowledged that the primary responsibility of the Township is with respect to the general layout of the sewage system(s) and the grading of the plan of subdivision. It is acknowledged that the design of the individual private septic system(s) is subject to the Ontario Building Code Act and the regulations thereunder. Should any of the provisions of this condition conflict with the Ontario Building Code Act and the regulations thereunder, it is agreed that the Ontario Building Code Act and the regulations thereunder, as the case may be, govern;
49. The subdivision agreement between the Owner and the Township shall contain provision(s) incorporating the provisions of condition 48 to the satisfaction of the Township. The subdivision agreement shall also contain clauses regarding the requirement for a clause to be contained in the Agreement of Purchase and Sale for each lot advising that the lot is serviced by a municipal water and a private subsurface sewage disposal system and also advising the purchaser that an information package will be provided to the purchaser with detailed information regarding the nature, operation and maintenance of the private septic system, all to the satisfaction of the Township. The subdivision agreement shall also contain provisions that:
- (a) eaves trough, foundation drains and surface/stormwater drainage must not be directed to, the sewage disposal system, nor onto, or into the ground surface in the vicinity of the tile bed area in order to limit the impact of stormwater on the operation of the leaching beds;
 - (b) the Owner shall not permit the installation of any underground lawn irrigation systems within the primary leaching bed area, or in any area which may detrimentally affect the operation and effectiveness of the leaching bed. The Developer agrees to insert a provision in any agreement of purchase and sale to this effect;
 - (c) no structures, including accessory buildings and swimming pools, and no landscaping involving decks, berms, foundations, paving stones or trees shall be located within the primary leaching bed area and no structures, including accessory buildings and swimming pools, shall be located in the reserve leaching bed area; and
 - (d) the front and side yards of residential lots extending to the rear limit of each house at a minimum are to be sodded. The balance of the lot is to be top soiled and hydroseeded or sodded.

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WATER SERVICING AND FIRE PROTECTION

50. The Owner acknowledges that the Township's existing municipal water system requires expansion, and there are no existing watermains near the subject lands. The Township completed a Municipal Class Environmental Assessment titled 'Marsville Water System Expansion Municipal Class Environmental Assessment (Schedule B)' to determine the preferred solution to expand the municipal water system. Without limiting the generality of the foregoing, the preferred solution includes two new wells, storage, and a new pumphouse/treatment site, and all related works that are not located on the subject lands. The Owner shall agree that the water supply system expansion shall be operational prior to final approval of the subdivision (or of any phase of the subdivision, if the development is phased) being granted. The Owner acknowledges that other landowners within Marsville that have applied to develop their lands, collectively the developers including the Owner or the Owner themselves, shall financially secure the project, which project shall not commence until the Township is satisfied that financial arrangements are in place for the design and construction of the project. The Owner acknowledges that the Township does not own the land required for the preferred solution located on CON 13 E PT LOT 5 and the Owner cannot proceed with site alterations including clearing or topsoil stripping until these lands have been dedicated to the Township or other arrangements have been made to the satisfaction of the Township Solicitor and Township Engineer and nothing in the granting of Draft Approval shall place any obligation on the Township to secure lands, or facilitate their acquisition, or commissioning the necessary expansion of the water system. The Owner further agrees in the subdivision agreement that there shall be no presale of any lots, by agreement of purchase and sale, following draft plan approval, until such time as the Township receives confirmation that the expansion of the existing municipal water system to service the Plan, or any phase of the Plan is financially secured, all to the satisfaction of the Township.
51. The Owner shall agree to incur the cost of the design, installation and construction of the expansion of the Township's existing water supply system, and all necessary appurtenances thereto to the satisfaction of the Township. The Owner shall agree that the Township Engineer shall design those components of the water supply system as required by the Township. The Owner shall agree that the water supply system, and all related works and improvements shall be operational or financially secured to the satisfaction of the Township prior to final approval of the subdivision (or of any phase of the subdivision, if the development is phased) being granted.
52. The Owner shall agree in the subdivision agreement that requirements for a municipal residential drinking water system under Part V of the Safe Water Drinking Act and O. Reg. 170/03 (Drinking Water Systems

