

**THE CORPORATION OF THE TOWNSHIP OF ESSA
REGULAR COUNCIL MEETING
WEDNESDAY, SEPTEMBER 20, 2023
(To follow Committee of the Whole)**

AGENDA

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

1. OPENING OF MEETING BY THE MAYOR

2. DISCLOSURE OF PECUNIARY INTEREST

3. ADOPTION OF PREVIOUS MINUTES AND MOTIONS

- p. 1 Recommendation: **BE IT RESOLVED THAT** the motions duly passed and approved at the Committee of the Whole meeting of this date be approved; and **THAT** the minutes of the Committee of the Whole, Closed Session and Regular Council meetings held on the 6th day of September, 2023 be adopted as circulated.

4. CONSENT AGENDA

Recommendation: **BE IT RESOLVED THAT** the items listed in the Consent Agenda dated September 20, 2023 be received for information, and that the necessary actions be taken.

5. COMMITTEE REPORTS

6. PETITIONS

7. MOTIONS AND NOTICES OF MOTIONS

- a. **Proclamation – National Day for Truth and Reconciliation – Flag Raising - September 29th at 10:00 a.m.**

Recommendation: **WHEREAS** in June of 2021, the federal government passed a new legislation making September 30th a national statutory holiday to commemorate the tragic legacy of residential schools in Canada; and **WHEREAS** the establishment of a national holiday is in response to the 80th call to action in the Truth and Reconciliation Commission of Canada: Calls to Action; and **WHEREAS** the date coincides with Orange Shirt Day, which began in 2013 and has become a symbol of remembrance to honour Indigenous children forced to leave their families to attend residential schools; and

WHEREAS the orange shirt symbol originated in the experience of Phyllis (Jack) Webstad of the Stswecem'c Xgat'tem First Nation, who shared her story of how her new orange shirt was taken away from her on her first day at St. Joseph Mission Residential School, leaving her with feelings of worthlessness and insignificance; and **WHEREAS** this day will provide a way for our community to publicly commemorate the history and legacy of residential schools and the resilience of residential school survivors, commemoration being a vital component of the reconciliation process; and **WHEREAS**, Essa Township is a community that encourages and celebrates its cultural diversity;
THEREFORE, BE IT RESOLVED THAT the Council of the Township of Essa hereby proclaims September 30th, 2023 as National Day for Truth and Reconciliation in Essa Township.

ITEM ADDED **b. Proclamation – National Coaches Week – September 16-24, 2023**

Recommendation: *WHEREAS* from September 16th to 24th, 2021, communities across Canada will join together to recognize National Coaches Week; and *WHEREAS* the goal of the week is to celebrate the tremendous positive impact coaches have on athletes and their communities; and *WHEREAS* during the week, thousands of coaches will be receive a #ThanksCoach message and be invited to participate in various celebratory events including free online clinics and virtual workshops; and *WHEREAS* coaches will received the recognition they deserve for the time they devote to ensuring Canadians live active healthy lifestyles;
THEREFORE, BE IT RESOLVED THAT the Council of the Township of Essa hereby proclaims September 16th to 24th, 2023 as Coaches Week in Essa Township and urge all civic, social and fraternal organizations and business establishments to give this campaign the greatest possible support.

8. UNFINISHED BUSINESS

9. BY-LAWS

p. 13 **a. By-law 2023-53 Appointment – Building Inspector**

Recommendation: **BE IT RESOLVED** that leave be granted to introduce By-law 2023-53, that being a By-law to appoint a Building Inspector for the Township of Essa; and that said By-law be read a first, and taken as read a second and third time and finally passed.

p. 14 **b. By-law 2023-54 Appoint Provincial Offences Officer (AMPS)**

Recommendation: **BE IT RESOLVED** that leave be granted to introduce By-law 2023-54, that being a By-law to appoint a Municipal Law Enforcement Officer and to authorize the Clerk to request MTO designation of a Provincial Offences Officer for the adjudication of reviews and appeals of administrative monetary penalties; and, that said By-law be read a first, and taken as read a second and third time and finally passed.

p. 16 c. **By-law 2023-55 Official Plan Amendment – OPA 40, re: 231 Barrie Street**

Recommendation: **BE IT RESOLVED** that leave be granted to introduce By-law 2023-55, that being a By-law to adopt OPA 40 and amend Essa's Official Plan; and, that said By-law be read a first, and taken as read a second and third time and finally passed.

p. 21 d. **By-law 2023-56 Zoning By-law Amendment – 231 Barrie Street**

Recommendation: **BE IT RESOLVED** that leave be granted to introduce By-law 2023-56, that being a By-law to amend Essa's Zoning By-law 2023-50, to rezone lands known municipally as 231 Barrie Street from 'Residential Low Density, Detached (R1)' and 'Community Commercial (C1)' to 'Residential Low Density, Detached with Special Provisions (R1-SP)', and 'Residential Low Density, Semi-Detached with Special Provisions (R2-SP)'; and, that said By-law be read a first, and taken as read a second and third time and finally passed.

p. 24 e. **By-law 2023-57 Zoning By-law Amendment - 6404 11th Line**

Recommendation: **BE IT RESOLVED** that leave be granted to introduce By-law 2023-57, that being a By-law to amend Essa's Zoning By-law 2023-50, to rezone lands known municipally as 6404 11th Line from 'Agricultural (A)' to 'Agricultural with Special Provisions (A-1)'; and, that said By-law be read a first, and taken as read a second and third time and finally passed.

p. 27 f. **By-law 2023-58 Zoning By-law Amendment – 5204 10th Line**

Recommendation: **BE IT RESOLVED** that leave be granted to introduce By-law 2023-58, that being a By-law to amend Essa's Zoning By-law 2023-50, to rezone lands known municipally as 5204 10th line from the 'Agricultural (A)' to the 'Agricultural with Special Provisions (A-1)'.; and, that said By-law be read a first, and taken as read a second and third time and finally passed.

10. QUESTIONS

11. CLOSED SESSION

Recommendation: **BE IT RESOLVED THAT** Council proceed to a Closed Session in order to address matters pertaining to:

- a) Confidential Staff Report C019-23 – By-law Matter
 - Personal matters about an identifiable individual [s.239(2)(b)]

Motion to Rise and Report from Closed Session Meeting of September 6, 2023.

Recommendation: **BE IT RESOLVED THAT** Council rise and report from the Closed Session Meeting at _____ p.m.

12. CONFIRMATION BY-LAW

p. 30 a. **By-law 2023-59**

Recommendation: **BE IT RESOLVED THAT** leave be granted to introduce By-law 2023-59 that being a By-law to confirm the proceedings of the Council and Committee of the Whole meetings held on this 20th day of September, 2023; and, that said By-law be read a first, and taken as read a second and third time and finally passed.

13. ADJOURNMENT

Recommendation: **BE IT RESOLVED THAT** this meeting of Council of the Township of Essa adjourn at _____ p.m. to meet again on the 4th day of October, 2023 at 6:00 p.m.

**THE CORPORATION OF THE TOWNSHIP OF ESSA
COMMITTEE OF THE WHOLE MEETING
WEDNESDAY, SEPTEMBER 6, 2023**

Minutes

A Committee of the Whole meeting was held in person on Wednesday September 6, 2023 in the Council Chambers of the Administration Centre, Township of Essa.

