

**THE CORPORATION OF THE TOWNSHIP OF ESSA
REGULAR COUNCIL MEETING
WEDNESDAY, OCTOBER 16, 2024
(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, and Regular Council meetings held on the 2nd day of October, 2024 be adopted as circulated.

4. CONSENT AGENDA

Recommendation: ***BE IT RESOLVED THAT*** the items listed in the Consent Agenda dated October 2, 2024, be received for information.

5. COMMITTEE REPORTS

6. PETITIONS

7. MOTIONS AND NOTICES OF MOTIONS

a. Proclamation – Local Government Week - October 20-26, 2024

Recommendation: ***WHEREAS*** October 20 to 26, 2024 is Local Government Week in Ontario, an opportunity to reflect on the vital services delivered by municipal governments; and

WHEREAS municipal governments play a vital role in helping to define the character, priorities, physical make up, and quality of life of communities across Ontario;

NOW THEREFORE BE IT RESOLVED THAT Council of the Corporation of the Township of Essa hereby joins with partners such as the Association of Municipal Managers, Clerks and Treasurers of Ontario (AMCTO) in acknowledging and celebrating the work of local municipalities by proclaiming October 20 to 26, 2024 as 'Local Government Week' in the Township of Essa.

b. Proclamation – International Day of Rural Woman – October 15, 2024

Recommendation: **WHEREAS** rural women around the world play a crucial role in the well-being of their families, communities, and economies, serving as farmers, laborers, business owners, caregivers, and leaders; and
WHEREAS the United Nations has designated October 15th as International Day of Rural Women to recognize and celebrate the invaluable contributions of rural women to agricultural development, food security, and rural prosperity; and
WHEREAS rural women are key to improving rural livelihoods, yet they often face challenges including limited access to resources, education, healthcare, and economic opportunities; and
WHEREAS promoting the rights, welfare, and empowerment of rural women is essential to achieving sustainable development and addressing global challenges such as hunger, poverty, and climate change; and
WHEREAS we stand in solidarity with rural women, honoring their resilience, leadership, and dedication to fostering thriving rural communities, while reaffirming our commitment to creating equitable opportunities for their advancement; and
WHEREAS through increased support, investment, and policy initiatives that prioritize rural women's rights, we can build more inclusive and sustainable societies for future generations;
NOW THEREFORE BE IT RESOLVED THAT Council of the Corporation of the Township of Essa Council hereby proclaims October 15th, 2024 as "International Day of Rural Women" in Essa Township and urge all citizens to acknowledge the significant contributions of rural women and to work together in creating a future of equality, justice, and opportunity for all.

c. Notice of Motion – County of Simcoe - Recycling Program

Recommendation: **WHEREAS** the current Ontario Regulation 391/21 defines the Industrial, Commercial and Institutional (IC&I) sector as 'ineligible sources' (with the exception of schools and not-for-profit homes for the aged) for the purposes of producer responsibility for recycling, and as such the producers are not responsible for collecting recycling from these locations including businesses, municipal buildings, places of worship and non-profit organizations; and
WHEREAS the County of Simcoe has collected recycling from IC&I properties as part of its residential recycling collection program to date; and
WHEREAS County Council made the decision to cease curbside recycling collection from IC&I properties effective as of January 1, 2026, and instead allow continued drop-off of recycling at the County's waste management facilities; and
WHEREAS this decision was taken despite County Council's strong desire to continue to facilitate the greatest amount of recycling possible, expressly because of the consequences arising from provincial regulations;
NOW THEREFORE BE IT RESOLVED THAT Council of the Corporation of the Township of Essa calls upon the Hon. Andrea Khanjin, Minister of the Environment, Conservation and Parks, and our local MPP Brian Saunderson, to amend Ontario Regulation 391/21 to include small IC&I locations (those generating similar quantities of waste as a residential unit) as eligible sources to ensure Producer Responsibility Organizations are required to service these locations as part of their residential collection contract; and further,

THAT should the above changes in provincial regulations or similar occur, Essa Council call upon Simcoe County Council to continue to collect smaller IC&I properties' recycling as much as practicable.

