

**THE CORPORATION OF THE TOWNSHIP OF ESSA  
VIRTUAL COMMITTEE OF THE WHOLE MEETING  
WEDNESDAY, SEPTEMBER 1, 2021  
6:00 p.m.**

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

**AGENDA**

**1. OPENING OF MEETING BY THE MAYOR**

**2. DISCLOSURE OF PECUNIARY INTEREST**

**3. DELEGATIONS / PRESENTATIONS / PUBLIC MEETINGS**

**a. Presentation / Staff Recognition**

- Ken Koopmans – 25 Year Anniversary with the Township
- Winifredo Porcalla – Recipient of the Outstanding Alumni Award
- Carson Lee – Essa Awareness Day

- p. 1 **b. Delegation – Sean Ogilvie, Forbes Bros Ltd.**  
re: Proposed Xplornet Broadband Tower.

**STAFF REPORTS**

**4. PLANNING AND DEVELOPMENT**

- p. 20 **a. Staff Report PD017-21 submitted by the Manager of Planning and Development, re: Zoning By-law Amendment – 203 Barrie Street, Thornton.**

Recommendation: *Be it resolved that Staff Report PD017-21 be received; and That Council approve an amendment to the Township's Zoning By-law, to permit a Zoning By-law Amendment on lands known as 203 Barrie Street, in Thornton to allow for two medically-related offices.*

**5. PARKS AND RECREATION / COMMUNITY SERVICES**

- p. 32 **Staff Report PR006-21 submitted by the Manager of Parks and Recreation, re: Fundraiser Event.**

Recommendation: *Be it resolved that Staff Report PR006-21 be received; and That Council authorize waiving the outdoor pad rental fees associated for the event and direct staff to charge only for the ball diamond fees for the fundraiser event.*

- p. 35 **Staff Report PR007-21 submitted by the Manager of Parks and Recreation, re: Award of Tender - Dock Access.**

Recommendation: *Be it resolved that Staff Report PR007-21 be received; and That the tender as received from Arenes Construction Ltd. for the dock access and anchoring system be accepted in the amount of \$96,990 (excluding HST); and That Council authorize transferring \$42,000 from the Parks and Recreation Development Charges reserve to cover the Canoe/Kayak Boat Launch project budget shortfall in the amount of \$42,000.*

**6. FIRE AND EMERGENCY SERVICES**

**7. PUBLIC WORKS**

- p. 38 a. **Staff Report PW022-21 submitted by the Manager of Public Works, re: Award of Tender - 25<sup>th</sup> Sideroad Asphalt Resurfacing, 9<sup>th</sup> Line to 10<sup>th</sup> Line.**

Recommendation: *Be it resolved that Staff Report PW022-21 be received; and That the tender as received from Coco Paving Inc. for the 25<sup>th</sup> Sideroad Resurfacing be accepted in the amount of \$727,917.14 (excluding HST).*

**8. FINANCE**

- p. 40 **Staff Report TR012-21 submitted by the Manager of Finance, re: Set 2022 Budget Deliberation Meetings.**

Recommendation: *Be it resolved that Staff Report TR012-21 be received; and That Council schedule Special Meetings of Council for 2022 budget deliberations on Wednesday November 17<sup>th</sup>, 2021 from 1:00 pm to 5:00 pm and Wednesday December 1<sup>st</sup>, 2021 from 1:00 pm to 5:00 pm and Wednesday December 15<sup>th</sup>, 2021 from 1:00 pm to 5:00 pm.*

**9. CLERKS / BY-LAW ENFORCEMENT / IT**

- p. 42 a. **Staff Report C018-21 submitted by the Manager of Legislative Services, re: Operation Brain Freeze.**

Recommendation: *Be it resolved that Staff Report C018-21 be received; and That Council endorse the "Operation Brain Freeze" initiative; and That Council consider the inclusion of funds in future budgets to cover costs for this campaign to run annually.*

- p. 45 b. **Staff Report C019-21 submitted by the Manager of Legislative Services, re: Parking By-law 2005-96.**

Recommendation: *Be it resolved that Staff Report C019-21 be received; and That Council approve an amendment to By-law 2005-96, to include provisions to prohibit the parking of commercial vehicles, large motor vehicles, and trailers on residential roads at any time regardless of signage, in the Township of Essa, and that a Bylaw be prepared for Council's consideration; and*

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*That Council direct staff to further investigate restricting street parking to one-side of residential streets.*

- p. 53      **c.      Staff Report C020-21 submitted by the Deputy Clerk, re: Proposed Amendments to Noise By-law 2018-47.**