In attendance: Mayor Sandie Macdonald
Deputy Mayor Michael Smith
Councillor Pieter Kiezebrink
Councillor Henry Sander
Councillor Liana Maltby

Staff in attendance: M. Mikael, Manager of Public Works/Deputy CAO
S. Haniff, Manager of Planning
S. Corbett, Deputy Clerk
L. Lehr, Manager of Legislative Services

1. OPENING OF MEETING BY THE MAYOR

Mayor Macdonald opened the meeting at 6:00 p.m.

The Township of Essa acknowledges that we are situated on the traditional land of the Anishinaabeg, Huron-Wendat and the Tiononati people. We are dedicated to honouring Indigenous history and culture and committed to moving forward in the spirit of reconciliation and respect with all First Nation, Métis and Inuit people.

2. DISCLOSURE OF PECUNIARY INTEREST

Deputy Mayor Smith declared an indirect interest on Item 4(a) as his family member operates a Bed and Breakfast.

3. DELEGATIONS / PRESENTATIONS / PUBLIC MEETINGS

- a. Delegation– Angus Food Bank**
Stephen Kenney
Re: Angus Food Bank Facility

Stephen Kenney of the Angus Food Bank was in attendance to provide Council with an overview of the current facility and the future needs of the Angus Food Bank. He asked several questions of Council. Council requested that staff prepare a Staff Report to be presented at an upcoming meeting.

STAFF REPORTS

4. PLANNING AND DEVELOPMENT

Deputy Mayor Smith recused himself from this portion of the Meeting. He did not participate in discussion or vote on the Item.

- a. Staff Report PD024-23 submitted by the Manager of Planning, re: By-law to Amend Township of Essa Zoning By-law 2003-50, with Short-Term Accommodation Provisions.**

Resolution No: CW092-2023 Moved by: Kiezebrink Seconded by: Maltby

BE IT RESOLVED that Staff Report PD024-23 be received; and ***THAT*** Council approve an amendment to Essa’s Zoning By-law 2003-50 as amended, for all lands in the Township to introduce a definition for ‘Short-Term Accommodation’ and amend the definition for ‘Boarding or Rooming House’ or ‘Bed and Breakfast’ as follows:

- a) **“Short-Term Accommodation”**
Means a place of temporary residence, lodging or occupancy by way of concession, permit, lease, licence, rental agreement or similar commercial arrangement for any period equal to or less than thirty (30) consecutive calendar days. This includes “Boarding or Rooming House” and “Bed and Breakfast” but excludes hotels, motels and accommodations where there is no exchange for remuneration.
- b) **“Boarding or Rooming House” or “Bed and Breakfast”**
Means a dwelling in which lodging with or without meals is supplied for gain, up to four bedrooms but does not mean or include a motel, hotel, hospital or similar commercial or institutional use, or apartment building. The Boarding or Rooming House or Bed Breakfast shall be owned and operated by one or more persons residing on the premises during operation as a Boarding or Rooming House or Bed and Breakfast.

----Carried----

Deputy Mayor Smith resumed his seat in the Council Chambers.

- b. Staff Report PD025-23 submitted by the Development Planner, re: 5204 10th Line – Proposed Zoning By-law Amendment (Z7-23).**

Resolution No: CW093-2023 Moved by: Sander Seconded by: Maltby

BE IT RESOLVED that Staff Report PD025-23 be received; and ***THAT*** Council approve an amendment to the Township’s Zoning By-law (2003-50), for lands municipally known as 5204 10th Line to be rezoned from the ‘Agricultural (A) Zone’ to the ‘Agricultural with Special Provisions (SP) Zone (A-1)’ on the retained lot following a recent Consent (severance).

----Carried----

- c. **Staff Report PD026-23 submitted by the Development Planner, re: 6404 11th Line – Proposed Zoning By-law Amendment (Z2-23).**

Resolution No: CW094-2023 Moved by: Kiezebrink Seconded by: Sander

***BE IT RESOLVED** that Staff Report PD026-23 be received; and
THAT Council approve an amendment to the Township’s Zoning By-law (2003-50), for lands municipally known as 6404 11th Line to be rezoned from the ‘Agricultural (A) Zone’ to the ‘Agricultural with Special Provisions (SP) Zone (A-1)’ on the retained lot following a recent Consent (severance).*

----Carried-----

- d. **Staff Report PD027-23 submitted by the Development Planner, re: 231 Barrie Street – Proposed Official Plan Amendment & Zoning By-law Amendment (Files# OPA46/Z4-23).**

Resolution No: CW095-2023 Moved by: Sander Seconded by: Maltby

***BE IT RESOLVED** that Staff Report PD027-23 be received; and
THAT Council approve and/or adopt the following in relation to lands municipally known as 231 Barrie Street:*

- a) *Adopt a by-law to allow the Mayor and Clerk to execute an Amendment to the Official Plan, which would redesignate a portion of the property from ‘Commercial’ to ‘Residential’ to allow for residential uses on the severed parcel.*
- b) *Approve an amendment to the Township’s Zoning By-law 2003-50 from the ‘Community Commercial (C1) Zone’ to the ‘Residential, Low Density, Detached (R1) Zone with Special Provisions (SP)’ on the retained lot of a proposed severance and rezone the proposed severed lot from the ‘Community Commercial (C1) Zone’ to the ‘Residential, Low Density, Semi-Detached (R2) Zone with Special Provisions (SP)’.*

----Carried-----

- e. **Staff Report PD028-23 submitted by the Manager of Planning, re: 34 Mill Street – Draft Plan Conditions.**

Resolution No: CW096-2023 Moved by: Kiezebrink Seconded by: Sander

***BE IT RESOLVED** that Staff Report PD028-23 be received for information; and
THAT Council approve Draft Plan Conditions for the subject lands municipally known as 34 Mill Street towards the development of a 148-unit townhome residential Plan of Subdivision; and
THAT all Municipal Servicing be maintained by the owner.*

----Carried -----

- f. **Staff Report PD029-23 submitted by the Manager of Planning, re: Provincial Site Plan Control.**

Resolution No: CW097-2023 Moved by: Smith Seconded by: Sander

BE IT RESOLVED that Staff Report PD029-23 be received for information.

----Carried-----

5. PARKS AND RECREATION / COMMUNITY SERVICES

6. FIRE AND EMERGENCY SERVICES

7. PUBLIC WORKS

- a. **Staff Report PW015-23 submitted by the Manager of Public Works/Deputy CAO, re: Award of Tender – 2023 Asphalt Resurfacing (HL3 Paving).**

Resolution No: CW098-2023 Moved by: Sander Seconded by: Maltby

*BE IT RESOLVED that Staff Report PW015-23 be received; and
THAT the tender as received from **GIP Paving Inc.** for the 2023 asphalt resurfacing be accepted in the amount of **\$242,821.90 (excluding HST).***

----Carried-----

8. FINANCE

- a. **Staff Report TR010-23 submitted by the Tax Collector, re: Request to Write Off/Adjust 2021, 2022 and 2023 Taxes.**

Resolution No: CW099-2023 Moved by: Sander Seconded by: Smith

*BE IT RESOLVED that Staff Report TR010-23 be received; and
THAT the Tax Collector be authorized to adjust taxes on the accounts listed on Schedules "A", "B", "C", "D", "E", "F" and "G" of this report.*

----Carried-----

9. CLERKS / BY-LAW ENFORCEMENT / IT

- a. **Staff Report C015-2023 submitted by the Manager of Legislative Services, re: Integrity Commissioner Update.**

Resolution No: CW100-2023 Moved by: Smith Seconded by: Sander

*BE IT RESOLVED that Staff Report C015-23 be received; and
THAT Council direct staff to express interest in participation of the joint procurement opportunity for the Integrity Commissioner Services with the County of Simcoe, with no obligation to enter into an agreement.*

----Carried as Amended-----

- b. **Staff Report C016-2023 submitted by the Manager of Legislative Services, re: Impact on Essa Business Licensing – Towing and Storage Safety and Enforcement Act.**

Resolution No: CW0101-202: Moved by: Kiezebrink Seconded by: Maltby

BE IT RESOLVED that Staff Report C016-23 be received.