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- Regulation) shall apply in the design, construction and installation of the municipal water system all to the satisfaction of the Township Engineer.
53. The Owner acknowledges in the subdivision agreement that the Plan shall be serviced by full municipal water and may not proceed to Final Approval until the Township Engineer confirms that the Marsville municipal water system has capacity to service the subdivision with an adequate supply of potable water and fire protection services, and that arrangements have been made for satisfactory connecting watermains all to the satisfaction of the Township Engineer.
 54. The Owner shall agree that the Township Engineer shall design those components of the water system outside of the Plan including, without limiting the generality of the foregoing, two new wells, storage, and a new pumphouse/treatment facility as required by the Township and is responsible for all costs associated with such design, tendering, construction, and site inspection services.
 55. The Owner is to provide the subdivision with a looped water system to help ensure a safe, secure and reliable water supply. This can be accomplished with two or more feeds from the Township's water supply. Should the connection points not be readily available adjacent to the site, then the Owner shall be required to extend watermains to the site and acquire any necessary easements at their own cost for this purpose all to the satisfaction of the Township Engineer.
 56. The Owner shall dedicate gratuitously to the Township all lands and easements required for the water supply system, all of which shall be free and clear of all encumbrances.
 57. The Owner shall agree in the subdivision agreement to file digital drawings both in portable document format and AutoCAD of final approved construction drawings and as-constructed drawings to the satisfaction of the Township Engineer.
 58. The Owner shall agree in the subdivision agreement to provide each dwelling on each Lot with a water meter. The Owner, or where the Lot is sold to a builder by the Owner, the builder, shall make arrangements with the Township for the type of water meter and shall install the water meters to the satisfaction of the Township. The Owner shall ensure the installation of the water meters are easily accessible for the Township. The Owner shall install an appropriate water shutoff prior to the water meter. Each dwelling shall be required to have installed a dual check valve (no lead) for premise isolation, complete with an expansion tank, and other such requirements of the Township Engineer.

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59. The Owner shall agree that no water may be provided or used in the municipal water system until a water meter is installed and operational. The Owner shall also agree in the subdivision agreement that the Township shall set the applicable water rates, and will require provisions to require the collection of water usage from dwellings prior to assumption of the municipal water system of the Township.
60. As a component of the Owner's agreement to satisfy all the requirements, financial or otherwise of the Township with regard to supply, distribution and storage of municipal drinking water, the Owner agrees in the subdivision agreement to reimburse the Township for invoices incurred for the operation, design, routine maintenance, review, supervision and approval of connections of each dwelling to the Local Water System, any system upgrades, any costs incurred to meter the dwellings all to the satisfaction of the Township Engineer.

WELL MONITORING

61. The Owner agrees that:
- (a) prior to any site alteration, it shall conduct a Preconstruction Survey of the static water level and quality of all wells, subject to the consent of the well owner, within the greater of:
 - i. 500 m of development area; and
 - ii. the expected area of influence as determined by a hydrogeologist.
 - (b) should the Township receive complaints regarding alleged well interference from properties within the vicinity of the property, the Township may require the Owner to update the preconstruction survey from time to time or, in the alternative, monitor the wells on which complaints have been received, (should the resident so permit); and
 - (c) the Owner further agrees to resolve any claims of well interruption, if any, due to the development of the subdivision. Should there be any such interruption to properties located in proximity to the draft plan, then the Owner agrees that it shall supply temporary water to the affected home(s), and if necessary shall implement a permanent solution such as, but not limited to, the installation of a new well or connection to the municipal water system, to the satisfaction of the Township and/or MECP, as the case may be.