Recommendation: *Be it resolved that Staff Report C020-21 be received; and That Council approve the proposed amendments to the Township's Noise By-law 2018-47; and That the amending By-law be presented to Council for its consideration at a future date.*

- p. 65      **d.      Staff Report C021-21 submitted by the Deputy Clerk, re: Amalgamation of Committees.**

Recommendation: *Be it resolved that Staff Report C021-21 be received; and That Council approve amalgamating the Accessibility Advisory Committee, Parks and Recreation Committee, Age-Friendly Committee, and Healthy Community Committee to take effect with the commencement of the next term of Council.*

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

- p. 67      **a.      Staff Report CAO034-21 submitted by the Chief Administrative Officer, re: Staffing By-law Hours.**

Recommendation: *Be it resolved that Staff Report CAO034-21 be received; and That Council authorize an increase to the part-time Municipal Law Enforcement Officer (MLEO) hours to full-time beginning immediately to adjust for increased demand for by-law enforcement; and to add another part-time MLEO in 2022.*

- p. 72      **b.      Staff Report CAO035-21 submitted by the Chief Administrative Officer, re: Speeding Enforcement.**

Recommendation: *Be it resolved that Staff Report CAO035-21 be received; and That Council direct staff to request a paid-duty OPP officer to carry out additional speed enforcement on an overtime basis for a couple of months (4x/mo) in Essa, at a cost of approximately \$2,400 to come from the 2021 policing budget.*

- p. 75      **c.      Staff Report CAO038-21 submitted by the Chief Administrative Officer, re: Space at the Administration Centre.**

Recommendation: *Be it resolved that Staff Report CAO038-21 be received; and That Council approve relocating the MLEO's to the Angus Arena, at least on a temporary basis, to help to resolve the space shortage at the Administration Centre.*

**11. OTHER BUSINESS**

**12. ADJOURNMENT**

Recommendation: *Be it resolved that this meeting of Committee of the Whole of the Township of Essa adjourn at \_\_\_\_\_ p.m., to meet again on the 15<sup>th</sup> day of September, 2021 at 6:00 p.m.*

June 3, 2021

Ms. Jaspreet Sidhu  
Planner  
Township of Essa  
5786 Simcoe County Road 21  
Utopia, ON L0M 1T0

RE: Xplornet Communications Inc., Statement of Concurrence request  
Xplornet Project ID: ON7982  
Subject Property Address: 6004 Scotch Line Road, Essa ON

Dear Ms. Sidhu,

Forbes Bros Ltd., in our capacity as agent to Xplornet Communications Inc., have completed the required municipal and public consultation for a proposed new 45.0m tall self-support (steel lattice) style telecommunications facility to be located on toward the southwestern boundary of the property at 6004 Scotch Line Road, Essa ON.

Based on the information included in this report we are requesting that Essa Planning staff prepare a recommendation report for "concurrence" with the proposed facility for Council's consideration.

**Background:**

Xplornet Communications Inc., ("Xplornet") has engaged the services of Forbes Bros Ltd., ("Forbes") to secure a location for a new mobile base station tower to improve Xplornet's wireless broadband coverage for residents, businesses, and visitors in the Township.

Xplornet's required location for the new tower site is the vicinity of County Road 5 and County Road 15. This location was targeted to relieve network congestion for Xplornet subscriber's northeast of the proposed location as well as increase coverage range and capacity west and south of the proposed location toward the community of Everett. The proposed site would relieve network congestion for 463 Xplornet subscribers in the Township as well as provide incremental coverage to 1,099 residences which do not have access to wired internet (cable, fiber, DSL) services.

Xplornet radio-frequency engineers analyzed the topography of the area, the layout of existing network infrastructure, the number of existing subscribers and un-cabled dwellings, and determined the most suitable location for a new tower site would be within the vicinity of County Road 5 and County Road 15. Forbes approached multiple landowners in the area and ultimately the owner of 6004 Scotch Line Road was agreeable to having the tower on his property.

With a location confirmed Forbes approached the Township of Essa to fulfill ISCED's municipal and public consultation requirements.

**Site Description:**

6004 Scotch Line Road is located approximately 700m southeast of the County Road 5 and County Road 15 intersection and has an area of approximately 6.6 acres (2.7 ha). Access to the site is provided via shared driveway off Scotch Line Road. Two barns/storage buildings are currently located on the subject property. Existing uses/buildings on the property will remain. The subject property is abutted by six (6) other parcels including two with existing residences.