----Carried-----

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

- a. **Staff Report CAO018-23 submitted by the Chief Administrative Officer, re: Park Development in the Angus “5th Line Neighbourhood: Phase 1 – Splashpad at 191 Maplewood Drive.**

Resolution No: CW102-2023 Moved by: Kiezebrink Seconded by: Smith

BE IT RESOLVED that Staff Report CAO018-23 be received for information; and THAT Council authorize staff to proceed to tender a new splashpad at 191 Maplewood Drive, Angus using park reserve funds, as a first phase only in the replacement of park equipment and amenities from within the Stonemount Park, with staff to continue to consult on further phases and (and locations) to follow.

----Carried-----

- b. **Staff Report CAO019-23 submitted by the Chief Administrative Officer, re: Proposed Angus Servicing Capacity Allocation Policy**

Resolution No: CW0103-202: Moved by: Smith Seconded by: Sander

BE IT RESOLVED that Staff Report CAO019-23 be received for information; and THAT Council adopt the proposed Angus Servicing Capacity Allocation Policy to span a 3-year term extending to December 31, 2026, to provide for certainty for all involved in the development of Angus and to provide the municipality with a responsible and sustainable financial plan for funding of core services for Angus.

----Carried-----

11. OTHER BUSINESS

- a. **Upcoming Community Events**

Council reminded residents and Staff of upcoming events:

- Music in Motion Grand Opening, September 9, 2023.
- Ivy Family Day, September 9, 2023 at 9:00 a.m.-2:30 p.m.
- Military Family Appreciate Day, September 15, 2023.
- Wrestling Fundraiser, September 9, 2023 at 6:30 p.m.
- Grand Parade South Simcoe, September 16, 2023 at 10 a.m.
- Thornton Corn Roast, September 17, 2023 at 4-6 p.m.
- Angus Rock and Roll Festival, September 16 & 17, 2023.
- Salmon Derby, September 24, 2023 at 7 a.m. to 2 p.m.

b. Donation Request – Grand Parade, South Simcoe

Council supported the request for a donation to the Grand Parade, South Simcoe (hosted by Contact Community Services) in the amount of \$250.00. A motion will be introduced during its Regular Council meeting of this date.

12. ADJOURNMENT

Resolution No: CW104-2023 Moved by: Smith Seconded by: Maltby

***BE IT RESOLVED THAT** this meeting of Committee of the Whole of the Township of Essa adjourn at 6:49 p.m., to meet again on the 20th day of September 2023 at 6:00 p.m.*

----Carried-----

Sandie Macdonald
Mayor

Lisa Lehr
Manager of Legislative Services

THE CORPORATION OF THE TOWNSHIP OF ESSA
REGULAR COUNCIL MEETING
WEDNESDAY, SEPTEMBER 6, 2023

Minutes

The Regular Meeting of Council was held in person on Wednesday September 6, 2023, following the Committee of the Whole in the Council Chambers of the Administration Centre, Township of Essa.

In attendance: Mayor Sandie Macdonald
Deputy Mayor Michael Smith
Councillor Pieter Kiezebrink
Councillor Henry Sander
Councillor Liana Maltby

Staff in attendance: M. Mikael, Manager of Public Works/Deputy CAO
S. Haniff, Manage of Planning
S. Corbett, Deputy Clerk
L. Lehr, Manager of Legislative Services

1. OPENING OF MEETING BY THE MAYOR

Mayor Macdonald opened the meeting at 6:50 p.m.

2. DISCLOSURE OF PECUNIARY INTEREST

3. ADOPTION OF PREVIOUS MINUTES AND MOTIONS

Resolution No: CR1-2023 Moved by: Sander Seconded by: Maltby

*Be it resolved that the motions duly passed and approved at the Committee of the Whole meeting of this date be approved; and
That the minutes of the Public, Committee of the Whole, Closed Session and Regular Council meetings held on the 5th day of July, 2023 be adopted as circulated.*

----Carried-----

4. CONSENT AGENDA

Resolution No: CR151-2023 Moved by: Sander Seconded by: Maltby

*Be it resolved that the items listed in the Consent Agenda dated September 6, 2023 be received for information, and
That items 9 and 10 and be referred to section B of the Consent Agenda for letters of support to be drafted; and
That item 8 be referred to section C of the Consent Agenda for a Report to come forward regarding the affect of the Proposed Provincial Planning Statement on Essa; and
That item 20 regarding the correspondence received from the Ministry of Finance in respect of the PILT Mitigation Payment be referred to section C of the Consent Agenda for Staff review and report if necessary.*

----Carried-----

5. COMMITTEE REPORTS

a. Minutes of the Healthy, Accessible Community and Parks Committee

Resolution No: CR152-2023 Moved by: Maltby Seconded by: Kiezebrink

Be it resolved that the minutes of the Healthy, Accessible Community and Parks Committee from their meeting of July 20, 2023 be received.

----Carried-----

b. Minutes of the Traffic Advisory Committee

Resolution No: CR153-2023 Moved by: Sander Seconded by: Maltby

Be it resolved that the minutes of the Traffic Advisory Committee from their meeting of May 16, 2023 be received.

----Carried-----

c. Minutes of the Essa Public Library Board

Resolution No: CR154-2023 Moved by: Kiezebrink Seconded by: Smith

Be it resolved that the minutes of the Essa Public Library Board from their meeting of April 24, 2023 be received.

----Carried-----

d. Minutes of the Nottawasaga Police Services Board

Resolution No: CR155-2023 Moved by: Sander Seconded by: Kiezebrink

Be it resolved that the minutes of the Essa Public Library Board from their meeting of May 29, 2023 be received.

----Carried-----

6. PETITIONS

7. MOTIONS AND NOTICES OF MOTIONS

a. Kickboxing Competition at Angus Recreation Centre – Municipally Significant Event.

Resolution No: CR156-2023 Moved by: Sander Seconded by: Smith

WHEREAS Legacy Fight Club has requested to operate a Bar at the Angus Recreation Centre on September 30, 2023 between the hours of 5:00 p.m. to 11:00 p.m.; and **WHEREAS** Legacy Fight Club will be selling and serving alcohol to the public; and **WHEREAS** Legacy Fight Club will ensure that all servers will be in possession of a Smart Serve Certification and will ensure that alcohol is kept within the designated consumption area; and

WHEREAS the Legacy Fight Club will provide Essa with a copy of their Certificate of Insurance naming Essa Township as an "additional insured" in the amount of \$5,000,000.00; and

WHEREAS this kickboxing event is sanctioned by the Ministry of Sport and is recognized by PSO- Kickboxing Ontario and approved by WAKO Canada to be an event of municipal significance;

NOW THEREFORE BE IT RESOLVED THAT Council of the Township of Essa hereby proclaims this event to be an event of municipal significance and directs staff to issue a letter of non-objection to Legacy Fight Club to accompany their application for a Special Occasion Permit through the AGCO.