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GRAND RIVER CONSERVATION AUTHORITY

62. Prior to any grading and servicing and/or registration of the plan, or any phases thereof, the Owner shall prepare to the satisfaction of GRCA and the Township
- (a) A Final Stormwater Management Report in accordance with the 2003 Ministry of Environment Report entitled, "Stormwater Management Practices Planning and Design Manual" and in keeping with the Functional Servicing Report (Valdor Engineering, dated April 2020, Rev. May 2022.)
 - (b) Detailed Lot Grading and Drainage Plans showing existing and proposed grades.
 - (c) An Erosion and Siltation Control Plan in accordance with the Grand River Conservation Authority's Guidelines for sediment and erosion control, indicating the means whereby erosion will be minimized and silt maintained on-site throughout all phases of grading and construction
 - (d) The submission and approval of a Development, Interference with Wetlands and Alterations to Shorelines and Watercourses permit from the GRCA prior to any grading within the regulated area.
 - (e) The submission of floodplain mapping and updated HEC-RAS modelling.
 - (f) Updated analysis mitigating the post-development infiltration deficit and maintaining runoff volumes to Brouwer Drain are required to ensure there are no negative impacts to flooding or erosion downstream of the proposed development.

UPPER GRAND DISTRICT SCHOOL BOARD

63. The Owner agrees to the following provisions, to be included in the Township's subdivision agreement, to the satisfaction of the Upper Grand District School Board:
- (a) Education Development Charges shall be collected prior to the issuance of building permit(s);
 - (b) Provide the Upper Grand District School Board with a digital file of the plan of subdivision in either ArcGIS (shapefile or geodatabase) format or DXF format using a projected geographic coordinated system, containing parcel fabric and street network;
 - (c) That the developer shall agree in the subdivision agreement that adequate sidewalks, lighting and snow removal (on sidewalks and walkways) will be provided to allow children to walk safely to school or to a designated bus pickup point. *(The Township will not be provided sidewalks in the development)*

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- (d) That the Owner and the Upper Grand District School Board reach an agreement regarding the supply and erection of a sign at the Owner's expense and according to the Board's specifications, affixed to the permanent development sign, subject to the approval of the Township, advising prospective residents about schools in the area.
- (e) The Owner agrees that construction vehicle access is restricted to the access point on County Road 24, in order to limit the construction vehicle traffic at the school and to reserve the access point on County Road 3 as a school bus pick up/drop off point if one is necessary during construction.
- (f) That prior to final approval of any phase or stage of the subdivision, a detailed design of the pedestrian connection from Street A to the school property be provided for review and approval by Board Staff. Further, the cost of construction of such pedestrian connection shall be borne fully by the developer.
- (g) That prior to final approval of any phase or stage of the subdivision, a revised traffic impact study, detailed grading plan and stormwater management report be provided to the Board's satisfaction.

DUFFERIN-PEEL CATHOLIC DISTRICT SCHOOL BOARD

- 64. That the applicant shall agree in the Servicing and/or Subdivision Agreement to include the following warning clauses in all offers of purchase and sale of residential lots:
 - (a) Whereas, despite the best efforts of the Dufferin-Peel Catholic District School Board, sufficient accommodation may not be available for all anticipated students from the area, you are hereby notified that students may be accommodated in temporary facilities and/or bussed to a school outside of the neighbourhood, and further, that students may later be transferred to the neighbourhood school.
 - (b) That the purchasers agree that for the purpose of transportation to school, the residents of the subdivision shall agree that children will meet the bus on roads presently in existence or at another place designated by the Board.

COUNTY OF DUFFERIN

- 65. The Owner to the satisfaction of the County shall ensure all intersection sight triangle dimensions meet the greater of either the Township's Official Plan, or the County of Dufferin's Entrance Policy 5-3-17.
- 66. The Owner to the satisfaction of the County shall ensure that no pedestrian infrastructure is directed to the County road where no pedestrian infrastructure exists to the satisfaction of the County.