The tower site is proposed toward the western boundary of the subject property approximately 108m west of the shared driveway property entrance. Power for the tower site would be pulled from an existing utility pole located within the property boundary in coordination with the local utility authority. The tower site is accessed via the shared driveway and existing parking/driveway area on the subject property.

**Surrounding land-uses:**

The subject property and all surrounding properties are zoned Agricultural (A).

- North:** A mostly wooded lot abuts the subject property to the north. This lot has a residence and accessory buildings. The residence is approximately 265m+ north of the proposed tower location.
- South:** Immediately south of the subject property is a large agricultural field with no buildings.
- East:** Along the eastern boundary of the subject property there is a separate parcel with an existing residence. This residence is approximately 90m northeast of the tower location. East across the shared driveway is an agricultural field and old barn/storage buildings.
- West:** Immediately west of the subject property is a large agricultural field which is partially wooded toward the northeastern corner. There are no buildings on this parcel.

**Facility Description:**

The proposed installation is a self-support (steel lattice) style communications structure. The tower structure is a steel lattice framework 2.25m wide at the base and 45.0m in height. Transmitting and receiving antenna equipment is mounted to the upper half of the structure. The tower base will occupy a footprint of 3.0m x 3.0m and include an anti-climb mechanism.

The steel lattice structure has three support "legs" with a steel lattice framework to provide additional strength and support. Although the proposed structure is tall, its textured appearance and low reflectivity minimize visual impacts. The "hollow" lattice structure is made up of many small pieces, reducing contrast with the backdrop and allows the viewer to see through the structure, opposed to one smooth surface.

The tower height allows the antenna equipment to propagate wireless signals over top of obstacles (trees, buildings, varying topography) and maintain line of sight connections to other Xplornet infrastructure and subscriber's receivers.

## Policy/Regulatory Analysis

### Radiocommunication Act:

Telecommunications and its associated infrastructure (e.g. new tower sites) fall under the exclusive jurisdiction of the Federal Government of Canada through the *Radiocommunication Act* as administered by Innovation, Science, and Economic Development Canada (ISED – formerly Industry Canada).

Matters that affect the establishment of federally authorized radio stations are governed by the *Radiocommunication Act* and the policies thereunder. Section 5 of the Radiocommunication Act states that the Minister may, considering all matters the Minister considers relevant for ensuring the orderly development and efficient operation of radiocommunication in Canada, issue radio authorizations and approve each site on which radio apparatus, including antenna systems, may be located. Further, the Minister may approve the erection of all masts, towers, and other antenna-supporting structures.

### Client Procedure Circular (CPC-2-0-03, Issue 5) – Radiocommunication and Broadcasting Antenna Systems:

As a federally regulated undertaking telecommunications are not subject to provincial or municipal regulations of any kind including, the Planning Act, Official Plans, and zoning bylaws. The purpose of consulting with the local land-use authority and the public is to seek meaningful local input with respect to antenna siting. As a proponent of new telecommunications infrastructure we are required to follow the consultation guidelines established by ISED (available here: <https://www.ic.gc.ca/eic/site/smt-gst.nsf/eng/sf08777.html>) or a specific local policy where one has been established.

### Provincial Policy Statement, 2020:

Although outside the purview of federal regulation, aspects the Provincial Policy Statement (PPS) relate incidentally to radiocommunication.

The Provincial Policy Statement (PPS) provides broad policy direction on land use planning and development matters of provincial interest. All planning decisions must be consistent with the PPS. The PPS promotes appropriate development and land use patterns that make efficient use of land and infrastructure, protect public health and safety, facilitate economic growth, and conserve significant built heritage resources.

The PPS states that healthy, livable, and safe communities are sustained by (among other things) ensuring that necessary infrastructure are or will be available to meet current and projected needs. The PPS further states that long-term economic prosperity should be supported by encouraging efficient and coordinated communications and telecommunications infrastructure.

### Up to Speed: Ontario's Broadband and Cellular Action Plan:

The vision for Ontario's broadband plan is to provide the people of the Province access to the connectivity they need in an increasingly digital world. The Province supports universal access to broadband and cellular service that meet Canada's minimum service standard. Broadband and cellular networks are the foundations of the digital economy, essential for communications, employment, education, health care, doing business, and ensuring critical safety networks are always available.

The proposed facility is in line with this plan as it would increase broadband speeds and reduce congestion for 463 subscribers in the area as well as provide new connection opportunities for over 1,000 un-cabled dwellings.

**Official Plan of the Township of Essa, 2001:**

The Township's current Official Plan does not speak directly to telecommunications infrastructure however, the early stages of the Official Plan review have shown a public interest in services (internet), infrastructure, expanding servicing, promoting new business opportunities, and economic development.

