

**THE CORPORATION OF THE TOWNSHIP OF ESSA
COMMITTEE OF THE WHOLE MEETING
WEDNESDAY, DECEMBER 18, 2024
To follow Budget Meeting**

AGENDA

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

1. OPENING OF MEETING BY THE MAYOR

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

3. DELEGATIONS / PRESENTATIONS / PUBLIC MEETINGS

a. Presentation

Chase's Dream Foundation

Re: Defibrillator Donation – Thornton Outdoor Rink

b. Presentation

SGL Planning, Tim Cane

Re: Official Plan Update

p. 1

STAFF REPORTS

4. PLANNING AND DEVELOPMENT / BUILDING

- p. 28 **a. Staff Report PD016-24 submitted by the Development Planner,
re: Proposed Temporary Use By-law – Z3-24-253 Barrie Street.**

Recommendation: ***BE IT RESOLVED THAT** Staff Report PD016-24 be received; and **THAT** Council consider approving a temporary amendment to the Township's Zoning By-law 2003-50 related to the following items:*

- 1. That Schedule A to By-law 2003-50 be amended to temporarily rezone those lands shown on Schedule 1 and labelled as "R1-42", to allow for a real estate office to be located on the first floor of a residential building.*
- 2. That Section 9.4.42, Special Provisions, be added to By-law No. 2003-50, as follows:*

"R1-42: CON 11 N PT LOT 15, 253 Barrie Street"

In addition to the permitted uses of this Section, on those lands zoned R1-42 on Schedule A, and known as 253 Barrie Street, a Real Estate

Office in accordance with the following provision be a permitted use period of three (3) years expiring after the date of passing:

- a. That the Real Estate Office only be allowed to exist on the first floor of the existing single-family dwelling.*
- b. That the Real Estate Office allow a maximum of five (5) on-site employees.*
- c. That no part of the existing residential building be rented while the temporary use is in effect.*
- d. That the Real Estate Office is subject to annual inspections by the Building and Fire Departments.*

- p. 31 **b. Staff Report PD017-24 submitted by the Development Planner, re: Proposed Temporary Use By-law – Z3-24 (253 Barrie Street).**

Recommendation: **BE IT RESOLVED THAT** Staff Report PD017-24 be received; and **THAT** Council approve the proposed amendments to the Township’s Zoning By-law 2003-50 as recommended in the Report.

5. PARKS AND RECREATION / COMMUNITY SERVICES

6. FIRE AND EMERGENCY SERVICES

7. PUBLIC WORKS

8. FINANCE

- p. 41 **a. Correspondence from Township Engineer AECOM, re: Reduction in Securities.**

Recommendation: **BE IT RESOLVED THAT** Council approve a reduction in securities relating to Briarwood Angus Subdivision, as recommended by AECOM as follows:

Current Securities Held by Township of Essa	\$3,516,121.30
Reduction as Recommended by AECOM	\$649,053.37
Securities to be Retained by Township of Essa	\$2,867,067.93

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.

9. CLERKS / BY-LAW ENFORCEMENT / IT

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

11. OTHER BUSINESS

12. ADJOURNMENT

Recommendation: **BE IT RESOLVED THAT** *this meeting of Committee of the Whole of the Township of Essa adjourn at _____pm., to meet again on the 15th day of January, 2025 at 6:00 p.m.*

Township of Essa New Official Plan

Update December 18, 2024



Schedule

WE ARE
HERE!



2



Phase 1:
Project Start-Up
August 2024

Phase 2:
Issues and Options
Reports
January 2025

Phase 3:
First Draft of the Official
Plan
Spring 2025

Phase 4:
Finalization of
Official Plan
December 2025

**Phase 5: County
Approval***





Engagement to Date:

- Webpage launch
- 1st Community Survey
 - Summer 2024
- Agricultural Community Event
 - 'Pop up' August 22, 2024
- Settlement Areas Open House
 - September 25, 2024
- Direct contact
 - Ongoing

Building on the new OP Themes

4

- Rural character
- Natural areas
- Balanced growth
- Sustainable & resilient
- Connected community



Community Session Feedback

- Growth and built form
- Community facilities
- Transportation and transit
- Parking
- Nature
- Policies and by-laws
- Maintenance
- Planning process
- Specific sites



Survey 1 Results – Strong Support for:

- 188 responses
- Primarily residents (mostly Angus)

Strong support for:

- Protecting and diversifying agricultural lands
- Managing flooding and protecting the environment
- More affordable homes in mixed use walkable communities
- More community facilities with accessible and well designed public spaces
- Managing traffic on residential streets, walking and cycling



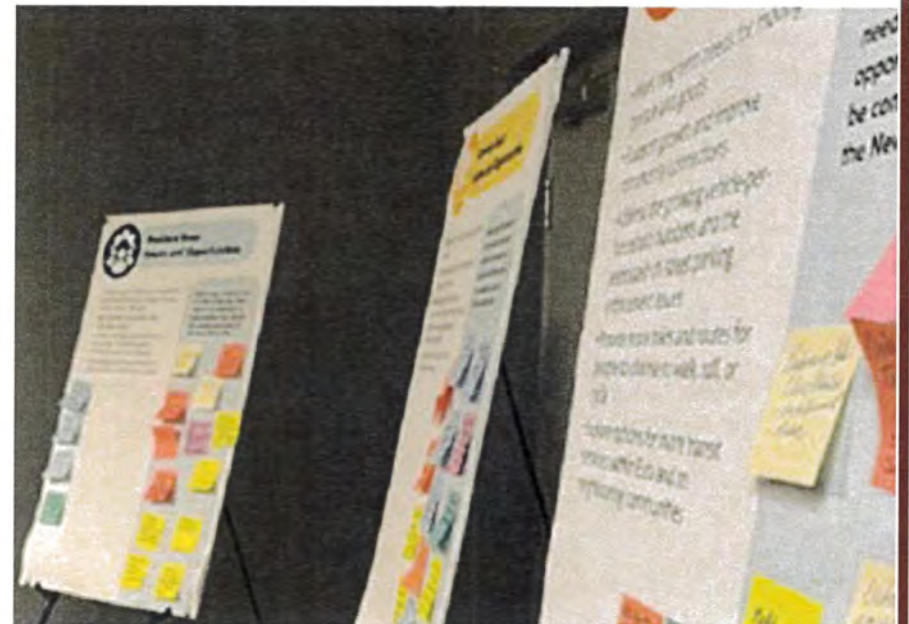
Survey 1 Results – Preferences & Themes:

Preferences for:

- Single detached housing
- Clinics, medical facilities, retail, restaurants and parks

Themes:

- Small town feel and rural life
- Lower cost of living
- Feeling safe
- Wider housing choice
- More community connections
- Main streets and downtowns
- Amount of growth and supporting infrastructure
- Greater information sharing with online engagement



Next Steps – Winter and Spring 2025

- 
- Community Advisory Committee and Municipal Partner Committee
 - Council meeting with draft Vision and Principles – January 2025
 - Issues and Options Report – February 2025
 - Online Survey # 2 – March 2025
 - Public Information Session – April 2025
 - Drafting new Official Plan – Spring 2025

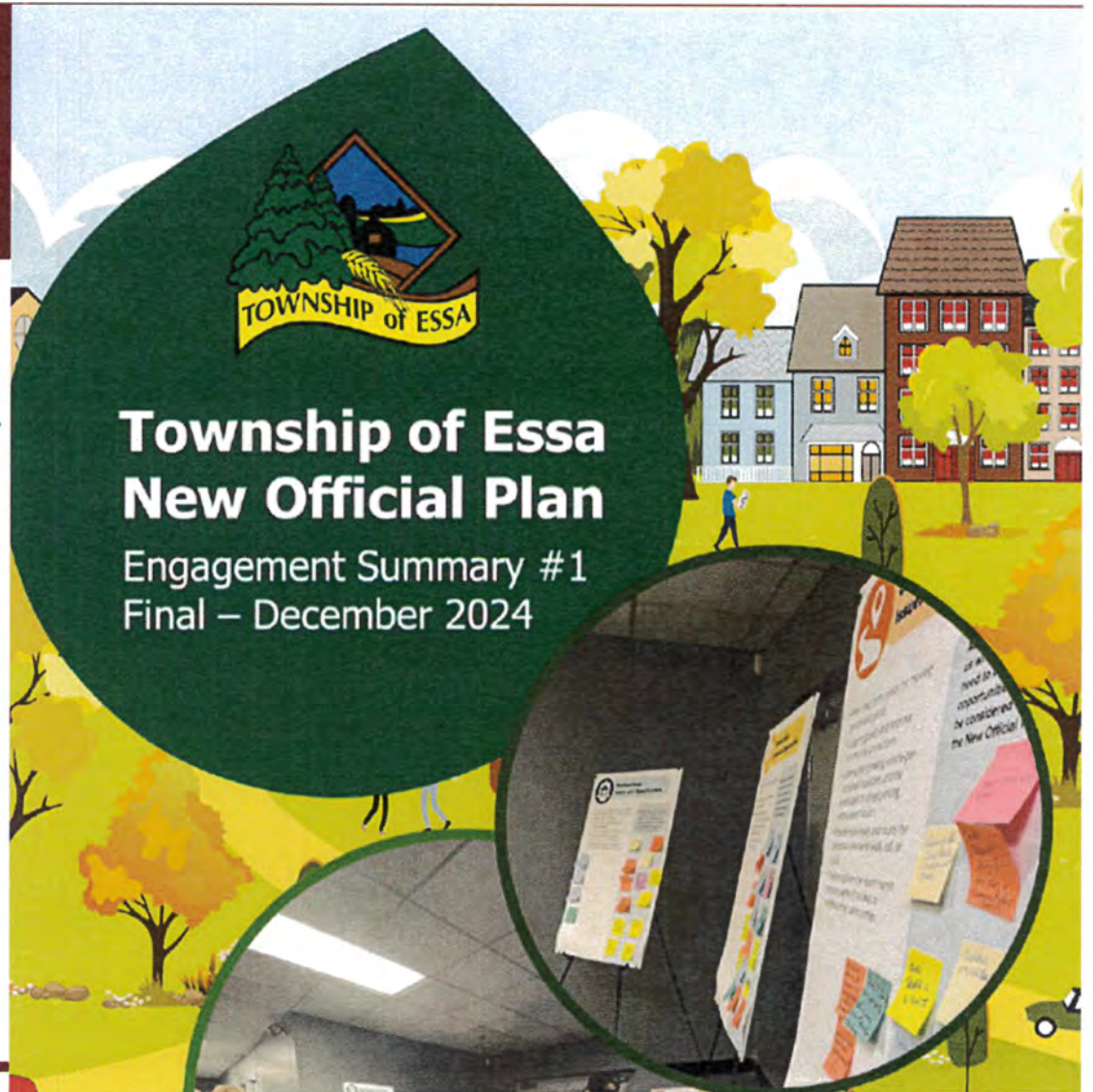
How to Participate

Township of Essa Website
[Official Plan Review - Essa Township](#)