8. UNFINISHED BUSINESS

9. BY-LAWS

- p. 9 a. By-law 2024-49 – A By-law to appoint a Municipal Law Enforcement Officer.

Recommendation: **BE IT RESOLVED THAT** By-law 2024-49 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. **Staff Report PD14-24, re: Potential Litigation – Proposed Development.**
- *Litigation or Potential Litigation – s.239(2)(e)*
 - *Plans and Instructions for Negotiation – s. 239(2)(k)*

Motion to Rise and Report from Closed Session Meeting of October 16, 2024.

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

12. CONFIRMATION BY-LAW

- p. 11 a. **By-law 2024-50**

Recommendation: **BE IT RESOLVED THAT** leave be granted to introduce By-law 2024-50, that being a By-law to confirm the proceedings of the Committee of the Whole, Closed and Council meetings held on this 16th day of October, 2024; 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 6th day of November, 2024 at 6:00 p.m.

**THE CORPORATION OF THE TOWNSHIP OF ESSA
COMMITTEE OF THE WHOLE MEETING
WEDNESDAY, OCTOBER 2, 2024**

MINUTES

A Committee of the Whole meeting was held in person on October 2, 2024, in the Council Chambers at the Administration Centre located at 5786 County Road 21, Utopia.

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

Staff in attendance: M. Mikael, Chief Administrative Officer
A. McClinton, Administrative Assistant-Parks and Recreation
D. Dollmaier, Manager of Finance
J. Kolb, Manager of Public Work
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 land within the area of Treaty 18, also known as the Lake Simcoe-Nottawasaga Treaty, signed on October 17, 1818 between the Government of Upper Canada and the Anishinaabe Indigenous peoples. The Anishinaabe include the Ojibwe, Odawa and Pottawatomi Nations collectively known as the Three Fires Confederacy. 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, Metis and Inuit People.

2. DISCLOSURE OF PECUNIARY INTEREST

None.

3. DELEGATIONS / PRESENTATIONS / PUBLIC MEETINGS

- a. Presentation & Proclamation
16 Wing Commander Colonel Gabriel Dore
Re: October as Royal Canadian Armed Forces Month

Mayor Macdonald, on behalf of Council, expressed gratitude for the sacrifice, dedication and commitment of military personnel and their families. She recognized the importance of the Royal Canadian Air Force and congratulated them on their 100th year Anniversary. She stated that it is an honour that the Township of Essa is considered home and community to many of our military members and commented on the pride of the entire

Township to be the birthplace of the Royal Canadian Air Force. She expressed excitement of the future achievements of the Royal Canadian Air Force at CFB Borden.

16 Wing Commander Colonel Gabriel Dore provided Council for with a brief history of the Royal Canadian Air Force and its historic relationship to the Township of Essa. He thanked Council for their support and the expression of acknowledgement for the Royal Canadian Air Force’s 100th Anniversary.

At the discretion of the Mayor, the following proclamation was brought forward from the Council Agenda and was passed:

Proclamation – Royal Canadian Air Force Month, October 2024

Resolution No: CW075-2024 Moved by: Smith Seconded by: Kiezebrink

***WHEREAS** the Royal Canadian Air Force, a distinct military element is celebrating its 100th anniversary this year; and*

***WHEREAS** this centennial milestone allows us to honour its distinct heritage, recognize its tremendous people and generate excitement for its future; and*

***WHEREAS** the dedication and courage of Canada’s men and women in uniform is recognized as being among the very finest; and*

***WHEREAS** the Township of Essa proudly supports the Royal Canadian Air Force for their willingness to defend our democracy and uphold the values of honour and integrity;*

***NOW THEREFORE BE IT RESOLVED THAT** Council of the Corporation of the Township of Essa hereby proclaims October 2024 as “Royal Canadian Air Force Month”, in the Township of Essa.*

---Carried---

b. Presentation

Matthews House Hospice – Skye Barnes

Re: Donation from Essa Golf Tournament

Council presented the representative from Matthews House Hospice with a donation in the amount of \$8,450.00 from funds that were raised at the Essa Golf Tournament held in June 2024.