**Municipal and Public Consultation:**

The Township of Essa does not have a local policy or protocol pertaining to radiocommunications infrastructure and so we have used Innovation, Science and Economic Development Canada's (ISED – formerly Industry Canada) default consultation protocol regarding wireless communication towers. The ISED policies outline both land-use authority and public consultation requirements.

Forbes has undertaken the consultation procedure described in CPC-2-0-03, 15, and provided notice to property owners within 135m (3x height) of the subject property boundary. Additionally, notice was placed in print in the Alliston Herald and online at the Borden Citizen. The notices provided information about the proposed facility as well as contact information for comments/questions.

The purpose of these consultation procedures is to solicit municipal and public input and ensure the antenna system is deployed in a manner that considers the local surroundings. It is the responsibility of the proponent to respond to all reasonable/relevant concerns.

Concerns that are not considered relevant include:

- Disputes with members of the public relating to the proponent's service, but unrelated to antenna installations
- Potential effects that a proposed antenna system will have on property values or municipal taxes
- Questions whether the *Radiocommunication Act*, Safety Code 6, locally established by-laws, other legislation, procedures, or processes are valid or should be reformed in some manner.

Through the public consultation process Forbes received comments/concerns from six (6) property owners. One had a question about the specifics of the location and the remainder objected to the proposed location due to:

- Proposed location proximity to existing residences
- Health concerns from radiofrequency exposure
- Aeronautical safety concerns due to airports/airstrips in the area
- The proposed location has a "shared" driveway with abutting neighbours
- Preferred locations further north away from surrounding landowners

Responses were provided to individuals clarifying the specifics of the proposed location as well as information on the Health Canada guidelines for towers, Transport Canada and NAV Canada assessments of towers, and the purpose of the location. Information about why the suggested alternatives were not preferred was also provided. A summary of the comments/responses is included below, and full copies of the correspondence have been provided to the Township.

As of this writing we have addressed all reasonable and relevant concerns from both the land-use authority (the Township) and the public.

While Forbes has responded to concerns and comments received, we recognize that some of the nearby property owners continue to object to the proposed location. As there have not been any new questions or comments received that have not already been addressed in previous correspondence, we are seeking a recommendation from the Township.

If any further information or clarification is required, please contact me.