----Carried-----

b. Request to County of Simcoe – Permission to Install ASE Cameras in Community Safety Zones on Murphy Road (County Road 21), Baxter

Resolution No: CR157-2023 Moved by: Smith Seconded by: Sander

WHEREAS the Township of Essa is proceeding with the implementation and installation of ASE Cameras in Community Safety Zones throughout the Township; and **WHEREAS** many roads within the Township are under the jurisdiction of the County of Simcoe; and

WHEREAS the County of Simcoe has expressed interest in collaborating with the Township of Essa to facilitate the deployment of ASE on County Roads; and

WHEREAS Murphy Road (County Road 21) in the vicinity of Baxter Central Public School has been designated as a Community Safety Zone and identified by the County of Simcoe as an area of interest for the placement of an ASE camera;

NOW THEREFORE BE IT RESOLVED THAT Council of the Township of Essa hereby supports collaboration with the County of Simcoe and authorizes the Mayor and Clerk to negotiate and enter into an agreement with the County of Simcoe regarding the installation of ASE Cameras in the designated Community Safety Zone on Murphy Road (County Road 21), Baxter.

----Carried-----

c. Donation to Nottawasaga Foundation

Resolution No: CR158-2023 Moved by: Sander Seconded by: Maltby

WHEREAS the Nottawasaga Foundation was established in 2001 to help raise funds to support the necessary equipment upgrades at Stevenson Memorial Hospital; and

WHEREAS the current objective of the Foundation expands the scope of funding to include local charities that provide an invaluable service to our community; and

WHEREAS these charities include the Sir Frederick Banting Homestead, Children's Aid Society, Alzheimer Society, Canadian Cancer Society, Heart & Stroke Foundation, Hospice Simcoe; and

WHEREAS to date, the Nottawasaga Foundation has raised more than \$7.2 million dollars with their highly successful one day golf tournament and has helped countless local charities and community programs in Simcoe County;

NOW THEREFORE BE IT RESOLVED THAT Council of the Township of Essa hereby support the Nottawasaga Foundation in their continued efforts to improve our community by donating \$750.00.

Councillor Kiezebrink requested a recorded vote on item 7b:

Councillor Kiezebrink	No
Deputy Mayor Smith	Yes
Councillor Sander	Yes
Councillor Maltby	Yes
Mayor Macdonald	Yes

----Carried-----

d. Donation to Grand Parade, South Simcoe

Resolution No: CR159-2023 Moved by: Sander Seconded by: Smith

Be it resolved that Council approve a donation in the mount of \$250.00 to the Grand Parade, South Simcoe hosted by Contact Community Services on September 16, 2023; and That funds be taken from the Operating Assistance Budget, Community Donations G/L account number 040-514-6300.

----Carried-----

8. UNFINISHED BUSINESS

9. BY-LAWS

a. By-law 2023-48 Enter into Agreement with City of Barrie for Fire Communication Services

Resolution No: CR160-2023 Moved by: Sander Seconded by: Smith

Be it resolved that leave be granted to introduce By-law 2023-48, that being a By-law to authorize the Mayor and Clerk to enter into an Agreement with the City of Barrie for the provision of Fire Communication Services; and, that said By-law be read a first, and taken as read a second and third time, and finally passed.

----Carried-----

b. By-law 2023-49 Appoint Screening Officer (AMPS)

Resolution No: CR161-2023 Moved by: Sander Seconded by: Maltby

Be it resolved that leave be granted to introduce By-law 2023-49, that being a By-law to appoint a Screening Officer for the adjudication of reviews and appeals of administrative monetary penalties; and, that said By-law be read a first, and taken as read a second and third time and finally passed.

----Carried-----

- c. **By-law 2023-50 Authorize Issuance of Certificate of Substantial Completion and Acceptance of Aboveground Works (Giulam Estates Registered Plan 51M-1141)**

Resolution No: CR162-2023 Moved by: Smith Seconded by: Sander

Be it resolved that leave be granted to introduce By-law 2023-50, that being a By-law to authorize the issuance of the Certificate of Substantial Completion and Acceptance of Aboveground Works, Giulam Estates, Registered Plan 51M-1141; and, that said By-law be read a first, and taken as read a second and third time and finally passed.

----Carried-----

- d. **By-law 2023-51 Authorize the Issuance of the Certificate of Substantial Completion and Acceptance (Underground Works) Marshall Subdivision (Brookfield Residential (Ontario) Limited), Registered Plan 51M-1256.**

10.

Resolution No: CR163-2023 Moved by: Kiezebrink Seconded by: Smith

Be it resolved that leave be granted to introduce By-law 2023-51, that being a By-law to authorize the issuance of the Certificate of Substantial Completion and Acceptance of Underground Works, Marshall Subdivision (Brookfield Residential (Ontario) Limited), Registered Plan 51M-1256; and, that said By-law be read a first, and taken as read a second and third time and finally passed.

----Carried-----

11. QUESTIONS

12. CLOSED SESSION

Resolution No: CR164-2023 Moved by: Sander Seconded by: Maltby

Be it resolved that Council proceed to a Closed Session in order to address matters pertaining to:

- a) Confidential Staff Report C017-23 – Appointment of Committee Member
- *Personal matters about an identifiable individual [s.239(2)(b)]*

----Carried-----

Motion to Rise and Report from Closed Session Meeting of September 6, 2023.

Resolution No: CR165-2023 Moved by: Maltby Seconded by: Smith

Be it resolved that Council rise and report from the Closed Session Meeting at 7:13 p.m.

----Carried-----

- a. **IDENTIFIABLE INDIVIDUAL [s.239(2)(b)]**
Confidential Staff Report C017-23 submitted by the Deputy Clerk, re: Appointment of Committee Member.

Resolution No: CR166-2023 Moved by: Sander Seconded by: Smith

BE IT RESOLVED THAT Staff Report C017-23 be received; and THAT Council receive the letter of resignation dated July 28, 2023, from Brian Jackson; and THAT Council appoint Sydney Hyatt to the Essa Public Library Board.

----Carried-----

13. CONFIRMATION BY-LAW

- p. 77 a. **By-law 2023-52**

Resolution No: CR167-2023 Moved by: Kiezebrink Seconded by: Maltby

Be it resolved that leave be granted to introduce By-law 2023-52 that being a By-law to confirm the proceedings of the Council and Committee of the Whole meetings held on this 6th day of September, 2023; and, that said By-law be read a first, and taken as read a second and third time and finally passed.

----Carried-----

14. ADJOURNMENT

Resolution No: CR168-2023 Moved by: Smith Seconded by: Sander

Be it resolved that this meeting of Council of the Township of Essa adjourn at 7:14 p.m. to meet again on the 20th day of September, 2023 at 6:00 p.m.