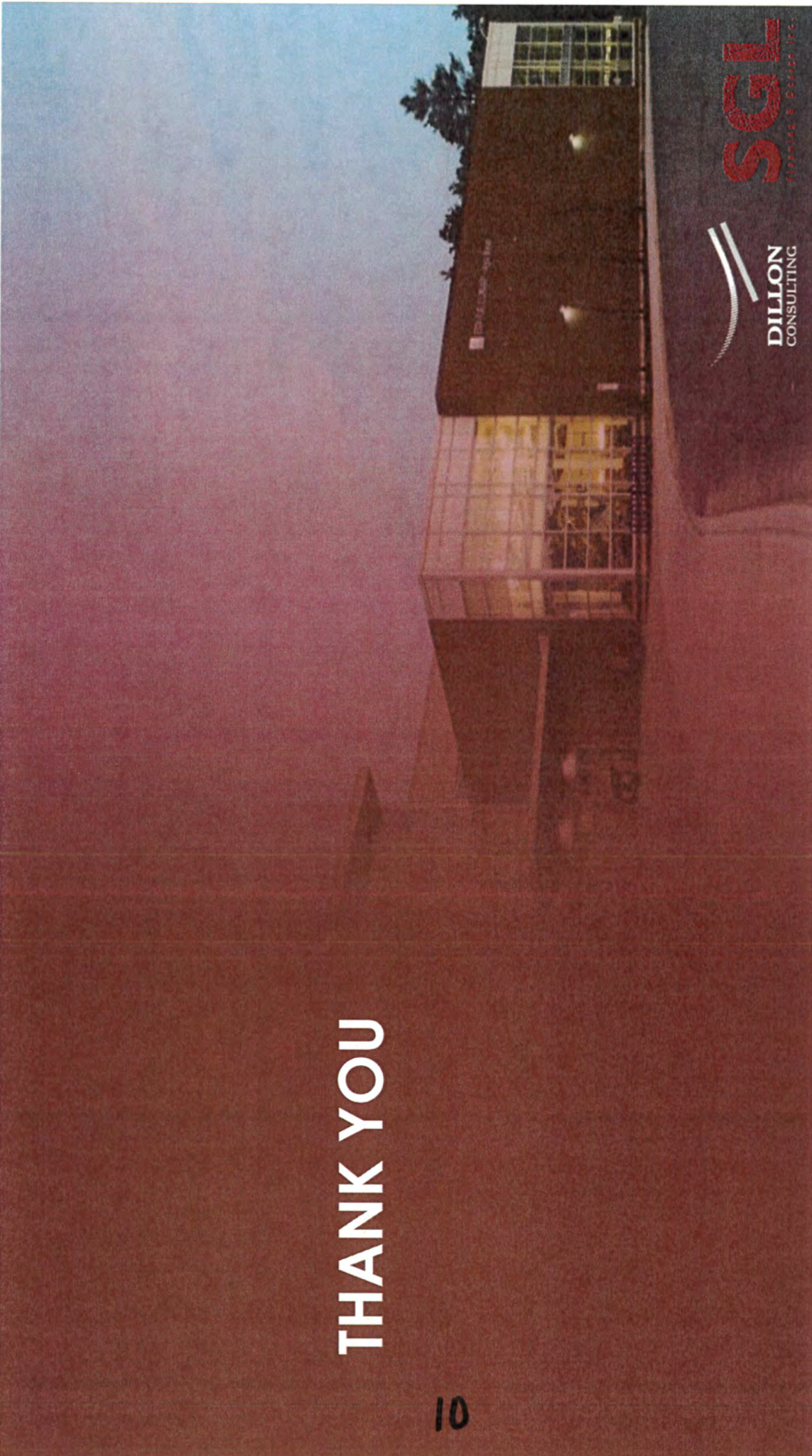


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THANK YOU





Township of Essa New Official Plan

Engagement Summary #1
Final – December 2024

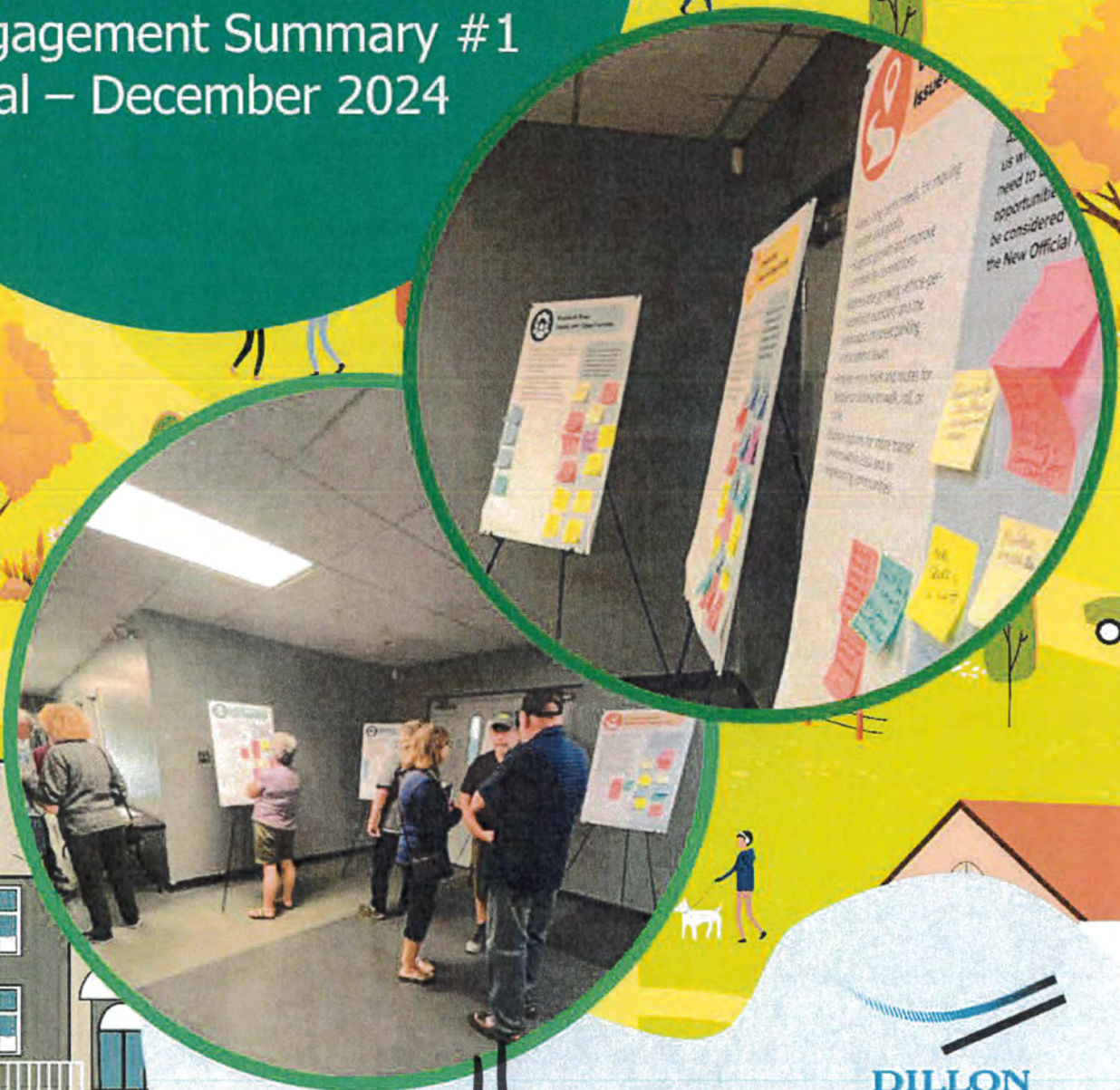


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1.0 Introduction

Like every municipality, the Township of Essa has an Official Plan, a key document that lays out where and how we plan to grow into the future, and guides where we live, work, and play. The Township's current Official Plan was put into effect on July 6, 2001. In 2020, the Township of Essa started developing a new Official Plan to bring the document into conformity with the latest provincial policies and community interests. The Official Plan Review was placed on hold in 2022 while the Township engaged with the Province and County of Simcoe to better understand the impact of legislative changes. Engagement on the New Official Plan resumed in August 2024.