Sincerely,

**Sean Ogilvie, PMP**

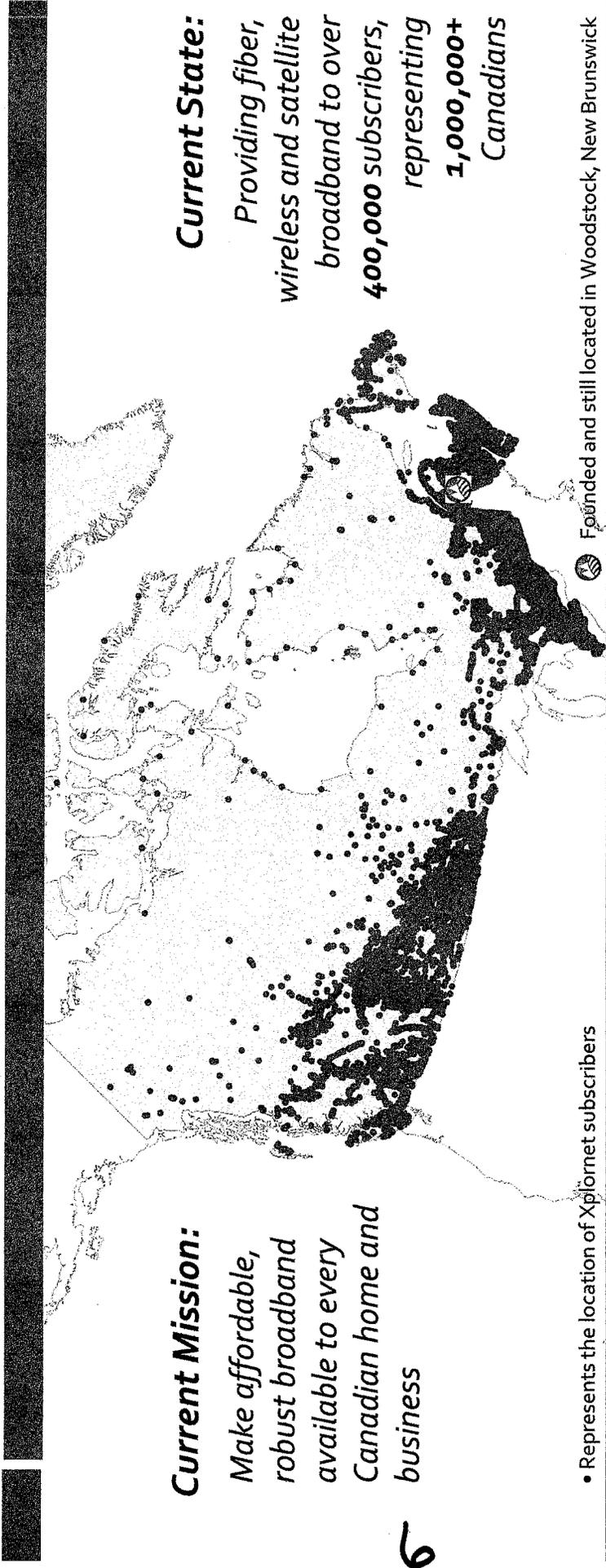
Real Estate & Government Affairs

130, 482 South Service Road E, Oakville, ON L6J 2X6

T: 780.960.1950 F: 888.622.4939 C: 647.224.4399

**forbesbrosltd.ca**

# Xplornet Hybrid Network



## **Current Mission:**

*Make affordable, robust broadband available to every Canadian home and business*

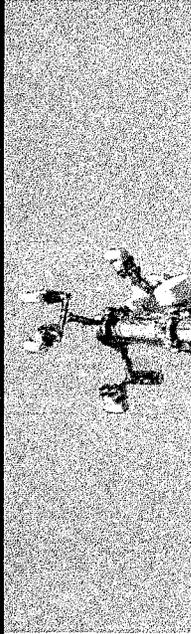
## **Current State:**

*Providing fiber, wireless and satellite broadband to over 400,000 subscribers, representing 1,000,000+ Canadians*

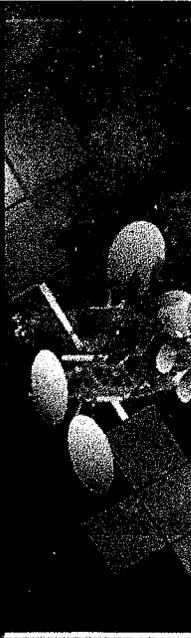
Fiber optic network (FTTH)



2,000+ Fixed Wireless Sites in ALL Canadian provinces (~50% owned by Xplornet)



Constellation of 4G Satellites 5 operational



**Facilities-based Broadband Network**  
*provides high speed Internet service across Canada*

# Purpose

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## Broadband as a Utility

- ❑ Broadband is the next essential utility, as vital to economic growth as reliable electricity, clean water, and good roads (BDO, Broadband: the next essential utility)
- ❑ CRTC has declared highspeed broadband internet an essential service

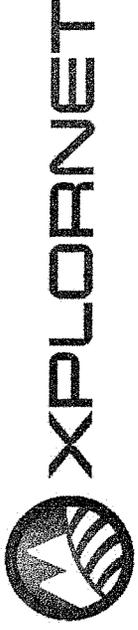
## Up to Speed: Ontario's Broadband and Cellular Action Plan

- ❑ The Province supports universal access to broadband and cellular service that meet Canada's minimum service standard
- ❑ Broadband and cellular networks are the foundations of the digital economy, essential for communications, employment, education, health care, doing business, and ensuring critical safety networks are always available