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67. The Owner agrees to provide a Traffic Impact Study (TIS) to reflect the draft plan as revised December 18, 2023 and confirm any external road improvements to Dufferin County Roads 3 and 24.
68. The Owner agrees that 0.3m reserves along the entire development frontage on Dufferin County Road 3 & 24 shall be provided and shall be dedicated gratuitously to the County of Dufferin.
69. The Owner agrees to provide auto-turn movements to confirm the turning circle on Street 'A' accommodates waste collection.
70. The Owner agrees to redline the plan to provide driveway access for the existing vacant lot outside the plan in the south east corner to Street 'B'.
71. The Owner agrees to review the proximity of the East Garafraxa Public School Entrance(s) and must consider the relocation of the entrance(s) from Dufferin 3 to Street 'A' providing access from a lower volume local road.

ENBRIDGE GAS DISTRIBUTION

72. The Owner agrees to the following provisions, to be included in the Township's subdivision agreement, to the satisfaction of Enbridge Gas Distribution Inc.:
 - (a) the Owner shall contact Enbridge Gas Inc.'s Customer Connections department by emailing SalesArea20@Enbridge.com to determine gas availability, service and meter installation details and to ensure all gas piping is installed prior to the commencement of site landscaping (including, but not limited to: tree planting, silva cells, and/or soil trenches) and/or asphalt paving;
 - (b) easement(s) are required to service this development and any future adjacent developments. The Owner will provide all easement(s) to Enbridge Gas Inc. at no cost;
 - (c) the Owner will contact Enbridge Gas Distribution's Customer Connections department by emailing SalesArea20@enbridge.com prior to any site construction activities to determine if existing piping facilities need to be relocated or abandoned;
 - (d) in the event a pressure reducing regulator station is required, the Owner is to provide a 3 metre by 3 metre exclusive use location that cannot project into the municipal road allowance. The final size and location of the regulator station will be confirmed by Enbridge Gas Distribution's Customer Connections department. The Owner shall contact

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SalesArea20@enbridge.com for further details with respect to the foregoing.

Note: the Township shall be consulted with respect to any such location;

- (e) the Owner will grade all road allowances to as final elevation as possible, provide necessary field survey information and all approved municipal road cross sections, identifying all utility locations prior to the installations of the gas piping; and
- (f) Enbridge Gas Distribution reserves the right to amend or remove development conditions

BELL

73. The Owner agrees to the following provisions, to be included in the Township's subdivision agreement, to the satisfaction of Bell Canada:
- (a) The Owner acknowledges and agrees to convey any easement(s) as deemed necessary by Bell Canada to service this new development. The Owner further agrees and acknowledges to convey such easements at no cost to Bell Canada.
 - (b) The Owner agrees that should any conflict arise with existing Bell Canada facilities where a current and valid easement exists within the subject area, the Owner shall be responsible for the relocation of any such facilities or easements at their own cost.
 - (c) The Owner is advised to contact Bell Canada at planninganddevelopment@bell.ca during the detailed utility design stage to confirm the provision of communication/telecommunication infrastructure needed to service the development.
 - (d) It shall be noted that it is the responsibility of the Owner to provide entrance/service duct(s) from Bell Canada's existing network infrastructure to service this development. In the event that no such network infrastructure exists, in accordance with the Bell Canada Act, the Owner may be required to pay for the extension of such network infrastructure.
 - (e) If the Owner elects not to pay for the above noted connection, Bell Canada may decide not to provide service to this development.

CANADA POST

74. The Owner agrees to the following provisions, to be included in the Township's subdivision agreement, to the satisfaction of Canada Post, to undertake the following:

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- (a) consult with Canada Post to determine suitable locations for the placement of Community Mailboxes and to indicate these locations on appropriate servicing plans;
- (b) prior to offering any residential units for sale, to place a "Display Map" on the wall of the sales office in a place readily available to the public which indicates the location of all Canada Post Mailbox site locations, as approved by Canada Post and the Township;
- (c) include in all Offers of Purchase and Sale a statement which advises the prospective purchaser that mail delivery will be from a designated Community Mailbox and to include the exact locations (list of lot numbers) of each of the Community Mailbox locations;
- (d) provide the following for each Community Mailbox site and include these requirements on appropriate servicing plans:
 - i. an appropriately sized sidewalk section (concrete pad), as per Canada Post specifications, upon which to place the Community Mailboxes;
 - ii. any required walkway across the boulevard, as per municipal standards;
 - iii. any required curb depressions for wheelchair access, and;
 - iv. redline the plan to show a lay-by for vehicular traffic prior to final approval.