1.1 Issues and Opportunities Key Themes

The issues and opportunities summary has been prepared to summarize planning matters and public comments heard to date from the public and staff during the Official Plan update process, and posted on the [project website](#).

The official Plan will focus on five key policy themes, which were developed as part of earlier engagement conducted in 2020:

1. **Rural Essa:**
 - a. promote and protect agriculture as an important part of the Township's economy and identity.
2. **Natural Essa:**
 - a. protect environmental areas from development effects and incompatible land uses, areas such as – Flood Prone Areas, Wetlands, and Significant Areas
3. **Growing Essa:**
 - a. Having a greater focus on urban structure, and settlement hierarchy, to preserve agricultural and rural lands.
 - b. Areas of focus include – growth management, housing strategy, employment strategy, and servicing infrastructure.
4. **Resilient Essa:**
 - a. Focus on approaches that achieve healthy and complete communities through design, active transportation and providing meaningful places live, work, and play.
5. **Connecting Essa:**
 - a. Provide a road network and transportation network that meets long term needs and facilitates the safe and efficient movement of people and goods.

Community engagement and outreach is a key part of the New Official Plan, and continued opportunities for community engagement will be provided throughout the process.



2.0 What We Heard Overview

This summary provides an overview of the in-person and online public engagement held between August 2024 and October 2024. Please refer to the project website for summaries of past engagements that were completed in earlier stages of the review for the Essa Official Plan, which are also being considered and feedback brought forward into the current development of the new Official Plan: <https://www.essatownship.on.ca/official-plan-review/>

2.1 Community Sessions

Two in-person sessions were held to invite input on the issues and opportunities for the New Official Plan:

- Pop-up Agricultural Community Event: August 22nd, 2024 (4pm-8pm) during the Barrie Fair (Essa Agriplex, Ivy); and
- Settlement Areas Open House: September 25th, 2024 (5pm-7pm) at the Angus Recreation Centre, Angus.

The Township's Pop-up booth was attended by a range of residents across Essa, and awareness of the project raised through materials including a poster, postcards, and physical copies of an online survey. One completed survey was collected, and postcards were handed out to all those who stopped by the booth.

At the Settlement Areas Open House, approximately 50 members of the public that attended were asked to give feedback on the different themes of the Official Plan through sticky notes on poster boards. The feedback received for every theme is summarized below.

Resilient Essa: Issues and Opportunities

- **New development and built form**
 - Provide durable and climate resilient housing stock.
 - Introduce new development to manage tree loss.
- **Community facilities and services**
 - Increase daycare centres.
 - Support different people and different needs through services and community programming.
 - Bring in developers to invest in the community.
 - Expand recreational facilities along with better maintenance for pools and soccer fields.
 - Do not build main steads or downtowns.
- **Transportation and transit**
 - Improve walking, biking, and rest areas at Barrie Collingwood Railway (BCRY).
 - Make downtown core walkable.
 - Provide transit from the County.

- **Sustainability and Nature**
 - Integrate parks, treed green space, and water features.
 - Consider becoming a blue community.
- **Policies and Bylaws**
 - Create a bylaw to replace trees lost due to development.
 - Manage land regulations strictly.
 - Establish a community identity.

Growing Essa: Issues and Opportunities

- **Community facilities and services**
 - Build a seniors' home, like IOOF.
 - Improve internet services.
 - Enhance transit and provide more support for senior housing.
- **Parking**
 - Provide on-street parking
 - Enforce parking standards, especially on 5th Line
- **New development and built form**
 - Build affordable homes, either small or apartment-style.
 - Develop high-density residential options.
 - Focus growth in the existing settlement areas.
 - Promote infill development to preserve natural and agricultural areas.
- **Policies and Bylaws**
 - Prohibit trailers and boats in driveways during summer.
 - Maintain Angus as a town, not a city.
 - Implement stronger urban design for a durable community.
 - Warn residents to remove items at the end of their driveways by a certain time after junk has been removed.
 - Increase council and local expertise to make decisions and understand issues.

Connecting Essa: Issues and Opportunities

- **Community Facilities and Services**
 - Create more accessible parks.
 - Develop performing arts facilities, including live theatre, entertainment, music, and an outdoor amphitheatre.
- **Transportation and transit**
 - Install a center turning lane, such as in King and Summerset Place.
 - Prioritize transit, as options have been studied for too long.
 - Implement alternatives to speed bumps.
 - Install more traffic lights.
 - Improve bus connections from the County to regional routes.
 - Create more well-marked bike lanes.

- **Policies and Bylaws**
 - Enforce noise bylaw (motor vehicles).

Rural Essa: Issues and Opportunities

- **Environment**
 - Preserve agricultural land.
- **Community Facilities and Services**
 - Build a school and more housing in Thornton.
- **Policies and Bylaws**
 - Enact a bylaw to tear down old buildings.

Natural Essa: Issues and Opportunities

- **Policies**
 - Enact a tree preservation bylaw.
 - Maintain the tree canopy and provide compensation.
 - Implement the tree policy suggested by the local environmental group.
- **Land Designation**
 - Conservation Authority to restrict unbuildable land due to floodplain.
 - Protect environment lands around Thornton.
- **Maintenance**
 - Continue maintaining natural areas for wildlife habitat and flood mitigation.
 - Continue supporting the managed forest program.
 - Address erosion concerns along the floodplain in Angus.
 - Improve maintenance for Nottawasaga and Pine Rivers by clearing logs.
 - Keep 5th Line to 25th well-groomed, including grass, for walkers and bikers.
- **Sustainability**
 - Transition to a blue community.

Below is a summary for the feedback from participants on the existing Land Use Designation map.

- **Data**
 - Verify if flood data is up-to-date.
 - Assess how much water is used from the aquifer.
- **Issues**
 - Address basement flooding and reconsider the necessity of basements.
 - Evaluate water pressure issues for older homes.
 - Investigate if the water in the LeClair Park/Bob Geddes Park area is stagnant.
 - Address water/sewer capacity concerns near Murphy Road as shown in the figure below.
- **Land Use**
 - Discussions with individual land owners on potential redesignations.
 - Expand the area surrounded by 30th Sideroad, 25th Sideroad, 6th Line, and 5th Line to the settlement area.

- Designate more public green space.
- Integrate the industrial park into Angus and expand the settlement area.
- Planning Process
 - Conduct an Agricultural Impact Assessment.



Figure 2-1: Existing Official Plan with comments from public engagement

2.2 Online Survey #1

Participant Profile

The first survey garnered a total of 188 responses. The participant profile shown in **Figure 2-2** shows the majority of participants being Essa residents (95%), along with a number of people who work in Essa (15%) and a few who have professional interest in growth and planning in Essa, own a business in Essa, are frequent or occasional visitors to Essa, are potential future Essa residents, or are Canadian Forces Base Borden personnel.

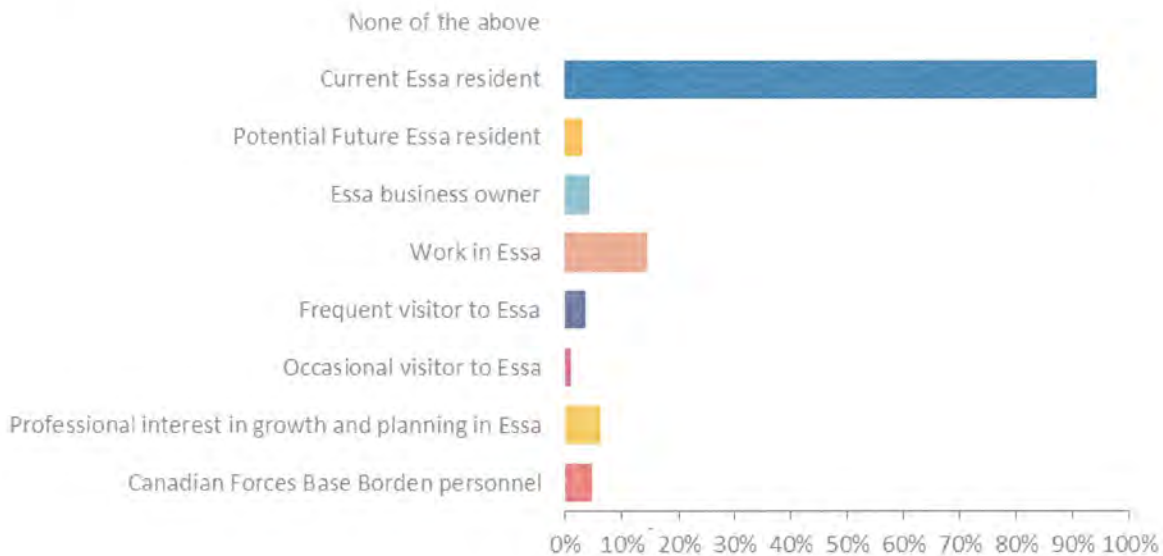


Figure 2-2 Survey #1 Participants – Background

There was wide variability in the communities that participants who live in Essa resided in, with the highest number being from Angus (74%) followed by Rural area in Essa (8%). A summary of where respondents of the survey live is shown in **Figure 2-3**.