----Carried-----

Sandie Macdonald
Mayor

Lisa Lehr
Manager of Legislative Services

THE CORPORATION OF THE TOWNSHIP OF ESSA

9a

BY-LAW NO. 2023 – 53

**Being a By-law to appoint a Building Inspector; and also
a Plumbing Inspector, Property Standards Officer and
Zoning Administrator**

WHEREAS Section 3(1) of The Building Code Act, S.O. 1992, c.23, as amended, states that the Council of each municipality is responsible for the enforcement of the Building Code Act in the municipality; and

WHEREAS Section 3(2) of The Building Code Act, S.O. 1992, c.23, as amended, states that the Council of each municipality shall appoint a Chief Building Official and such Inspectors as are necessary for the enforcement of this Act in the areas in which the municipality has jurisdiction; and

WHEREAS the Council of The Township of Essa deems it advisable to appoint a Building Inspector and any such Inspectors and Administrators as are necessary for the purposes of the Enforcement of said Act and the Township's Building and Plumbing By-law;

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

1. That Mark McLachlan be and is hereby appointed to the position of Building Inspector for the Corporation of the Township of Essa, to carry out the duties and responsibilities as set out in the job description for the position for the period during which she is an employee of the municipality;
2. That Mark McLachlan be and is hereby appointed as Plumbing Inspector, Property Standards Officer and Zoning Administrator, and shall perform all the duties required to be performed by the said titles under statutory authority and other duties that may be imposed by the Council of the Township of Essa for the period during which she is an employee of the municipality;
3. That the said appointment shall become effective as of August 8, 2023;
4. This By-law shall come into force and effect on the day it is finally passed.

READ A FIRST, AND TAKEN AS READ A SECOND AND THIRD TIME AND FINALLY PASSED on this the 20th day of September, 2023.

Sandie Macdonald, Mayor

Lisa Lehr, Manager of Legislative Services

THE CORPORATION OF THE TOWNSHIP OF ESSA**By-law No. 2023 – 54**

Being a By-law to appoint a Municipal Law Enforcement Officer and to authorize the Clerk to request designation of a Provincial Offences Officer for the purpose of enforcement of Automated Speed Enforcement in the boundaries of the Township of Essa.

WHEREAS ss. 15 (1) of the *Police Services Act*, R.S.O. 1990, Chapter P.15, authorizes Municipal Councils to appoint persons to enforce by-laws of the municipality; and

WHEREAS ss. 15(2) of the *Police Services Act*, R.S.O. 1990, c.P.15 designates Municipal Law Enforcement Officers as Peace Officers for the purpose of enforcing municipal by-laws; and

WHEREAS s. 227 of the *Municipal Act*, S.O. 2001, c.25, authorizes Councils to pass by-laws for appointing such officers and employees as may be necessary for the purposes of the Corporation, for carrying into effect the provisions of any by-law of the Council; and

WHEREAS ss. 1(3) of the *Provincial Offences Act*, 1990, provides that a Minister of the Crown may designate, in writing, any person or class of persons as Provincial Offences Officers for the purposes of all or any class of offences; and

WHEREAS the written designation by the Minister of Transportation authorizes the designated Provincial Offences Officer to issue a certificate of offence under ss.3(2) of the *Provincial Offences Act* for contravention of a provision prescribed under s.2 of Ontario Regulation 355/22; and

WHEREAS s.4 of Ontario Regulation 355/22 made under the *Highway Traffic Act*, R.S.O.1990, c.H.8, prescribes persons authorized to impose administrative penalties for contraventions detected using camera systems for the purpose of all or any class of offences set out in one or more of Part XIV.1, XIV.2, XIV.3 or XIV.4 of the *Highway Traffic Act*; and

WHEREAS the Council of The Corporation of the Township of Essa deems it desirable and expedient to appoint a Municipal Law Enforcement Officer for the purpose of investigating municipal by-law infractions, and to have such Municipal Law Enforcement Officer designated as a Provincial Offences Officer by the Ministry of Transportation specifically for the purpose of administering offence notices for contraventions captured using camera systems;

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

1. That Alan McLennon be and is hereby appointed as a Municipal Law Enforcement Officer to enforce municipal by-laws for the Corporation of the Township of Essa.

9b

2. That the Clerk be authorized to make the request to the Minister of Transportation for the designation of Alana McLennon as a Provincial Offences Officer for the purposes of enforcement of Automated Speed Enforcement.
3. That Alana McLennon shall hold office at the pleasure and subject to the by-laws of the Corporation of the Township of Essa, and shall, with respect to the Corporation of the Township of Essa and the enforcement of its By-laws, exercise all the authority, powers and rights, and shall perform all the duties and obligations which, by statute or By-law, are or may be conferred or imposed upon a Provincial Offences Officer.
4. That By-law 2021-41 be and is hereby repealed.
5. That this By-law shall come into force and effect on the date it is finally passed.

READ A FIRST, AND TAKEN AS READ A SECOND AND THIRD TIME AND FINALLY PASSED on this the 20th day of September, 2023.

Sandie Macdonald, Mayor

Lisa Lehr, Manager of Legislative Services

THE CORPORATION OF THE TOWNSHIP OF ESSA

BY-LAW 2023-55

A By-law to adopt Amendment No. 40 to the Official Plan for the Township of Essa

WHEREAS the Council of the Corporation of the Township of ESSA, in accordance with the provisions of the Planning Act, R.S.O. 1990, as amended, HEREBY ENACTS AS FOLLOWS:

1. That the attached explanatory text, policies and schedule constitute Amendment No. 40 to the Official Plan for the Township of Essa shall be and is hereby adopted.
2. That the Clerk is hereby authorized and directed to make application to the County of Simcoe for approval of the aforementioned Amendment No. 40 to the Official Plan for the Township of Essa.
3. That this Bylaw shall come into force and take effect on the date of its final passing, subject to the approval of the County of Simcoe.

READ A FIRST, AND TAKEN AS READ A SECOND AND THIRD TIME AND FINALLY PASSED on this the 20th day of September, 2023.

Sandie Macdonald, Mayor

Lisa Lehr, Manager of Legislative Services

9c

**AMENDMENT NO. 40
TO THE OFFICIAL PLAN FOR
THE TOWNSHIP OF ESSA**

9c

THE CONSTITUTIONAL STATEMENT

- PART A - THE PREAMBLE** Does not constitute part of this amendment.
- PART B - THE AMENDMENT** Consisting of the following text, appendix and Schedule A and constitutes Amendment No. 40 of the Township of Essa Official Plan.
- PART C – THE APPENDIX** Does not constitute part of this Amendment. This appendix contains the Public Meeting Minutes, Staff Report, and the Council Resolution associated with this Amendment.

9c

AMENDMENT NO. 40

TO THE TOWNSHIP OF ESSA OFFICIAL PLAN

PART A - THE PREAMBLE

1.0 PURPOSE

The purpose of the Official Plan Amendment is to alter Schedule C 'THORNTON' of the Township of Essa Official Plan. The amendment intends to redesignate Part of Lot 3, Plan 119 from Commercial to Residential.

2.0 LOCATION

The lands affected by this amendment are known as Lot 3, Plan 119, and are municipally known as 231 Barrie Street. The subject property consists of an area of 0.151 hectares with frontage along Barrie Street in Thornton.

3.0 BASIS

The proposed Official Plan Amendment (OPA) is to allow for the subject lands to be redesignated from 'Commercial' to 'Residential'. The land is currently used for residential purposes and there is no proposed development for the severed lands. The uses will continue to remain the same.

The development will assist the Township of Essa and the County of Simcoe in meeting intensification targets in multiple levels of planning policy and is consistent with the general goals and objectives of the Planning Act, Provincial Policy Statement (2020), Growth Plan (2020), Simcoe County Official Plan and Township of Essa Official Plan. The developer will bear the cost of any new infrastructure, and thus will not burden the existing tax base.

The subject property has recently been granted a Consent that will result in the creation of a new lot. There is no current proposal for development, but it is intended that the new lot will be used for residential purposes and provide opportunity for new housing in Thornton. As identified by the reports submitted in support of this application, no constraints have been identified that would prevent this development from proceeding. Therefore, the development represents the most appropriate and logical use of the property.