## Essa Township Official Plan Review

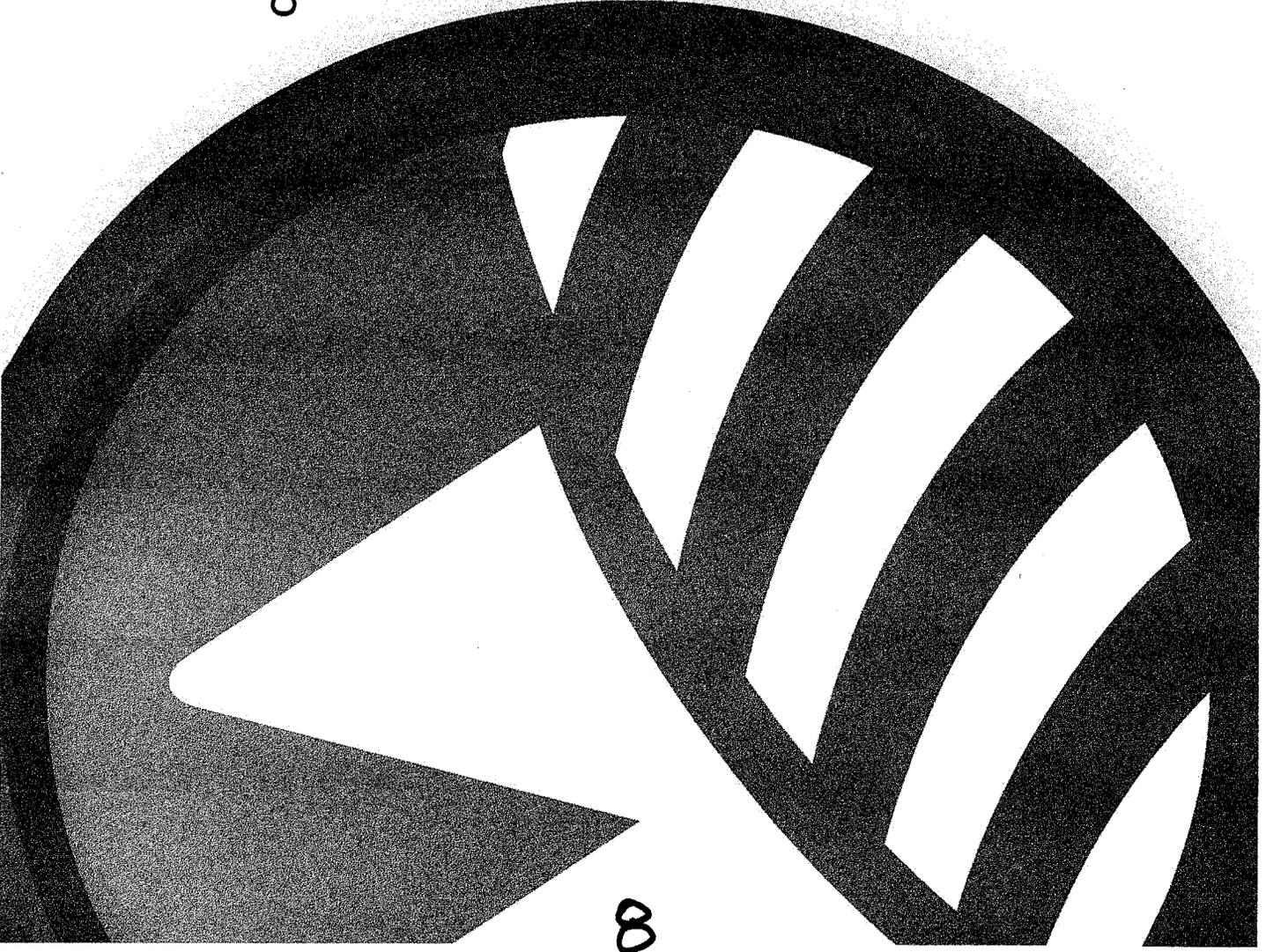
- ❑ Early stages of the Township OP review demonstrate a public interest in internet services, infrastructure, promoting business opportunities, economic development