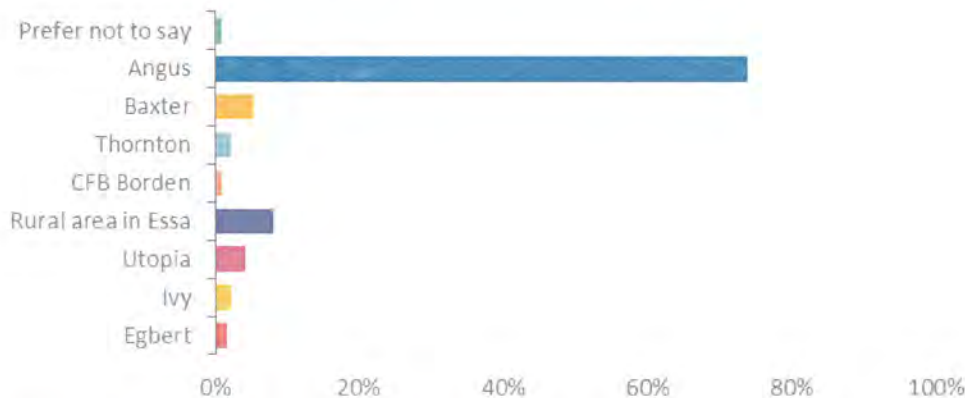


Figure 2-3 Survey #1 Participants – Neighbourhood of Residence

Key Topics of Interest

Rural Essa – Agricultural Lands:

Please rate the following topics and tell us how important each one is to you: 1) protecting agricultural lands and 2) supporting the growth and diversification of the agriculture industry.

There were 165 responses to this question summarized on **Figure 2-4**, with both topics being highly rated. 89% rated Protecting agricultural lands as Very Important or Important, and 81% rated the same for supporting the growth and diversification of the agricultural industry.

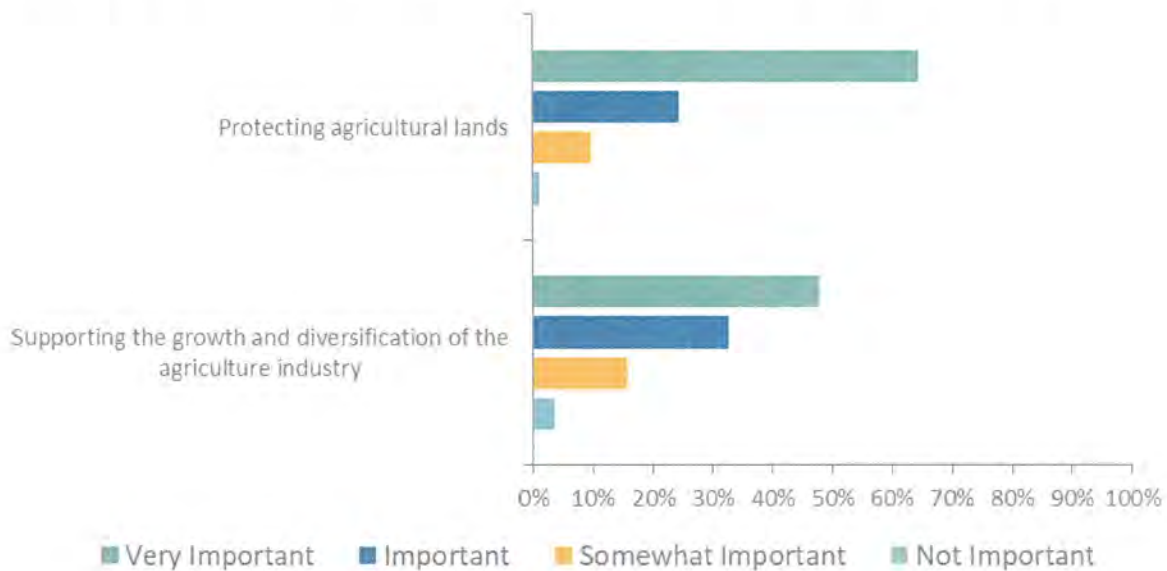


Figure 2-4 Rural Essa – Topics Importance to Participants

Natural Essa – Protecting the Natural Environment

Please rate the following topics and tell us how important each is to you: 1) managing flooding in Angus and other storm and climate change related impacts and 2) better protecting the natural environment from new development.

There were 164 responses to this question summarized on **Figure 2-5**. 87% said managing flooding was Very Important or Important, and 87% said the same for better protecting the natural environment from development, with a notably higher proportion of responses for this as being Very Important.

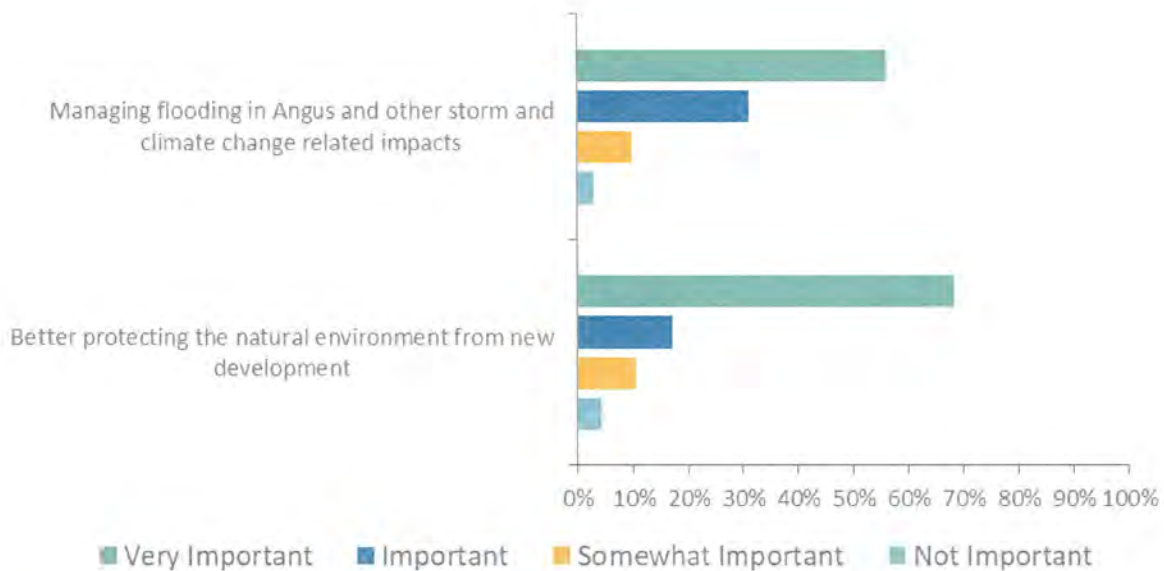


Figure 2-5 Natural Essa – Topics of Importance to Participants

Growing Essa – Providing more housing and jobs.

Please rate the following topics and tell us how important each one is to you: 1) a range of housing types options (including higher densities – townhouses and apartments), 2) more affordable housing options, 3) growth of new jobs and businesses, 4) more mixed-use and walkable communities, and 4) greater connectivity between the communities of CFB Borden and the Township.

For the topic of range of housing type options, there were 164 responses as summarized on **Figure 2-6**. The most highly rated issues in terms of importance were: more affordable housing options, growth of new jobs and businesses, and more mixed-use and walkable communities.

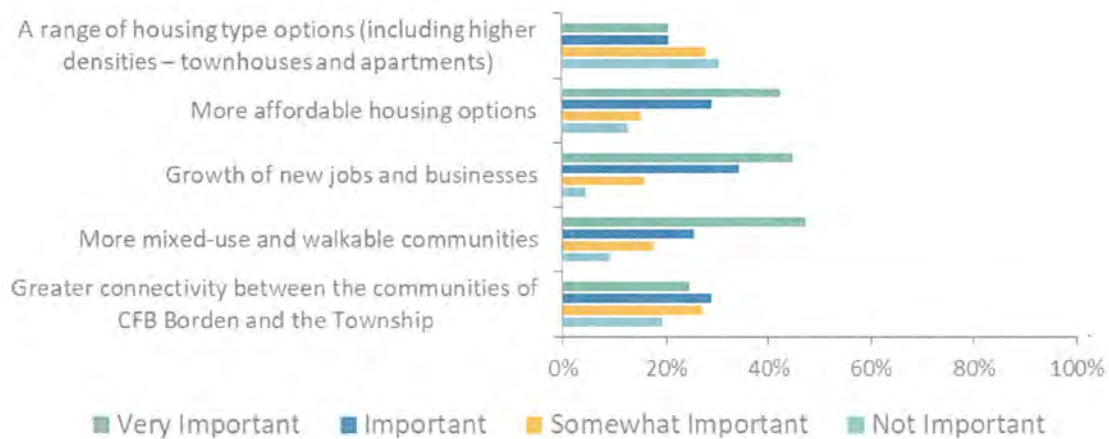


Figure 2-6 Growing Essa – Topics of Importance to Participants

Resilient Essa – Healthy, Complete Communities

Please rate the following topics and tell us how important each one is to you: more community facilities including community centres and schools, more well-designed public spaces, and accessible communities that support residents of all ages and those with disabilities.

There were 166 responses to this question, with all three topics receiving fairly similar ratings and being rated as Very Important or Important by the majority of respondents (78 – 89% across the three topics) as shown on Figure 2-7.