This development will assist in making Thornton a more complete community by adding to the existing housing stock in the settlement area. The Amendment conforms to the applicable policies and represents good planning.

9c

PART B - THE AMENDMENT

This part of the document, entitled "Part B - The Amendment", and consisting of the following changes to the text and Schedules, constitutes Amendment No. 40 of the Township of Essa Official Plan.

1.0 DETAILS OF THE AMENDMENT

1. Schedule C, as amended, is hereby further amended, by designating the lands known as 231 Barrie Street from 'Commercial' to 'Residential', as shown on Schedule "1" attached hereto and forming part of this Amendment.

2.0 IMPLEMENTATION

The provisions of the Official Plan regarding the implementation of that Plan shall also apply to this Amendment.

3.0 INTERPRETATION

The provision of the Official Plan, as amended from time to time, shall apply in regard to the Amendment.

PART C – THE APPENDICES

Consists of the background information and planning considerations associated with this amendment. This section does not constitute part of the actual amendment.

- Planning Justification Report, prepared by Innovative Planning Solutions;
- Conceptual Site Plan, prepared by Innovative Planning Solutions;
- Staff Report, Prepared the Township of Essa's Planning Department; and
- Public Meeting Minutes, prepared by the Township of Essa.

ad

THE CORPORATION OF THE TOWNSHIP OF ESSA

BY-LAW 2023-56

A By-law of the Township of Essa to amend Zoning By-Law No. 2003-50 by rezoning lands described as PLAN 119, LOT 3 & 4, PT LOT 5 in the Township of Essa, Simcoe County, known municipally as 231 Barrie Street, in the Township of Essa, from the 'Residential Low Density, Detached (R1)' and 'Community Commercial (C1)' Zones to the 'Residential Low Density, Detached with Special Provisions (R1-SP_) Zone', and 'Residential Low Density, Semi-Detached with Special Provisions (R2-SP_) Zone'.

WHEREAS the Planning Act, R.S.O 1990, Chapter P.13, as amended, Section 34, provides for adoption of Zoning By-laws and amendments thereto; and

WHEREAS the Council of the Corporation of the Township of Essa may pass by-laws pursuant to Section 34 of the Planning Act, R.S.O 1990, as amended; and

WHEREAS the Council of the Corporation of the Township of Essa has determined a need to rezone a parcel of land known municipally as 231 Barrie Street; and

WHEREAS the Council of the Corporation of the Township of Essa deems the said application to be in conformity with the Official Plan of the Township of Essa, as amended, and deems it advisable to amend By-law 2003-50.

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

1. That the Zoning By-Law Map, known as Schedule C, is hereby further amended by rezoning those lands described PLAN 119, LOT 3 & 4, PT LOT 5, in the Township of Essa, Simcoe County, known municipally as 231 Barrie Street, from the 'Residential Low Density, Detached (R1) Zone' and 'Community Commercial (C1) Zone', to the 'Residential Low Density, Detached with Special Provisions (R1-41) Zone', and 'Residential Low Density, Semi-Detached with Special Provisions (R2-11) Zone', as shown in Schedule "1" attached hereto, and Schedule "1" attached hereto forms part of By-Law 2003-50 as amended;
2. That, notwithstanding Section 17 of the Zoning By-law, the following exceptions apply to those lands zoned as Residential Low Density, Detached with Special Provisions (R1-41):
 - a. A minimum lot area of 850.0 square metres shall be permitted,
 - b. A minimum front yard setback to dwelling of 0.0 metres shall be permitted, and
 - c. A minimum rear yard setback to detached accessory structure of 0.0 metres shall be permitted.

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3. That, notwithstanding Section 17 of the Zoning By-law, the following exceptions apply to those lands zoned as Residential Low Density, Semi-Detached with Special Provisions (R2-11):
 - a. A minimum lot area of 650 square metres shall be permitted,
 - b. A minimum lot frontage of 18.0 metres shall be permitted,
 - c. A minimum interior side yard setback to detached accessory structure of 1.4 metres shall be permitted, and
 - d. A minimum rear yard setback to detached accessory structure of 0.0 metres shall be permitted.
4. That the Zoning By-Law, Sections 9.4 and 10.4 are hereby further amended by including the subject lands to these Sections as follows:
 - a. Concession 9, East Part Lot 2, 5204 10th Line;
5. That all other provisions of Zoning By-law 2003-50, as amended, shall apply;
6. That Schedule '1', attached, does, and shall form part of this By-law; and
7. That this by-law shall take effect as of the date of passing, subject to the provisions of the Planning Act, R.S.O. 1990, Chap. P.13 as amended.

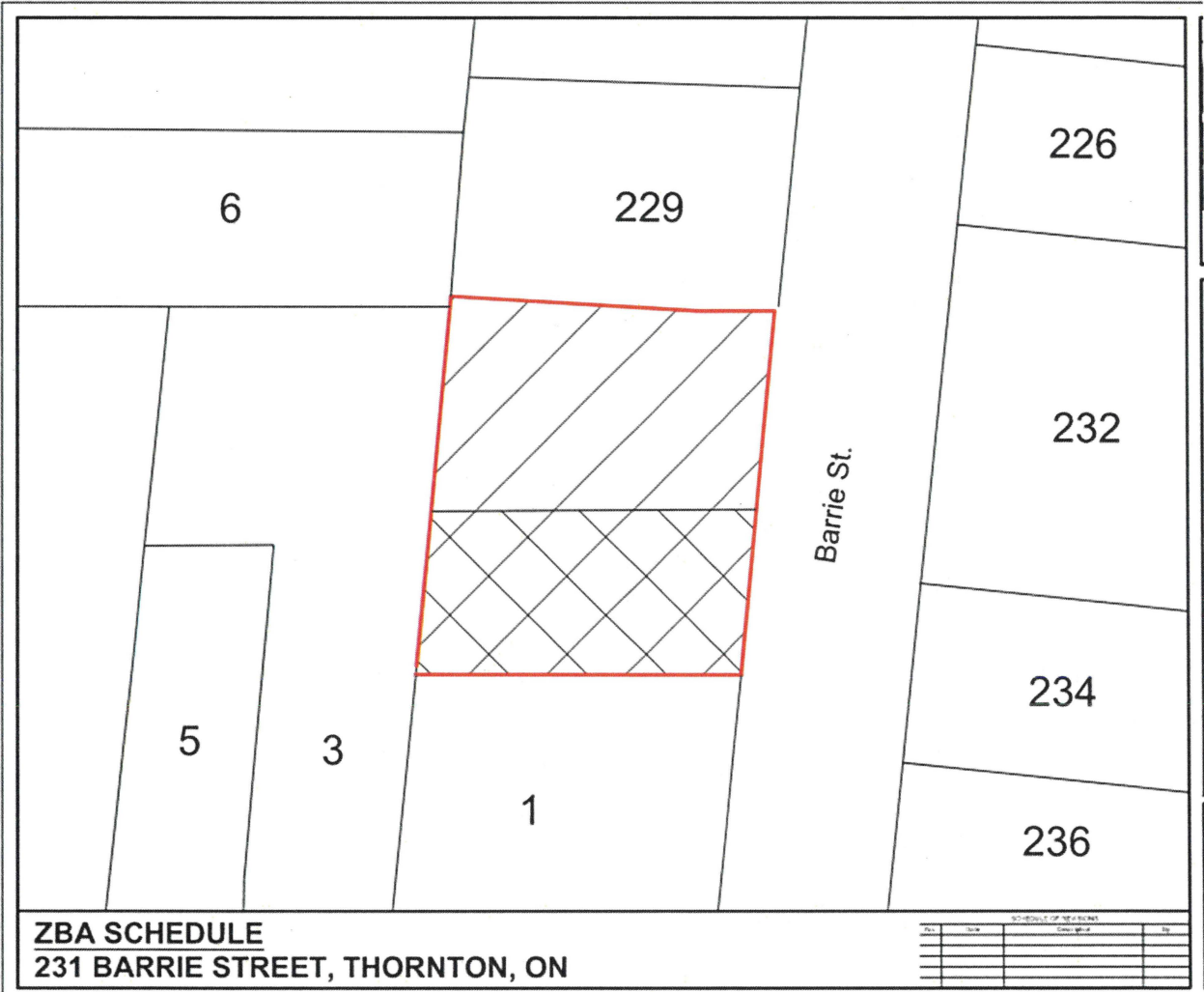
READ A FIRST, AND TAKEN AS READ A SECOND AND THIRD TIME AND FINALLY PASSED on this the 20th day of September, 2023.