Note: the Township shall be consulted with respect to any such location

- (e) determine, provide and maintain a suitable and safe temporary Community Mailbox location(s) to be "fit up" prior to first occupancy. This temporary site will be utilized by Canada Post until the above-mentioned criteria is completed at the permanent Community Mailbox site locations. This will enable Canada Post to provide mail service to new residences as soon as homes are occupied

UTILITIES

- 75. The Owner agrees in the subdivision agreement to provide to the Township confirmation from the telecommunication company, cable company, gas company and Hydro One, that arrangements have been made to their respective satisfaction for the installation of such utilities and services, including underground services in the draft plan of subdivision.

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MINISTRY OF TOURISM AND CULTURE

76. No grading or other soil disturbance shall take place on the subject property prior to a letter of clearance from the Ministry of Tourism, Culture and Sport, with respect to archaeological assessment. It is acknowledged in the letter dated May 20, 2020 by Ministry of Heritage, Sport, Tourism, and Culture Industries that the Stage 1 report has been entered into the Provincial register of archaeological reports. It is acknowledged in the letter dated June 9, 2022 by the Ministry of Heritage, Sport, Tourism, and Culture Industries that the Stage 2 report has been entered into the Provincial register of archaeological reports.

ROGERS

77. Prior to registration of the plan of Subdivision, the Owner will, at its own cost, grant all necessary easements and maintenance agreements required by those CRTC-licensed telephone companies and broadcasting distribution companies intending to serve the Subdivision (collectively, the "Communications Service Providers"). Immediately following registration of the Plan of Subdivision, the Owner will cause these documents to be registered on title.
78. Prior to registration of the plan of Subdivision, the Owner will, with consultation with the applicable utilities and Communication Service Providers, prepare an overall utility distribution plan that shows the locations of all utility infrastructure for the Subdivision, as well as the timing and phasing of installation.

NOISE AND ODOUR

79. Prior to any grading or development, the Owner shall agree that construction activities will be undertaken in accordance with the standards contained in the Township Noise By-law and any other requirements contained within the subdivision agreement.
80. The Owner agrees to notice clauses to be contained within the subdivision agreement with the Township together with the provision of statements in all Offers of Purchase and Sale to provide notice to prospective purchasers regarding surrounding land uses. The clauses and statements are as follows and shall be updated to incorporate any additional warning clauses, or mitigative measures determined through an updated Noise Report:
- (a) potential noise disturbances and odour may emanate from neighbouring properties including those noises and/or odours caused by area agricultural operations, East Garafraxa Public School, County Road 3, County Road 24 and future Employment Blocks located adjacent and in the Subject Lands. The following clause shall be included:

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All Lots

"The purchasers/tenants are advised that lands in the vicinity of the subdivision are farm lands and may be used for the growing of crops and the raising and housing of livestock, and normal farm practices are to be anticipated on these lands including noise and odour."

"The purchasers are advised that the East Garafraxa Public School is near the subdivision and noise and increased traffic associated with school drop off and pick up times are to be anticipated on these lands"

"The purchasers are advised that County roads are adjacent to the subdivision lands. County roads are collector roads that are expected to have higher volumes of traffic."

"The purchasers are advised that employment blocks are within the subdivision lands and noise, odour, and increased traffic on Street B should be anticipated. The official plan designates Employment use within the plan adjacent to Lot 33, Lots 34-40, , and Lot 41."

Lots 10-14, 41-44, and Lot 15 if released for a building lot

"Purchasers/tenants are advised that sound levels due to increasing road traffic may on occasion interfere with some activities of the dwelling occupants as the outdoor sound levels exceed the sound level limits of the Ministry of the Environment, Conservation and Parks."