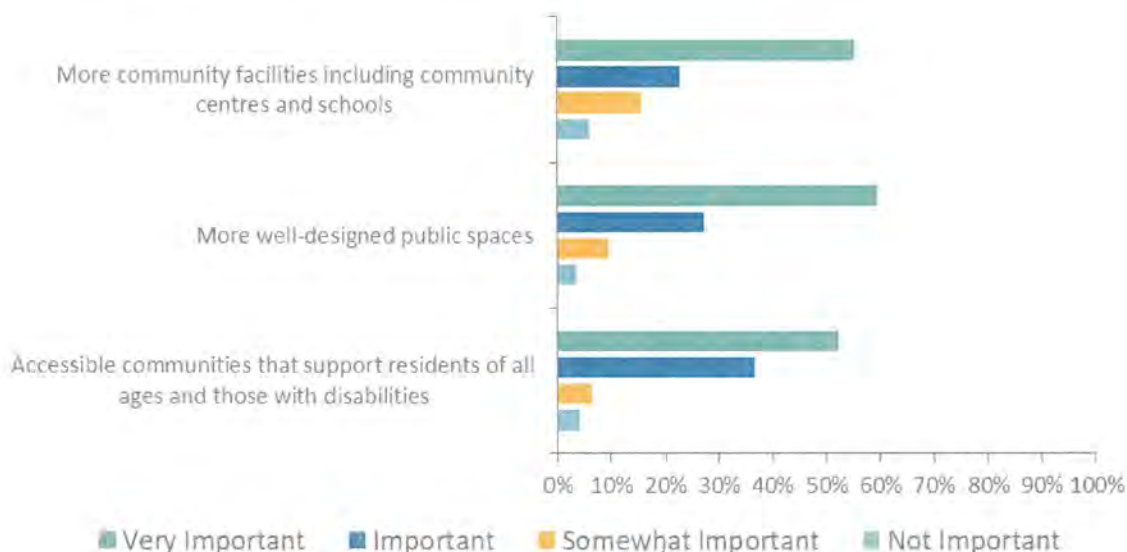


Figure 2-7 Resilient Essa - Topics of Importance to Participants

Connecting Essa – Roads and Transportation

Please rate the following topics and tell us how important each one is to you: 1) More ways for people to cycle and walk in neighbourhoods, 2) Bus connections between communities in Essa, 3) Managing traffic on residential streets, and 4) Public parking in residential areas (e.g. on-street parking, metered parking in public parks).

There were 166 responses to this question. More ways for people to cycle and walk in neighbourhoods was rated as Very Important or Important by 67% of participants. Bus connections between communities in Essa was rated the same way by 61% of participants, and managing traffic on residential streets was rated this way by 63% of respondents, as shown in Figure 2-8.

Public parking in residential areas (e.g. on-street parking, metered parking in public parks), has the majority of respondents rating it as Not Important (41%) or Somewhat Important (25%).



Figure 2-8 Connecting Essa – Topics of Importance to Participants

Types of Housing

What type of housing would you like to see in your neighbourhood and/or residential areas in Essa more broadly?

Of the 154 responses to this question, the highest rated types of housing selected were detached houses (70%) and mid-rise apartments (17%), as shown in Figure 2-9.

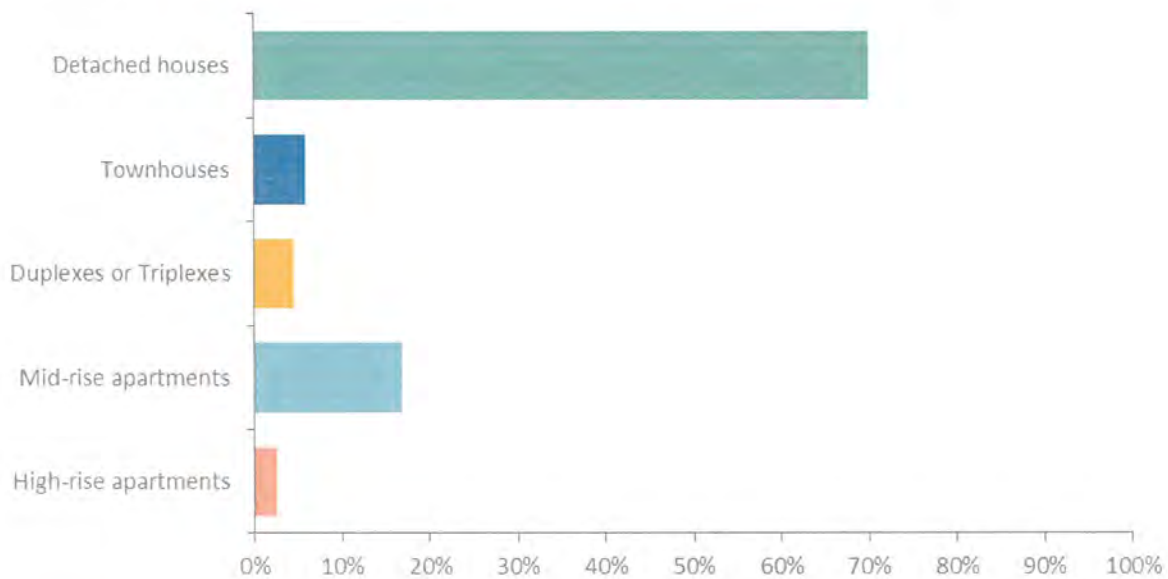


Figure 2-9 Types of housing Essa residents would like to see in their neighbourhood Next Steps and Staying Involved

Types of Facilities

What other types of community facilities would you like to see more of in your neighbourhood?

There were 155 responses to this question, with the top five options selected being clinics/medical facilities (68%), retail stores, restaurants, cafés, etc. (63%), recreational facility/gym (50%), parks (48%), and sidewalks (37%), as shown in Figure 2-10.

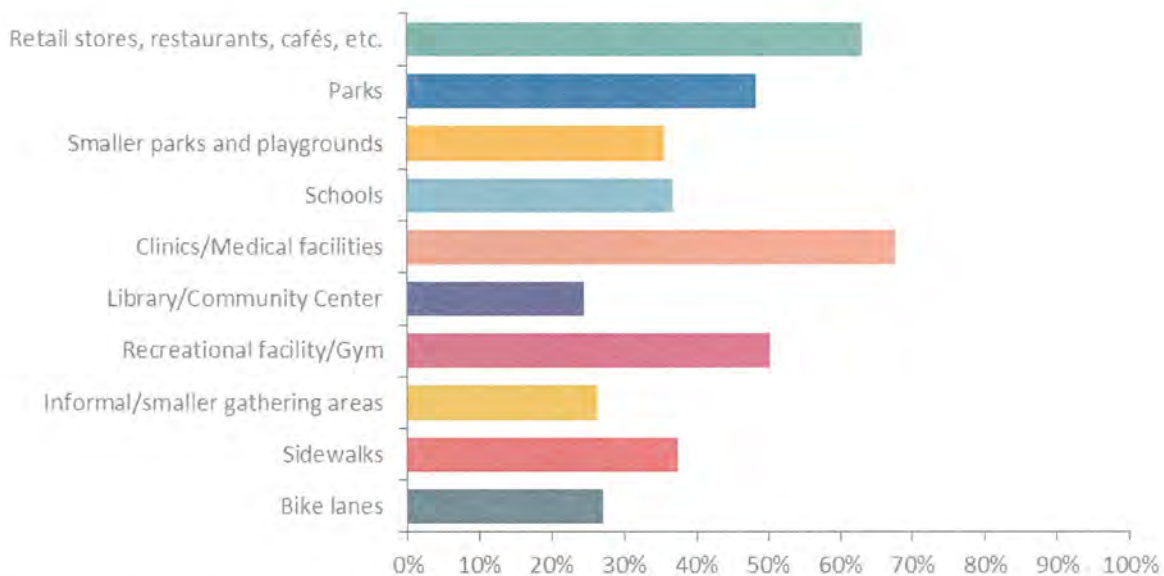


Figure 2-10 Types of community facilities Essa residents would like to see in their neighbourhood

What do you like most about living or working in Essa?

This open-ended question received 166 responses, with the following key themes:

- The people and small rural town feel of the area, including sense of welcoming community
- Limited traffic and generally quiet atmosphere
- Balance of country/rural life with access to daily amenities and proximity to large urban centres
- Low property taxes and affordable cost of living, though some noted this has begun to change
- Proximity to natural areas and integration with nature
- Sense of safety

Are there any other important considerations as we plan to make Essa a welcoming place for all?

There were 121 responses to this question, with the following key themes:

- Wider range of housing types including seniors housing, condominiums, rental, and secondary dwelling units, with less of a focus on subdivision-style development.
- More connections between all communities within Essa, not just Borden.
- Need for more walking trails and sidewalks.
- Improvements to the state of repair of road connections.
- Managing traffic and speeding, with greater enforcement of by-laws relating to parking speeding, noise, and other nuisances.
- Broader range of retail amenities needed, including large format and smaller stores and restaurants.
 - Fewer fast food, gas stations, and cannabis stores.
- More community and recreational facilities in growing communities catering to all ages, particularly in Thornton.
 - Improved access to medical facilities and clinics.
- Protection of environmental features including rivers, green spaces, and wetlands.
- Maintaining the small-town rural feel as growth is brought to Essa.
- Support for a more established 'downtown' area in the Township.
- Updates to local by-laws to align with community needs e.g. relating to parking for trailers.
- Provision of the right infrastructure to support growth, including schools, roads, water, waste collection, sanitation, parks, and community facilities.
- Investment in urban design improvements and a sense of place to connect all the communities in the Township.
- Need for more community 'town halls' and opportunities for Staff and Council to engage with residents.
- Concern about the increase in tax rates and growing unaffordability of the cost of living in Essa.
- Concern over the magnitude of growth and loss of small-town feel/change in community structure.
- Need for more employment opportunities and investments in economic development.

Do you have any additional questions or comments related to growth in Essa or the Official Plan?

There were 84 responses to this question, as summarized below:

- Suggestion to shift thinking from planning around cars towards planning for more complete and connected communities.
- Questions about timing of planned infrastructure improvements including road projects and schools in Essa.