STAFF REPORTS

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

8. FINANCE

- a. Staff Report TR006-24 submitted by the Manager of Finance, re: 2024 Water and Wastewater Rate Study and O. Reg 453/07 Water Financial Plan.

Resolution No: CW076-2024 Moved by: Sander Seconded by: Maltby

BE IT RESOLVED THAT Staff Report TR006-24 be received: and **THAT** the proposal from **Watson & Associates Economists Ltd.** for the preparation of the 2024 Water & Wastewater Rate Study and O. Reg 453/07 Water Financial Plan be accepted in the amount of **\$34,659.50 (including 1.76% applicable taxes).**

----Carried----

- b. Correspondence from Township Engineer AECOM, re: Reduction in Securities – 400 Centre Street Townhouses Development.

Resolution No: CW077-2024 Moved by: Kiezebrink Seconded by: Sander

BE IT RESOLVED THAT Council approve a reduction in securities relating to 2399263 Ontario Limited – 400 Centre Street Townhouses at 5th Line Essa Subdivision, as recommended by AECOM as follows:

Current securities being held by the Township	\$292,088.88
Less recommended reduction to 2% Holdback	\$211,864.94
Securities to be retained	\$80,223.94

And,

THAT this approval is conditional upon the Developer providing the Municipality with a Statutory Declaration indicating that all accounts have been paid in full, including all of the Township's legal and engineering costs.

----Carried----

9. CLERKS / BY-LAW ENFORCEMENT / IT

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

11. OTHER BUSINESS

12. ADJOURNMENT

Resolution No: CW078-2024 Moved by: Smith Seconded by: Sander

*BE IT RESOLVED THAT this meeting of Committee of the Whole of the Township of
Essa adjourn at 6:16 p.m., to meet again on the 16th day of October, 2024 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, OCTOBER 2, 2024**

MINUTES

A Regular Council meeting was held in person on Wednesday October 2, 2024, in the Council Chambers at the Administration Centre located at 5786 County Road 21, Utopia.

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/Interim CAO
A. McClinton, Administrative Assistant-Parks and Recreation
D. Dollmaier, Manager of Finance
J. Kolb, Manager of Public Work
S. Corbett, Deputy Clerk
L. Lehr, Manager of Legislative Services

1. OPENING OF MEETING BY THE MAYOR

Mayor Macdonald opened the meeting at 6:16 p.m.

2. DISCLOSURE OF PECUNIARY INTEREST

None.

3. ADOPTION OF PREVIOUS MINUTES AND MOTIONS

Resolution No: CR148-2024 Moved by: Smith 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 Committee of the Whole, and Regular Council meetings held on the 18th day of September, 2024 be adopted as circulated.

---Carried---

4. CONSENT AGENDA

Resolution No: CR149-2024 Moved by: Smith Seconded by: Kiezebrink

BE IT RESOLVED THAT the items listed in the Consent Agenda dated October 2, 2024, be received for information.

---Carried---

5. COMMITTEE REPORTS

a. Minutes of the Nottawasaga Police Services Board and Summary Report

Resolution No: CR150-2024 Moved by: Sander Seconded by: Smith

BE IT RESOLVED THAT the minutes of the Nottawasaga Police Services Board from their meeting of February 5, 2024 be received.

---Carried---

b. Minutes of the Essa Public Library Board

Resolution No: CR151-2024 Moved by: Kiezebrink Seconded by: Smith

BE IT RESOLVED THAT the minutes of the Essa Public Library Board from their meeting of June 24, 2024, be received.