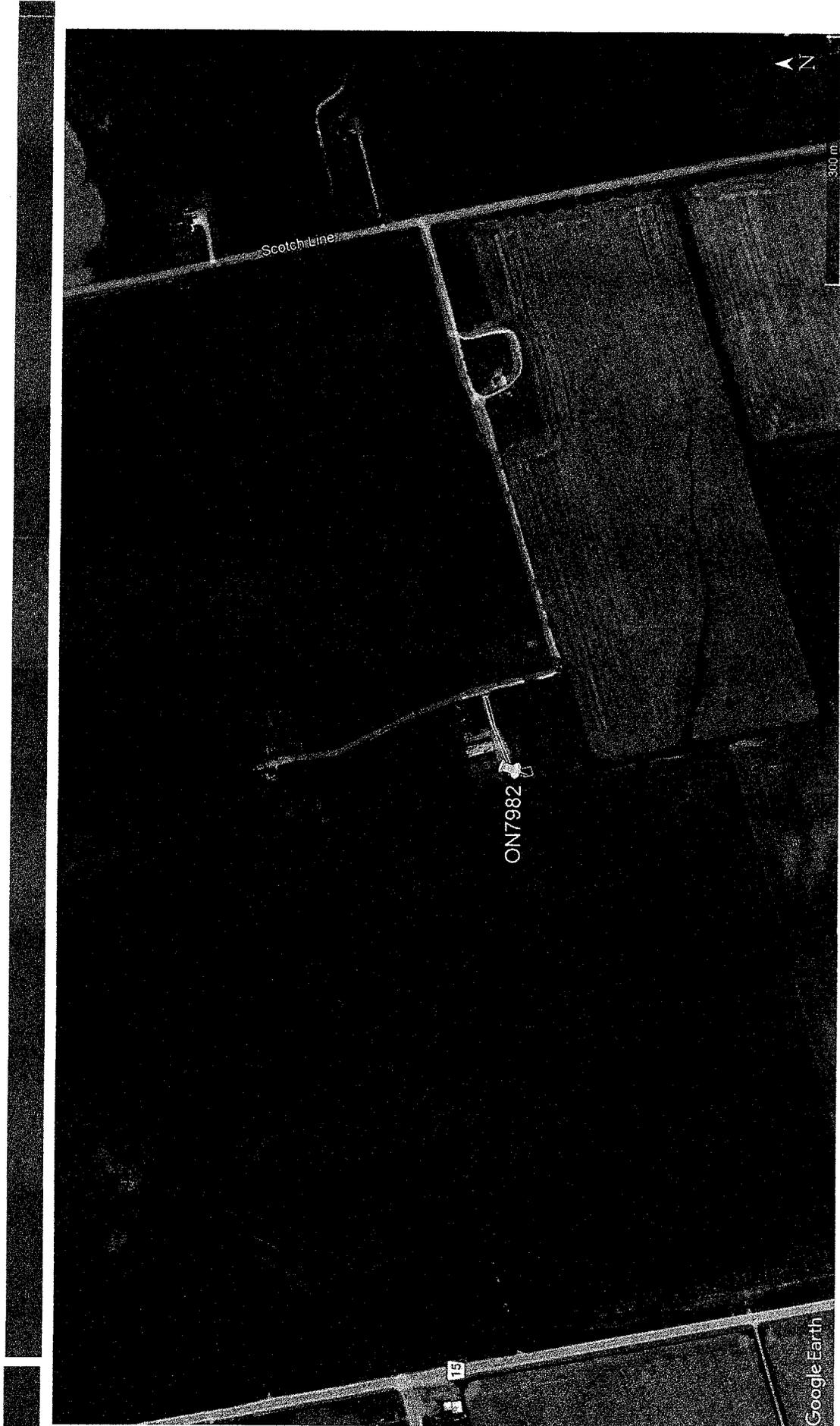


ON7982 "Everett East" broadband facility  
6004 Scotch Line Rd, Essa ON

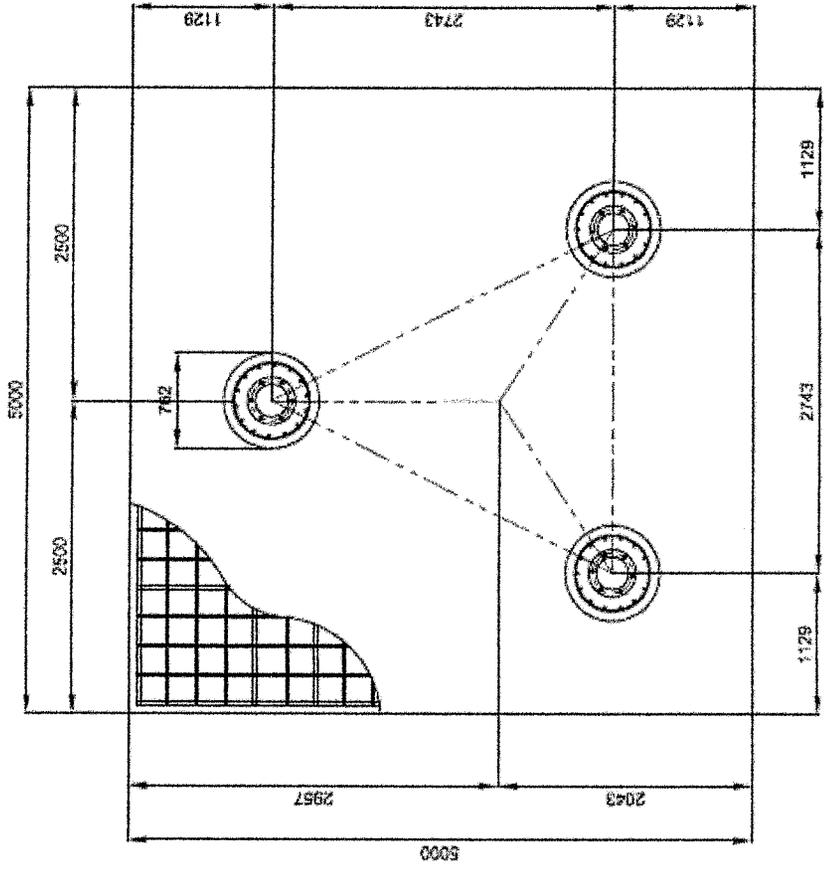
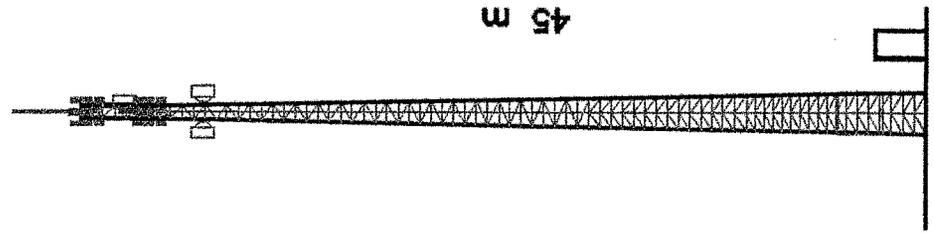
September 1, 2021