- Comments about the quality of road improvements and connections and desire to see funds spent to 'do things right'.
- Concern over limitations to development relating to Conservation Authority regulations.
- Desire to see more of a focus on urban design in Borden and visibility of the base and local military/veteran community.
- Comments emphasizing the protection of agricultural lands in Essa and support for the industry to thrive.
- Need for more affordable housing options.
- Suggestions to support increased tourism and destinations to act as a draw to Essa, including a downtown area and recreational opportunities.
- Desire for more information to be shared, as well as ongoing virtual and in-person engagement opportunities and transparency in the decision-making process relating to planning.

Preferred Ways to Engage

How would you like to talk about the Official Plan?

There were 160 responses to this question, with the top two methods selected being through online at my convenience – surveys and copies of presentations (67%) and electronic updates (by subscribing to the News and Notices webpage) (60%), as shown in **Figure 2-11**.

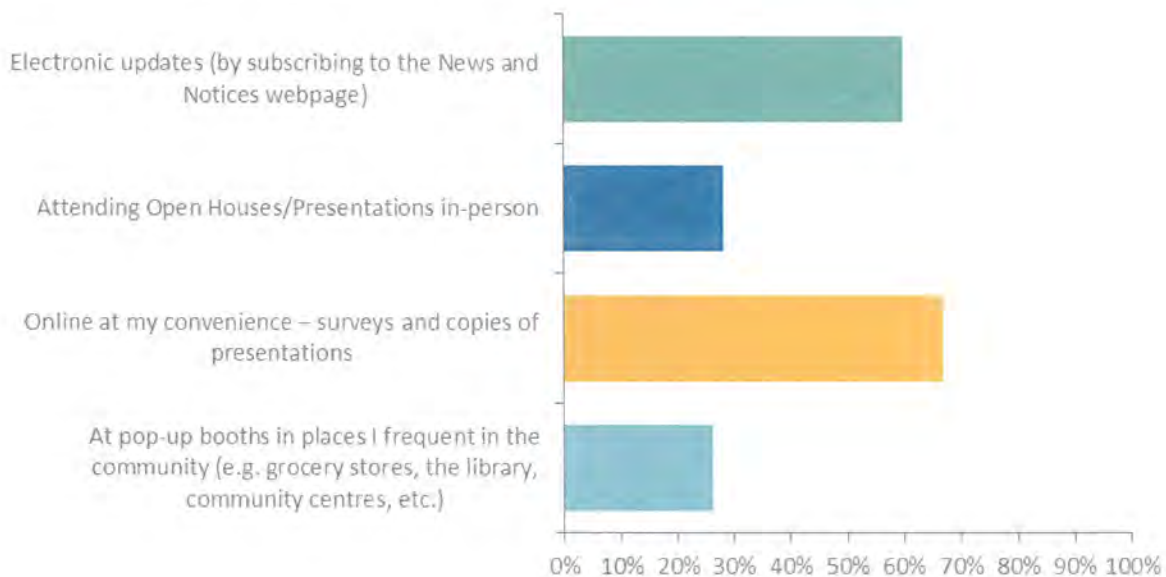


Figure 2-11 Preferred ways to engage in the Official Plan process

2.3 Correspondence

Approximately 30 emails were also received at the re-start of the engagement process, relating to key issues for Township staff to consider in the development of the New Official Plan which included:

- Land use designations for specific properties.
- Protection of the natural environment.
- Protection of agricultural lands and food production.
- Infrastructure management and maintenance, including roads.
- Traffic management and calming measures to limit speeds in residential or school areas.
- Planning and design of a downtown area to support retail and tourism activity.
- Transit and active transportation improvements to support different ways of getting around Essa.

Letters were also sent to each of the following First Nations Rights Holders and caretakers, to provide them with information about the project and invite their participation in discussions around the New Official Plan.

- Williams Treaties First Nations
 - Alderville First Nation
 - Curve Lake First Nation
 - Hiawatha First Nation
 - Mississaugas of Scugog Island First Nation
 - Chippewas of Rama First Nation
 - Beausoleil First Nation
 - Chippewas of Georgina Island First Nation
- Huron-Wendat Nation
- Métis Nation of Ontario:
- Saugeen Ojibway Nation
- Six Nations of the Grand River

3.0 Next Steps

The results of the engagement as presented in this report are being used to inform the next round of meetings and community engagement, as well as the drafting of policies for the New Official Plan. The feedback will be integrated with earlier input received through engagement held prior to the project being put on hold, as well as input from Indigenous Rights Holders and interested parties in the community.



TOWNSHIP OF ESSA STAFF REPORT

STAFF REPORT NO.: PD016-24

DATE: December 18th, 2024

TO: Committee of the Whole

FROM: Owen Curnew, Development Planner

SUBJECT: Proposed Temporary Use By-law – Z3-24 – 253 Barrie Street

RECOMMENDATION

That Staff Report PD016-24 be received; and

That Council consider approving a temporary amendment to the Township’s Zoning By-law 2003-50 related to the following items:

1. THAT Schedule A to By-law 2003-50 is hereby amended by temporarily rezoning those lands shown on Schedule 1 and attached herein, and labelled as “R1-42”, to allow for a real estate office to be located on the first floor of a residential building.
2. THAT Section 9.4.42, Special Provisions, be added to By-law No. 2003-50, and the following be added to Section 9.4.42:

“R1-42: CON 11 N PT LOT 15, 253 Barrie Street”

In addition to the permitted uses of this Section, on those lands zoned R1-42 on Schedule A, and known as 253 Barrie Street, a Real Estate Office in accordance with the following provision be a permitted use period of three (3) years expiring after the date of passing:

- a. That the Real Estate Office only be allowed to exist on the first floor of the existing single-family dwelling.
- b. That the Real Estate Office allow a maximum of five (5) on-site employees.
- c. That no part of the existing residential building be rented while the temporary use is in effect.

- d. That the Real Estate Office is subject to annual inspections by the Building and Fire Departments.

BACKGROUND

The subject property known as 253 Barrie Street is designated Residential in the Township Official Plan, and zoned Residential, Low Density, Detached (R1) Zone in the Township Zoning By-law, 2003-50.

The application for a Temporary Amendment to the Zoning By-law 2003-50 was submitted by the owners, Heidi and Corwin Kostyra on July 11th, 2024, along with a Pre-consultation Application. The purpose of the application is to allow for the temporary use of an existing residential building as a Real Estate Office, which is not a permitted use in the R1 Zone.

The Pre-consultation was circulated on August 15th, 2024, to all relevant Agencies, Departments, and Stakeholders for the collection of comments prior to the circulation of the Temporary Zoning By-law Amendment (ZBA). Subsequently, after the circulation of the Pre-consultation, the Temporary ZBA was circulated for comments on October 9th, 2024.

A Public Meeting was held for the Temporary ZBA on December 4th, 2024. One comment was received at the meeting in support of the application.

COMMENTS AND CONSIDERATIONS

During the circulation of both the Pre-consultation and Temporary ZBA, staff received comments from the Building Department, and Fire Department who identified that the applicant should be subject to annual inspections by the Building and Fire Department.

Staff has decided to incorporate this into the approval by adding the following provision to the proposed Section 9.4.42, as shown in Item 2c) in the *Recommendation* section of this report:

“The Real Estate Office is subject to annual inspections by the Building and Fire Department.”

Additionally, staff has reviewed the site plan and determined based on the proposed floor area of the real estate office (being approximately 90m²), that one (1) parking space be provided per 18.5m² of floor area. Therefore, the parking requirement for the proposed use is five (5) parking spaces. The applicant has demonstrated through a site plan that the five (5) parking spaces can be met, and staff will review once again at the time of the Zoning Review of the Building Permit Application to ensure conformance with the minimum parking provisions.

As stated in the Section 39 (2) of the *Planning Act*, Council may approve a Temporary Use By-law for any period not exceeding three (3) years. Staff is recommending that the applicant be permitted the temporary use for the maximum allowable period of three

(3) years. Upon completion of this term, any extension will require an application for a Temporary Use for review and approval by Council. If the applicant or any owner is to submit in the future for multiple extensions, they may do so three (3) years at a time (Section 39, Planning Act, R.S.O. 1990, c.P.13).

Staff has reviewed all comments and considerations and believes that the approval of the Temporary Use By-law is appropriate and should be considered good planning.

FINANCIAL IMPACT

No financial impact.


Manager of Finance

SUMMARY/OPTIONS

Council may:

1. Approve the Temporary Use By-law for the use of the first floor of a residential building at 253 Barrie Street for office space for three (3) years.
2. Direct staff in another manner.


CONCLUSION

Option #1 is recommended.


Respectfully submitted by:

Reviewed by:

Reviewed by:


Owen Curnew,
Development Planner


Samuel Haniff, Manager
of Planning


Michael Mikael, CAO



ESSA STAFF REPORT

STAFF REPORT NO.: PD017-24
DATE: December 18th, 2024
TO: Committee of the Whole
FROM: Owen Curnew, Development Planner
SUBJECT: Proposed Housekeeping By-law – Z2-24

RECOMMENDATION

That Staff Report PD017-24 be received; and

That Council consider approving an amendment to the Township's Zoning By-law 2003-50 related to the following items:

1. THAT 'Section 3: Definitions' of By-law No. 2003-50, is amended by adding the following to Section 3:

“Accessory Building or Structure”

means any subordinate building or structure which is separate from or attached to the main building on the same lot and secondary to a principle permitted use of a building or structure; is not used for human habitation; and may include, a private garage, private greenhouse, swimming pool, patio shelter, carport, sewage disposal system, boat house, workshop, and implement shed, but shall not include a shipping container.

“Lot Coverage”

means the percentage of the lot area covered by buildings, structures, or any hardscaped, no permeable surface above ground level except not to include any swimming pool or an open or unenclosed deck which is not covered or surrounded with a wind block on more than two sides or with a roof.