"This dwelling unit has been designed with the provision for adding central air conditioning at the occupant's discretion. Installation of central air conditioning by the occupant in low density developments will allow windows and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the sound levels limits of the Ministry of the Environment, Conservation and Parks."

(b) together with the notice clauses to be part of the Schedule as set out in Condition 39; and

(c) together with any other notice clauses that the Township may deem appropriate and proper.

FEES AND CHARGES

81. The Owner agrees to pay all Township and County of Dufferin fees, charges, levies and development charges as may be required for the development.
82. The Owner agrees to maintain its account in good standing with the Township for reimbursement to the Township of Township expenses for outside consultant and legal services rendered to obtain approval, review,

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processing, registration and implementation of this draft plan of subdivision.

CLEARANCE OF CONDITIONS

83. That prior to final approval, the Township is to be advised in writing by GRCA how Conditions 25 (as referenced within), 32 (as referenced within), 42(a) (as referenced within), and 62 have been satisfied.
84. That prior to final approval, the Township is to be advised in writing by Upper Grand District School Board how Condition 63 has been satisfied.
85. That prior to final approval, the Township is to be advised in writing by Dufferin-Peel Catholic District School Board how Condition 64 has been satisfied.
86. That prior to final approval, the Township is to be advised in writing by the County of Dufferin how Conditions 65-71 have been addressed.
87. That prior to final approval, the Township is to be advised in writing by Enbridge Gas Distribution Inc. how Condition 72 has been satisfied.
88. That prior to final approval, the Township is to be advised in writing by Bell how Condition 73 has been satisfied.
89. That prior to final approval, the Township is to be advised in writing by Canada Post how Condition 74 has been satisfied.
90. That prior to final approval, the Township is to be advised in writing by Rogers how Conditions 77 and 78 has been satisfied.
91. The Owner agrees that Draft Approval shall apply for three (3) years from the date of issuance of Draft Approval and shall lapse on the anniversary of the date of the issuance of Draft Approval, unless draft plan approval is extended prior to the lapsing date. If so required, application shall be made to extend draft plan approval prior to such lapsing, which may or may not be granted.

NOTES TO DRAFT APPROVAL

The Owner is hereby advised:

- a) that pursuant to Section 69 of the Planning Act, the Owner will be required to pay processing fees to the Township for each final approval of this Subdivision, in accordance with the Township By-law, as amended from time to time. Fees are also required by the Township for each application to extend Draft Approval and for Major Revisions to the Draft Plan or conditions;

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- b) that Township and County of Dufferin Development Charges will be payable in accordance with the applicable municipal Development Charges by-laws;
- c) that Development Charges of the respective School Boards and Hydro One are payable in accordance with their respective Development Charge requirements.
- d) the Township shall require that a Letter of Credit, the amount of which shall be determined in accordance with the Township's requirements, be provided by the Owner to the Township required within the Subdivision Agreement and as part of the execution of the Subdivision Agreement to ensure satisfactory completion of the project;
- e) a copy of the draft and the executed subdivision agreement should be provided by the Owner to GRCA, School Boards, Canada Post, Hydro One, Enbridge Gas Distribution Inc. and other utilities to facilitate the clearance of conditions;
- f) if so required, the Owner agrees to red-line revise the draft plan to meet the requirements of the conditions contained herein;
- g) it is the Owner's responsibility to fulfil the conditions of draft approval and to ensure that the required clearance letters are forwarded by the appropriate agencies to the Township quoting the File Number S2-20;
- h) clearance is required from the following:
 - i. Township of East Garafraxa
065371 Dufferin County Road 3, Unit 2
East Garafraxa ON
L9W 7J8
 - ii. Grand Valley Conservation Authority
400 Clyde Road
PO Box 729
Cambridge, ON
N1R 5W6
 - iii. Upper Grand District School Board
500 Victoria Road North
Guelph, ON
N1E 6K2
 - iv. Dufferin-Peel Catholic District School Board
40 Matheson Boulevard West
Mississauga, ON
L5R 1C5