---Carried---

6. PETITIONS

7. MOTIONS AND NOTICES OF MOTIONS

a. Proclamation – Royal Canadian Air Force Month, October 2024

This item was moved to be dealt with in the Committee of the Whole meeting of this date, following a presentation from 16 Wing Commander Colonel Gabriel Dore.

b. Proclamation – National Day for Truth and Reconciliation

Resolution No: CR152-2024 Moved by: Kiezebrink Seconded by: Maltby

WHEREAS the Government of Canada has established September 30th as the National Day for Truth and Reconciliation, following the Truth and Reconciliation Commission’s Call to Action #80, to acknowledge the tragic history and damage inflicted by the legacy of Canada’s Indian Residential School System; and

WHEREAS this day commemorates and honours the children from Indigenous communities who never returned home, and recognizes the resilience, dignity, and strength of survivors, intergenerational survivors, families and communities; and
WHEREAS publicly commemorating the tragic and painful history, as well as the ongoing impact of residential schools, is a crucial part of Canada’s reconciliation process; and

WHEREAS the Truth and Reconciliation Commission (TRC) Calls to Action offer essential guidance to individuals and governments in addressing the legacy of residential schools and promoting reconciliation; and

WHEREAS the Township of Essa is dedicated to implementing the Truth and Reconciliation Commission Calls to Action relating to municipalities;

NOW THEREFORE BE IT RESOLVED THAT I, Mayor Sandie Macdonald, on behalf of Township of Essa Council, do hereby proclaim September 30th to be ‘National Day for Truth and Reconciliation’ in Township of Essa; and

FURTHER BE IT RESOLVED THAT Council urges Essa residents to observe this day with reflection and action to build understanding of our shared history with Indigenous Peoples, and by acknowledging the truths of our past, we strengthen our commitment to a future founded on respect, unity, and understanding.

---Carried---

8. UNFINISHED BUSINESS

9. BY-LAWS

- a. By-law 2024-46 – A By-law to appoint a Municipal Law Enforcement Officer.
- b. By-law 2024-47 - A By-law to deem Lots 16 and 17 on the East Side of Fraser Street, Plan 160A to not be part of a registered Plan of Subdivision.

Resolution No: CR153-2024 Moved by: Sander Seconded by: Smith

BE IT RESOLVED THAT By-laws 2024-46, and 2024-47 be read a first, and taken as read a second and third time and finally passed.

---Carried---

10. QUESTIONS

11. CLOSED SESSION

Council did not proceed into Closed Session for deliberations.

- a. **Confidential Staff Report CAO024-24 submitted by Chief Administrative Officer, re: Staffing Matters.**

Resolution No: CR154-2024 Moved by: Maltby Seconded by: Kiezebrink

BE IT RESOLVED THAT Confidential Staff Report CAO024-24 be received; and THAT Council direct staff in accordance with Option 2 as contained within this report.

---Carried---

- b. **Confidential Staff Report CAO025-24 submitted by Chief Administrative Officer, re: Staff Matters.**

Resolution No: CR155-2024 Moved by: Sander Seconded by: Smith

BE IT RESOLVED THAT Confidential Staff Report CAO025-24 be received; and THAT Council direct staff in accordance with Option 2 as contained within this report.

---Carried---

- c. **Confidential Staff Report C012-24 submitted Deputy Clerk re: Appointment of Committee Member – Library Board.**

Resolution No: CR156-2024 Moved by: Kiezebrink Seconded by: Sander

BE IT RESOLVED THAT Confidential Staff Report C012-24 be received; and THAT Council direct staff in accordance with Option 3 as contained within this report.
---Carried---