“Self-Storage or Mini-Storage”

means a building consisting of individual, small, self-contained units that are leased or owned for the storage of business and household goods.

“Shipping Container” or “Sea Can”

means any new or used structure/container originally designed for the shipping of goods by means of rail, truck, or by sea and includes intermodal shipping containers.

2. THAT 'Section 8.1.1 – Regulations for Unenclosed Decks' and '8.1.2 Regulations for Enclosed Decks' be introduced into 'Section 8.1 – Accessory Buildings' of By-law No. 2003-50:

8.1.1 Regulations for Unenclosed Decks

- a) Unenclosed decks in the specified zones have a minimum interior side yard setback of 1.5-metres, and a minimum rear yard setback of 5.0-metres. In the instance an unenclosed deck is attached to a primary dwelling that is located closer to the interior side yard lot line than 1.5-metres, the deck may be built in-line with the existing setback of the primary dwelling.
- b) Detached Decks may be built in the instance they are attached to an above-ground pool in accordance with Section 8.1.1.

8.1.2 Regulations for Enclosed Decks

- a) An enclosed deck shall be considered an addition to the primary residence and shall conform to all relevant provisions of the primary residence such as but not exclusive to lot coverage, setbacks, and maximum building height.
3. That 'Section 21.2 – Permitted Uses' of By-law No. 2003-50 be amended to include 'Self-Storage' as a permitted use in lands zoned Highway Commercial (C3) Zone.
 4. That 'Section 35 – By-law Administration, Enforcement and Validity' be amended and renumbered as "Section 36 – By-law Administration, Enforcement and Validity' and replaced by 'Section 35 – Holding Provisions (H)' which will include the following provisions:

35.1

Notwithstanding any other provisions in this By-law, where a zone symbol is followed by the letter (H), no person shall use the land to which the letter (H) applies for any use other than the use which existed on the date this By-law was passed or which is specifically established as a permitted use in conjunction with the (H) symbol in this By-law, until the (H) symbol is removed in accordance with the policies of the Township of Essa's Official Plan (2001) and the Planning Act, and in accordance with conditions established for the removal of the (H) symbol in this By-law or any amendment thereto. Conditions for removal are set out in Table 34.2.

34.2

The Municipality may pass an amendment to this By-law to utilize the Holding Zone on lands where development is premature and may establish, as a condition for removal of the (H) symbol, that one or more of the following requirements set out in the Table in Section 34.3:

34.3 Holding Provision (H) Conditions Table

Symbol No.	Conditions for Removal
H1	The Holding Provision (H1) may be lifted once an Official Plan Amendment, Site Plan Control, Plan of Subdivision and/or Condominium approval have/has been obtained and any required development agreements entered into with the municipality, and any specific studies required by the municipality have been submitted to and approved by the municipality.
H2	The Holding Provision (H2) may be lifted once the Township’s Engineering Design Standards have been met, and adequate sanitary, water, storm, and/or transportation services and facilities are available and can be allocated to serve the development.
H3	The Holding Provision (H3) may be lifted once an Official Plan Amendment, a Site Plan Control, a Plan of Subdivision and/or Condominium approval have/has been obtained and any required development agreements entered into with the municipality, and any specific studies required by the municipality have been submitted to and approved by the municipality; and once the Township’s Engineering Design Standards have been met, and adequate sanitary, water, storm, and/or transportation services and facilities are available and can be allocated to serve the development.
H4	The Holding Provision (H4) may be lifted once any adverse or potentially adverse environmental effects or constraints have been resolved.
H5	The Holding Provision (H5) may be lifted once all concerns from identified regulatory agencies have been addressed.
H6	The Holding Provision (H6) may be lifted once any other lawful requirement that Council or Staff, as authorized, may impose for the proper orderly development of the lands has been satisfactorily met.

- 5. THAT ‘Section 4.35: General Provisions’ of By-law No. 2003-50, is amended by removing ‘Section 4.35f’.

6. THAT 'Section 4.39 – Shipping Containers' be added to By-law No. 2003-50, and include the following provisions:

4.39 Shipping Containers

A shipping container shall be erected, on a property where it is explicitly permitted, in accordance with the following provisions:

- a) Shall only be used or erected as an accessory use to a main building;
- b) Shall not be located in a front yard;
- c) Shall not be located in a required parking area or encroach into a required landscaped area;
- d) A distance of no less than 3.0-metres shall separate any shipping container from any other building or structure on the property;
- e) Notwithstanding the other provisions of this section (4.39), the applicable setback provisions for an accessory structure/building within the applicable zone shall apply to a shipping container;
- f) A maximum of one (1) shipping container shall be permitted accessory to a principle use on properties which are within the Institutional (I) Zones;
- g) Shall be included in the calculation of lot coverage for all zones and are not to contribute to exceeding a zone's maximum lot coverage;
- h) Shall be no greater than 32.0m² in gross floor area nor 3.0-metres in height;
- i) Shall be used for storage purposes and not for display, advertising, screening or fencing;
- j) Shall be maintained in good condition and free of rust;
- k) Stacking shall not be permitted;
- l) No shipping container shall be used for human habitation; and
- m) Notwithstanding the above, all other provisions of the respective zones shall be complied with.

7. THAT 'Section 4.39.1 – Temporary Use of Shipping Containers' be added to By-law No. 2003-50, and include the following provisions:

4.39.1 Temporary Use of Shipping Containers

The temporary erection and use of a shipping container may be permitted in any zone as an accessory use to active construction which is permitted through a Building Permit. This use shall be permitted during the progress of permitted works to a limit of no greater than 12 consecutive months and may be revoked at any

time if construction is deemed not to be in compliance with the Ontario Building Code or Township Zoning By-law. Shipping containers approved under this provision shall comply with the most restrictive setback requirements of the respective lot's zone.

- 8. THAT 'Section 29: Permitted Uses for All Industrial Zones' of By-law No. 2003-50, is amended by adding 'Shipping Containers' as a permitted use in all Industrial Zones.
- 9. THAT 'Section 33.2: Permitted Uses' of By-law No. 2003-50, is amended by adding 'Shipping Containers' as a permitted use in the Institutional (I) Zone.
- 10. THAT 'Section 4.28.4 – Minimum Parking Requirements for Certain Uses' of By-law No. 2003-50, is amended by changing following uses:
 - a) 'Multiple Residential Units in R5 Zones' to 'Apartments in R5 Zones;
 - b) 'Residential (including any dwelling in any zone except for the R5 Zone)' to 'Residential (including any dwelling in any zone)'.

BACKGROUND

Planning Staff has submitted the proposed Housekeeping By-law to address the following items:

	Existing	Proposed
1.	Definitions	
	No existing definition for 'Self-Storage'	'Self-Storage' or 'Mini-Storage' means a building consisting of individual, small, self-contained units that are leased or owned for the storage of business and household goods.
	Existing definition for 'Lot Coverage'	Definition to be expanded to include hardscaped surfaces (e.g. driveways)
	No existing definition for 'Shipping Containers'	'Shipping Container' or 'Sea Can' means any new or used structure/container originally designed for the shipping of goods by means of rail, truck or by sea and includes intermodal shipping containers.
	Existing definition for 'Accessory Building or Structure'	Definition to be expanded to explicitly NOT include a 'shipping container'.
2.	Accessory Buildings	
	Existing Section 8: General Provisions for Residential Zones	Introducing two new subsections under 8.1 Accessory Buildings: '8.1.1 Regulations for

	(Section 8.1: Accessory Buildings)	Unenclosed Decks' and '8.1.2 Regulations for Enclosed Decks'
3.	Permitted Uses (C3 Zone)	
	Existing uses under Highway Commercial (C3) Zone	Introducing 'Self Storage' as a permitted use in the Highway Commercial (C3) Zone.
4.	Renumbering	
	No existing Section 36 in the Zoning By-law	Introducing a new Section 35 (Holding Provisions) (Attachment 1) and renumbering the existing Section 35 (By-law Administration, Enforcement and Validity) to Section 36.
5.	Dwelling Unit in Non-Residential Building or Lot	
	Existing Section 4: General Provisions (Section 4.35: Dwelling Unit in Non-Residential Building or Lot)	Removing subsection f) in Section 4.35: <i>f) In addition to the minimum number of parking spaces required for the principal use of the lot, a minimum of one parking space per dwelling unit shall be provided on the same lot.</i>
6.	Shipping Containers	
	No existing Subsection	Introduction of Subsections 4.39 and 4.39.1: Shipping Containers
7.	Permitted Uses (Industrial Zones)	
	Existing Permitted Uses in Industrial Zones	Introducing 'Shipping Containers' as a permitted use in all Industrial Zones
8.	Permitted Uses (Institutional Zone)	
	Existing Permitted Uses in the Institutional Zone	Introducing 'Shipping Containers' as a permitted use in the Institutional Zone
9.	Minimum Parking Requirements	
	Existing Minimum Parking Requirements	Specifying that only apartments in the R5 Zone are subject to 1.35 spaces per unit. All other residential (including those in R5 Zones) are subject to 2 exterior spaces per unit.

A Public Meeting was held on November 20th, 2024, for public consultation. Staff received written comments (attachment 1) from Simcoe County District School Board (SCDSB) requesting the following items be included in the Housekeeping By-law:

1. Section 31.4.2 of the ZBL appears to refer to "all other provisions of the C5 Zone shall apply" requesting that it be removed. (see Page 1).
2. Requesting 152 Greenwood Drive be rezoned to Public Service Zone with Special Provisions (PS-XX) – see Page 2.
3. Requesting 8505 County Road 10 (NPSS) be rezoned to Public Service Zone with Special Provisions (PS-XX) – see Page 2.