Sandie Macdonald, Mayor

Lisa Lehr, Manager of Legislative Services

9d

Schedule "1" – 231 Barrie Street



THE CORPORATION OF THE TOWNSHIP OF ESSA**BY-LAW 2023-57**

A By-law of the Township of Essa to amend Zoning By-Law No. 2003-50 by rezoning lands legally described as Concession 10, East Part Lot 12, in the Township of Essa, Simcoe County, known municipally as 6404 11th Line, in the Township of Essa, from the 'Agricultural (A) Zone' to the 'Agricultural with Special Provisions (A-1) Zone'.

WHEREAS the Planning Act, R.S.O 1990, Chapter P.13, as amended, Section 34, provides for adoption of Zoning By-laws and amendments thereto; and

WHEREAS the Council of the Corporation of the Township of Essa may pass by-laws pursuant to Section 34 of the Planning Act, R.S.O 1990, as amended; and

WHEREAS the Council of the Corporation of the Township of Essa has determined a need to rezone a parcel of land known municipally as 6404 11th Line; and

WHEREAS the Council of the Corporation of the Township of Essa deems the said application to be in conformity with the Official Plan of the Township of Essa, as amended, and deems it advisable to amend By-law 2003-50.

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

1. That the Zoning By-Law Map, known as Schedule A, is hereby further amended by rezoning those lands described PT LT 12 CON 10 ESSA TWP AS IN RO320947 W OF THE RAILWAY ; ESSA, in the Township of Essa, Simcoe County, known municipally as 6404 11th Line from the 'Agricultural (A) Zone' to the 'Agricultural with Special Provisions (A-1) Zone', as shown in Schedule "1" attached hereto, and Schedule "1" attached hereto forms part of By-Law 2003-50 as amended;
2. That the Zoning By-Law, Section 6.4.1 is hereby further amended by including the subject lands to this Section as follows:
 - a. PT LT 12 CON 10 ESSA TWP AS IN RO320947 W OF THE RAILWAY ; ESSA, 6404 11th Line;
3. That all other provisions of Zoning By-law 2003-50, as amended, shall apply;
4. That Schedule '1', attached, does, and shall form part of this By-law; and
5. That this by-law shall take effect as of the date of passing, subject to the provisions of the Planning Act, R.S.O. 1990, Chap. P.13 as amended.

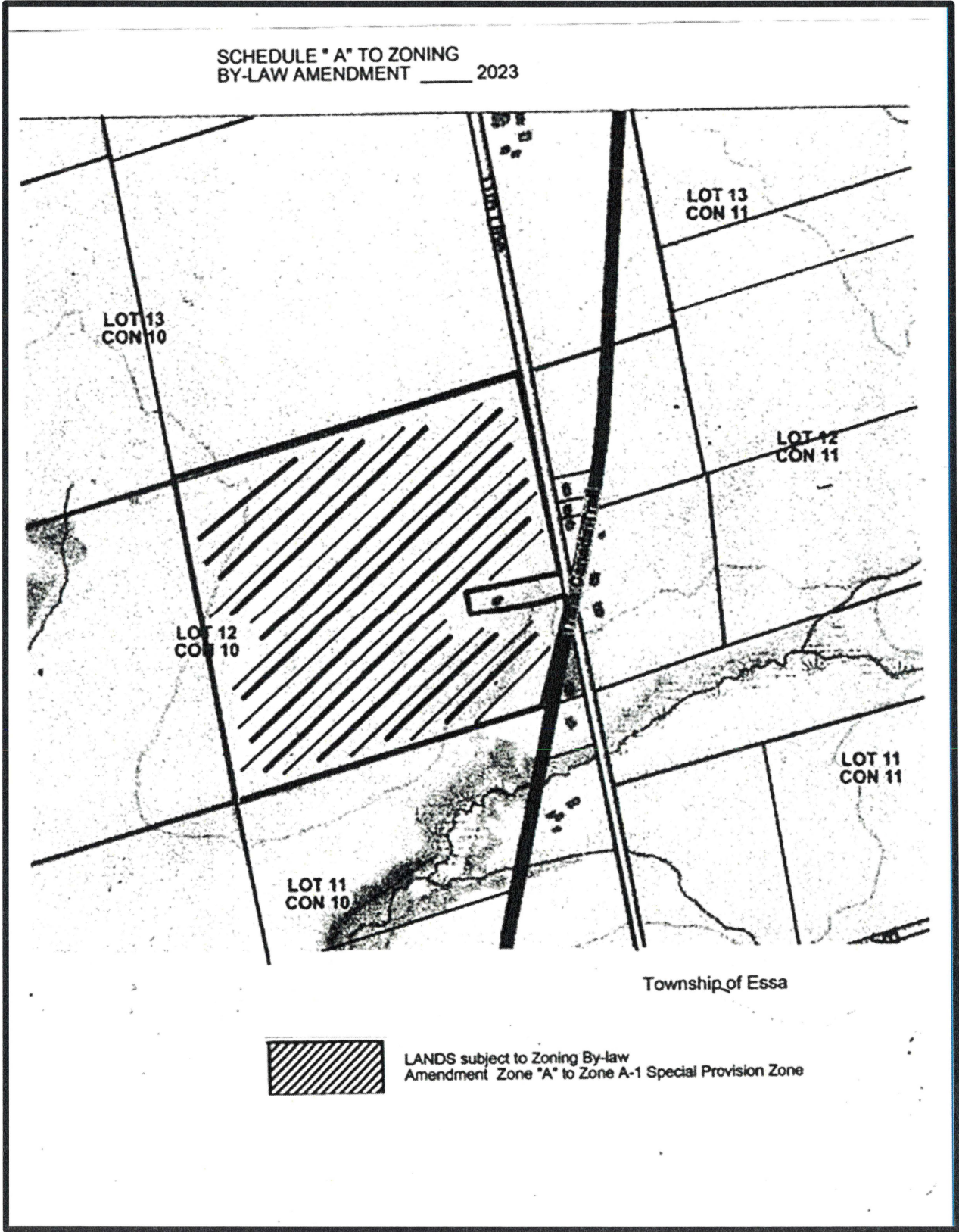
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READ A FIRST, AND TAKEN AS READ A SECOND AND THIRD TIME AND FINALLY PASSED
on this the 20th day of September, 2023.