12. CONFIRMATION BY-LAW

By-law 2024-48

Resolution No: CR157-2024 Moved by: Maltby Seconded by: Kiezebrink

BE IT RESOLVED THAT leave be granted to introduce By-law 2024-48, that being a By-law to confirm the proceedings of the Committee of the Whole, Closed and Council meetings held on this 2nd day of October, 2024; and, that said By-law be read a first, and taken as read a second and third time and finally passed.
---Carried---

13. ADJOURNMENT

Resolution No: CR158-2024 Moved by: Smith Seconded by: Maltby

BE IT RESOLVED THAT this meeting of Council of the Township of Essa adjourn at 6:22 p.m. to meet again on the 16th day of October, 2024 at 6:00 p.m.
---Carried---

Sandie Macdonald
Mayor

Lisa Lehr
Manager of Legislative Services

THE CORPORATION OF THE TOWNSHIP OF ESSA

By-law No. 2024 – 49

Being a By-law to appoint a Municipal Law Enforcement Officer; and also a Tobacco Enforcement Officer, Weed Inspector and Zoning By-law Enforcement Officer.

WHEREAS section 8 of the *Municipal Act*, 2001, S.O. 2001, c. 25, as amended, provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under the Act; and

WHEREAS Section 11 of the *Municipal Act*, 2001, provides that a lower-tier municipality may pass By-laws respecting matters within the spheres of jurisdiction set out therein, and is responsible for the enforcement of the By-laws pertaining to those sections; and

WHEREAS Section 227 of the *Municipal Act*, 2001, 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 provisions contained in Section 1.1 of the *Provincial Offences Act*, R.S.O. 1990, c.P.33, include a Provincial Offences Officer as an officer, employee or agent of any municipality or of any local board of any municipality whose responsibilities include the enforcement of a By-law, an Act or a regulation under an Act, while in the discharge of his or her duties; and

WHEREAS provisions are included under the *Provincial Offences Act*, the *Weed Control Act*, the *Pounds Act*, the County of Simcoe and Township of Essa prohibitive smoking By-laws, and the Township of Essa Zoning By-law to provide for municipal enforcement; and

WHEREAS Section 15 of the *Police Services Act*, R.S.O. 1990 c. P.15, as amended, authorizes a Municipal Council to appoint persons who shall be peace officers for the purposes of enforcing municipal By-laws; and

WHEREAS Council of the Township of Essa deems it advisable to appoint a Municipal Law Enforcement Officer and any inspectors and administrators as are necessary for the purposes of the enforcement of said Acts and By-laws;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF ESSA ENACTS AS FOLLOWS:

1. That Kyle Moffatt be and is hereby appointed to the position of Municipal Law Enforcement Officer in accordance with the *Police Services Act*, R.S.O. 1990, c. P. 15, as amended, for the Township of Essa to carry out the duties and responsibilities as set out in the job description for the period during which he is an employee of the municipality.

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2. That Kyle Moffatt be and is hereby appointed as a Tobacco Enforcement Officer, Weed Inspector, Canine Control and Zoning Enforcement Officer; 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 he is an employee of the municipality.
3. That Kyle Moffatt does hereby agree and acknowledge to abide by the Township of Essa's policies and procedures, including the Acceptable Computer Usage Policy, the Employee Code of Conduct, the Corporation's Health and Safety Program, and other policies as provided.
4. That the said appointment shall become effective as of October 15, 2024.
5. 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 16th day of October, 2024.

Sandie Macdonald, Mayor

Lisa Lehr, Manager of Legislative Services

THE CORPORATION OF THE TOWNSHIP OF ESSA

BY-LAW 2024 - 50

Being a By-law to confirm the proceedings of the Council meeting held on the 16th day of October, 2024.

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 16th day of October, 2024 and, in respect of each recommendation contained in the Minutes of the Regular Council meeting held on the 2nd day of October, 2024, and the Minutes of the Committee of the Whole meeting held on the 2nd day of October, 2024, 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 16th day of October, 2024.

Sandie Macdonald, Mayor

Lisa Lehr, Manager of Legislative Services