4. The SCDSB is supportive of the rezoning of the bush properties to support the new school site(s) – see Page 2.
5. Requesting all mentions of “day care” and “day care centers” be replaced with “childcare” and “childcare centers”. Additionally, all zones that permit public services should include “childcare” and “childcare centers” as permitted uses (see Page 2).
6. Requesting that the definition of “Public Service Facilities” be included and in accordance with the definition outlined in the Provincial Planning Statement (2024) – see Page 2-3.
7. Requesting that in conjunction with Item 6, all mentions of “school” should be removed and substituted with “Public Service Facilities” (see Pages 2-3).
8. Requesting that the definition of “Public Body” be included and in accordance with the definition outlined in the Planning Act (1990) – see Page 3.
9. Requesting that the definition of “Portable Classroom” be included (see Page 3).
10. Requesting that Section 4.12d) of the ZBL be amended to include the recommend changes as outlined in the letter sent by SCDSB on November 20th, 2024 (see Page 3)
11. Requesting that parking standards in the 4.28.4 table be amended to include the recommended changes from SCDSB in the letter provided on November 20th, 2024 (see Page 4).
12. Requesting that parking standards in the 4.28.6 be amended to include the recommended changes from SCDSB in the letter provided on November 20th, 2024 (see Page 4).
13. Requesting clarification regarding the wording in 4.29 – Loading Spaces to ensure that “Public Service Facilities” (i.e. Schools), are exempt from loading space requirements (Page 4-5).
14. Requesting that the title for Section 33 be changed from Institutional to Public Service Facility as per PPS (2024) – Page 5.
15. Further to Item 7, SCDSB is requesting that Section 33.2d) be amended to reflect the recommendation of Item 7 (Page 5).
16. Requesting that Section 33.3a) be amended to include the provisions for lot frontage, front, rear, side, and exterior side yard setbacks mention in the table of Page 5.

Planning Staff has reviewed the requested items, and further consideration will be given to support the requested changes. Please note, Item 1, mentioned by the SCDSB, is a clerical error and can be removed without passing an official amendment. Additionally, Item 4 is a comment regarding a separate submission which staff has recorded for future consideration for the relevant Planning Act Application. Township Staff would recommend proceeding with the Housekeeping By-law and addressing all recommendations from SCDSB in a separate amendment to Zoning By-law 2003-50.

COMMENTS AND CONSIDERATIONS

Staff believes that the abovementioned items are necessary to improve the interpretation of Zoning By-law (2003-50) and make policy easier to administer. Please see the following rationales for each of the nine (9) items:

Item 1 (Section 3 - Definitions):

Item 1 is comprised of several changes to Section 3 which include changing the existing definitions of “Accessory Buildings and Structures” and “Lot Coverage”, as well as, to introduce new definitions for “Shipping Containers” or “Sea Cans”, and “Self-Storage”. Staff believes that the changes to Section 3 will be conducive to a more comprehensive and interpretable By-law to administer and regulate common uses that lack a policy framework for regulation and enforcement.

Item 2 (Section 8.1 – Accessory Buildings):

There is often confusion regarding when a deck should be considered an accessory building vs an addition to the primary residence. In many instances in the past and demonstrated throughout the Zoning By-law (2003-50), staff has had to request special provisions to accommodate for unenclosed decks that do not meet the primary dwelling zoning provisions and setbacks. However, they are defined as an accessory building/structure in Section 3. The amendment looks to set out clear provisions for enclosed and unenclosed decks and to specify the relevant setbacks and when they apply.

Item 3 (Section 21.2 – Highway Commercial (C3) Zone – Permitted Uses):

Further to the changes in Item 1, introducing the definition of “Self-Storage” or “Mini-Storage”, would allow staff to introduce a use which has been commonly requested and proposed by several applicants. Staff sees Self-Storage as an appropriate use in Highway Commercial lands when appropriately developed under Site Plan Control.

Item 4 (Section 35 – Holding Provisions (H)):

Staff hopes to introduce Holding Provisions to the Zoning By-law with the primary purpose of providing approvals to meet Planning Application deadlines. There are numerous instances in which a development may be viable and/or suitable for the land but where an official approval is dependent on further review by an external agency, servicing capacity restraints, etc. The introduction of Holding Provisions will allow for a better municipal process regarding conditional approvals of Planning Act Applications and has the potential reduce OLT Cases due to not meeting timelines as specified in the *Planning Act*.

Item 5 (Section 4.35 – General Provisions):

Section 4.35f) provides a conflicting statement with parking standards mentioned in Section 4.28.4 of By-law No. 2003-50. Staff would like to remove this provision to ensure

parking standards and interpretation of parking standards remain concise and consistent across the By-law.

Item 6 (Section 4.39 and 4.39.1 – General Provisions):

The proposed item looks to introduce shipping containers as a permitted use beyond just a temporary use permitted for construction purposes. Shipping containers are prolific within the Township and staff looks to support businesses, institutions, and industry by allowing them as a permitted use in Industrial and Institutional zones.

Further to the explanation for Item 6, the introduction of Shipping Containers as a permitted use is new; however, Township currently allows them in all zones when incidental to construction. Staff hopes to expand upon the previous provisions regarding the temporary use of shipping containers by clearly including setback requirements for shipping containers.

Item 8 (Section 29 – Permitted Uses for Industrial Zones):

Further to the justification in Item 6, the proposed Item 8 would introduce shipping containers as a permitted use in all Industrial (M1-M4) Zones.

Item 9 (Section 33.2 – Permitted Uses – Institutional (I) Zone):

Further to the justification in Item 6, the proposed Item 9 would introduce shipping containers as a permitted use in the Institutional (I) Zone.

Item 10 (Section 4.28.4 – Minimum Parking Requirements for Certain Uses):

The proposed Item 10 aims to eliminate confusion when interpreting parking standards for dwellings in lands zoned R5. Previously, the R5 zone allowed for up-zoning and did not restrict the types of housing that was permitted in the R5 zone; this has since been amended in By-law No. 2023-75. The proposed Item 10 looks to synchronize the parking standards with the changes and ensure any dwelling other than an Apartment is subject to a minimum of two (2) external parking spaces per unit.

FINANCIAL IMPACT

No financial impact.


Manager of Finance

SUMMARY/OPTIONS

Council may:

- 1. **Receive this Report for information and approve a Housekeeping Zoning By-law Amendment to amend the text of the Zoning By-law 2003-50 related to issues as identified in this report.**
- 2. Direct staff in another manner.

CONCLUSION

Option #1 is recommended.

Respectfully submitted by:

Reviewed by:

Reviewed by:



Owen Curnew,
Development Planner



Samuel Haniff,
Manager of Planning



Michael Mikael, CAO

ATTACHMENTS

Attachment 1 – SCDSB Comment Letter for Z2-24 Housekeeping By-law

ba



AECOM
55 Cedar Pointe Drive, Suite 620
Barrie, ON, Canada L4N 5R7
www.aecom.com

705 721 9222 tel
705 734 0764 fax

November 28, 2024

Mr. Michael Mikael
Chief Administrator Officer
Township of Essa
#5786 County Road 21
Utopia, ON, L0M 1T0

Dear Mr. Mikael:

Project No: 60118255.0000

**Regarding: Township of Essa
BRIARWOOD ANGUS SUBDIVISION – Briarwood (Angus) Ltd. - Plan 51M-1220
Securities Reduction # 2**

Further to the request of the Developer's Engineer, we herein provide our recommendation for the reduction of Securities for the Briarwood Angus Subdivision.

SECURITIES REDUCTION #2

The Total Estimated Cost of Work for the Briarwood Angus Subdivision is \$7,156,940.37. The current securities posted is in the value of \$3,516,121.30, based on our recommended Securities Reduction #1 of October 6, 2022. In accordance with Section 2.8 - Reduction of Securities from the registered Subdivision Agreement; we herein provide a breakdown of our recommendations for the securities to be retained by the Township,

2.8.2	Installed Works to Date	
	Less the Sum of:	
2.8.2.1 (UW)	5% of Total Estimated Cost of Underground Works as Maintenance Holdback	\$179,918.22
2.8.2.1 (AW)	10% of Total Estimated Cost of Aboveground Works as Maintenance Holdback	\$355,857.60
2.8.2.2 (UW)	5% of Total Installed Underground Works to date as Security Holdback	\$174,436.12
2.8.2.2 (AW)	10% of Total Installed Aboveground Works to date as Security Holdback	\$143,227.31
2.8.2.3	Sum of Previous Reductions of Securities	\$3,681,800.52
2.8.2.4	Any increase in Estimated Cost to Complete Works	\$0.00
	Amount of Discharge from Total Value of Work	\$4,289,872.44
	Securities to be Retained by the TOWNSHIP OF ESSA is	\$2,867,067.93

8a

We have attached a copy of our Summary Sheet and Breakdown Securities spreadsheet for all construction items with the INSTALLED WORKS and UNCOMPLETED WORKS identified.

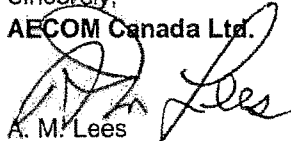
SUMMARY

In our opinion, the Developer is entitled to a reduction in securities, and therefore the Township of Essa should retain **\$2,867,067.93**.

Reductions require the receipt of a STATUTORY DECLARATION, and that all legal and engineering invoices are paid to date. **We have attached the documentation provided by the Developer's Engineer, and the Statutory Declaration.**

We trust that you will find the above in order. We would appreciate confirmation of the reduction in securities for our records.

Sincerely,
AECOM Canada Ltd.



A. M. Lees

AML:wh
ENCL.

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