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- v. Enbridge Gas Distribution Inc.
500 Consumers Road
North York, ON
M2J 1P8
 - vi. Bell Canada
 - vii. Canada Post
193 Church Street, Suite 200
Oakville, ON
L6J 7S9
 - viii. Ministry of Tourism and Culture
900 Highbury Avenue
London, ON
N5Y 1A4
 - ix. Rogers
3573 Wolfedale Road
Mississauga, ON
L5C 1V8
 - x. County of Dufferin
30 Centre Street
Orangeville, ON
L9W 2X1
- i) All measurements in the Final Plan of Subdivision must be presented in metric units.

Note re Registration

The Final Plan of Subdivision approved by the Township must be registered within (30) thirty days or the Township may withdraw his approval under Section 51(59) of the Planning Act.

The Corporation of The Township of East Garafraxa

BY-LAW NUMBER XX-2024

Being a By-law to establish and lay out as part of the highway on which it abuts, Part Lot 12, Concession 13, being Parts 3 and 4 on RP 7R-6787; in the Township of East Garafraxa, County of Dufferin

1. The following are some of the facts upon which this by-law is based.
 - a) Subsection 9 of the *Municipal Act, 2001, S.O. 2001, c. 25* states that the municipality has the rights and privileges of a natural person for the purpose of exercising its powers under the Act.
 - b) Subsection 31 (6) of the *Municipal Act, 2001, S.O. 2001, c. 25* states that if a municipality acquires land for the purpose of widening a highway, the land acquired forms part of the highway to the extent of the designated widening.
 - c) The Corporation of the Township of East Garafraxa has determined that it should acquire Part Lot 12, Concession 13, being Parts 3 and 4 on RP 7R-6787 in the Township of East Garafraxa, County of Dufferin, Registered as Instrument Number DC261851 (herein after referred to as “the property”) for road widening purposes.
2. NOW THEREFORE, THE CORPORATION OF THE TOWNSHIP OF EAST GARAFRAXA BY ITS COUNCIL, ENACTS AS FOLLOWS:
 - (a) THAT the property described as Part Lot 12, Concession 13, being Parts 3 and 4 on RP 7R-6787 in the Township of East Garafraxa, County of Dufferin, Registered as Instrument Number DC261851 is hereby established and laid out as part of the highway upon which it abuts.

BY-LAW READ A FIRST AND SECOND TIME THIS 11th DAY OF JUNE 2024

BY-LAW READ A THIRD TIME AND PASSED THIS 11th DAY OF JUNE 2024

Clerk

Head of Council

CORPORATION OF THE TOWNSHIP OF EAST GARAFRAXA

BY-LAW NUMBER XX-2024

A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF EAST GARAFRAXA AT ITS MEETING HELD ON June 11, 2024

WHEREAS Section 5(1) of the Municipal Act, 2001, as amended provides the powers of a Municipal corporation are to be exercised by its Council;

AND WHEREAS Section 5(3) of the Municipal Act, 2001, as amended provides that municipal powers shall be exercised by by-law;

NOW THEREFORE THE CORPORATION OF THE TOWNSHIP OF EAST GARAFRAXA BY THE MUNICIPAL COUNCIL ENACTS AS FOLLOWS:

1. All actions of the Council of the Corporation of the Township of East Garafraxa at the Electronic Council Meeting on June 11, 2024, to every report, motion, by-law, or other action passed and taken by the Council, including the exercise of natural person powers, are hereby adopted, ratified and confirmed as if each report, motion, resolution or other action was adopted, ratified and confirmed by its separate by-law.
2. The Head of Council and Officers of the Corporation of the Township of East Garafraxa are hereby authorized and directed to do all things necessary to give effect to the said action, to obtain approvals where required and except where otherwise provided, to execute all documents necessary in that behalf.

BY-LAW READ A FIRST AND SECOND TIME THIS 11th DAY OF JUNE 2024

BY-LAW READ A THIRD TIME AND PASSED THIS 11th DAY OF JUNE 2024

Clerk

Head of Council