Sandie Macdonald, Mayor

Lisa Lehr, Manager of Legislative Services

Schedule "1" - 6404 11th Line



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THE CORPORATION OF THE TOWNSHIP OF ESSA

BY-LAW 2023-58

A By-law of the Township of Essa to amend Zoning By-Law No. 2003-50 by rezoning lands legally described as Concession 9, East Part Lot 2, in the Township of Essa, Simcoe County, known municipally as 5204 10th Line, in the Township of Essa, from the 'Agricultural (A) Zone' to the 'Agricultural with Special Provisions (A-1) Zone'.

WHEREAS the Planning Act, R.S.O 1990, Chapter P.13, as amended, Section 34, provides for adoption of Zoning By-laws and amendments thereto; and

WHEREAS the Council of the Corporation of the Township of Essa may pass by-laws pursuant to Section 34 of the Planning Act, R.S.O 1990, as amended; and

WHEREAS the Council of the Corporation of the Township of Essa has determined a need to rezone a parcel of land known municipally as 5204 10th Line; and

WHEREAS the Council of the Corporation of the Township of Essa deems the said application to be in conformity with the Official Plan of the Township of Essa, as amended, and deems it advisable to amend By-law 2003-50.

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

1. That the Zoning By-Law Map, known as Schedule A, is hereby further amended by rezoning those lands described as Concession 9, East Part Lot 2, in the Township of Essa, Simcoe County, known municipally as 5204 10th Line, from the 'Agricultural (A) Zone' to the 'Agricultural with Special Provisions (A-1) Zone', as shown in Schedule "1" attached hereto, and Schedule "1" attached hereto forms part of By-Law 2003-50 as amended;
2. That the Zoning By-Law, Section 6.4.1 is hereby further amended by including the subject lands to this Section as follows:
 - a. Concession 9, East Part Lot 2, 5204 10th Line;
3. That all other provisions of Zoning By-law 2003-50, as amended, shall apply;
4. That Schedule '1', attached, does, and shall form part of this By-law; and
5. That this by-law shall take effect as of the date of passing, subject to the provisions of the Planning Act, R.S.O. 1990, Chap. P.13 as amended.

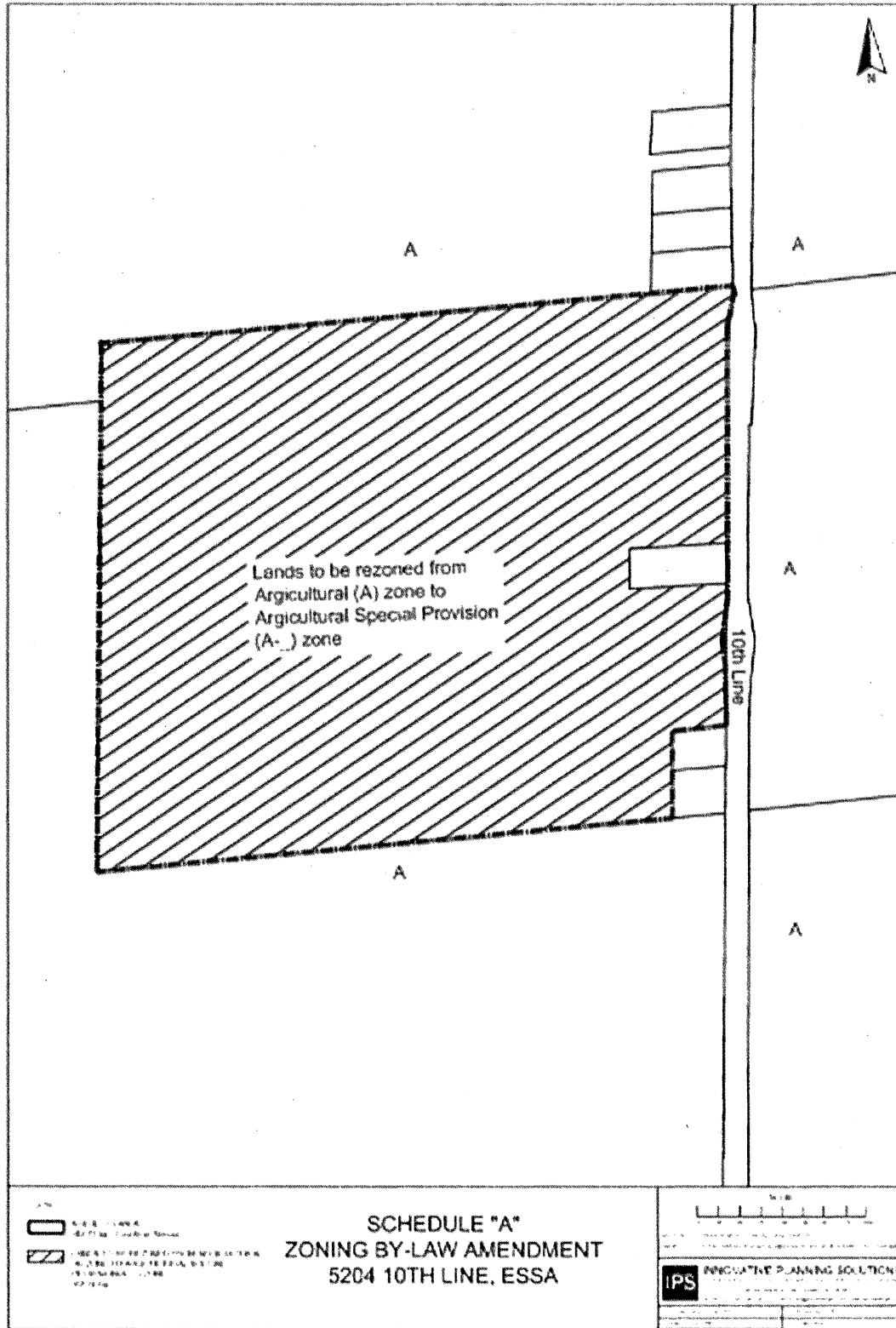
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READ A FIRST, AND TAKEN AS READ A SECOND AND THIRD TIME AND FINALLY
PASSED on this the 20th day of September, 2023.

Sandie Macdonald, Mayor

Lisa Lehr, Manager of Legislative Services

Schedule "1" – 5204 10th Line



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THE CORPORATION OF THE TOWNSHIP OF ESSA

BY-LAW 2023-59

Being a By-law to confirm the proceedings of the Council meeting held on the 20th day of September, 2023.

THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF ESSA
HEREBY ENACTS AS FOLLOWS:

THAT the action of the Council at its meeting held on the 20th day of September, 2023 and, in respect of each recommendation contained in the Regular Council meeting held on the 6th day of September, 2023, and the Committee of the Whole meeting held on the 6th day of September, 2023, and, in respect of each motion, resolution and other action passed and taken by Council at the said meetings, is, except where prior approval of the Ontario Municipal Board is required, hereby adopted, ratified and confirmed.

THAT the Mayor and the proper officials of the Township of Essa are hereby authorized and directed to do all things necessary to give effect to the said actions or to obtain approvals where required, and to execute all documents as may be necessary in that behalf and the Clerk is hereby authorized and directed to affix the Corporate Seal to all such documents.

READ A FIRST, AND TAKEN AS READ A SECOND AND THIRD TIME AND
FINALLY PASSED on this the 20th day of September, 2023.

Sandie Macdonald, Mayor

Lisa Lehr, Manager of Legislative Services