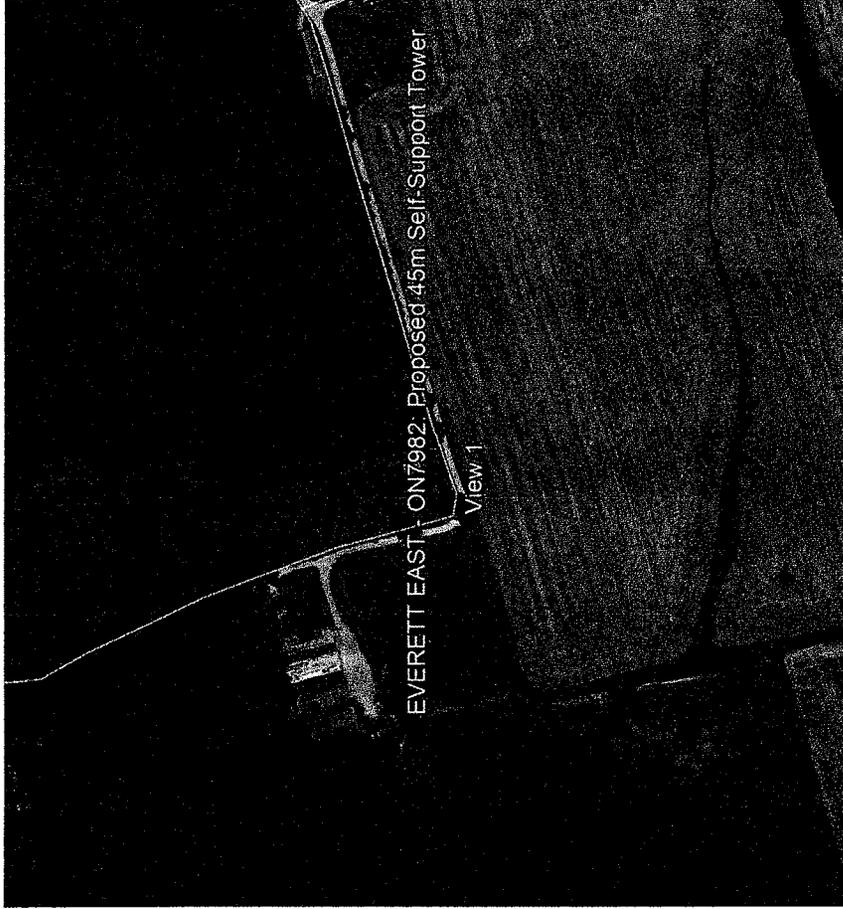
# Facility Location



# Facility Design



# Facility Design



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# Project Objectives

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## Objectives

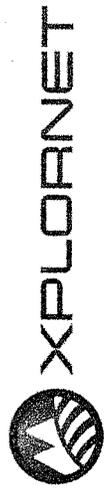
- ❑ Relieve congestion in West & South of Ypres site in order to serve customers better in the area
- ❑ Add new coverage to serve more customers.

## Constraints

- ❑ No spectrum available for adding multi-carriers at nearby site (Ypres)
- ❑ Minimum site separation distance (5km) for spectrum reuse (interference mitigation)

## Solution

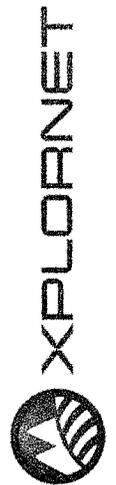
- ❑ New site at "Everett East"
- ❑ Relieves congestion for 463 subscribers within the site footprint
- ❑ Provides incremental coverage to 1,099 UCD households within the site footprint



# Project Objectives



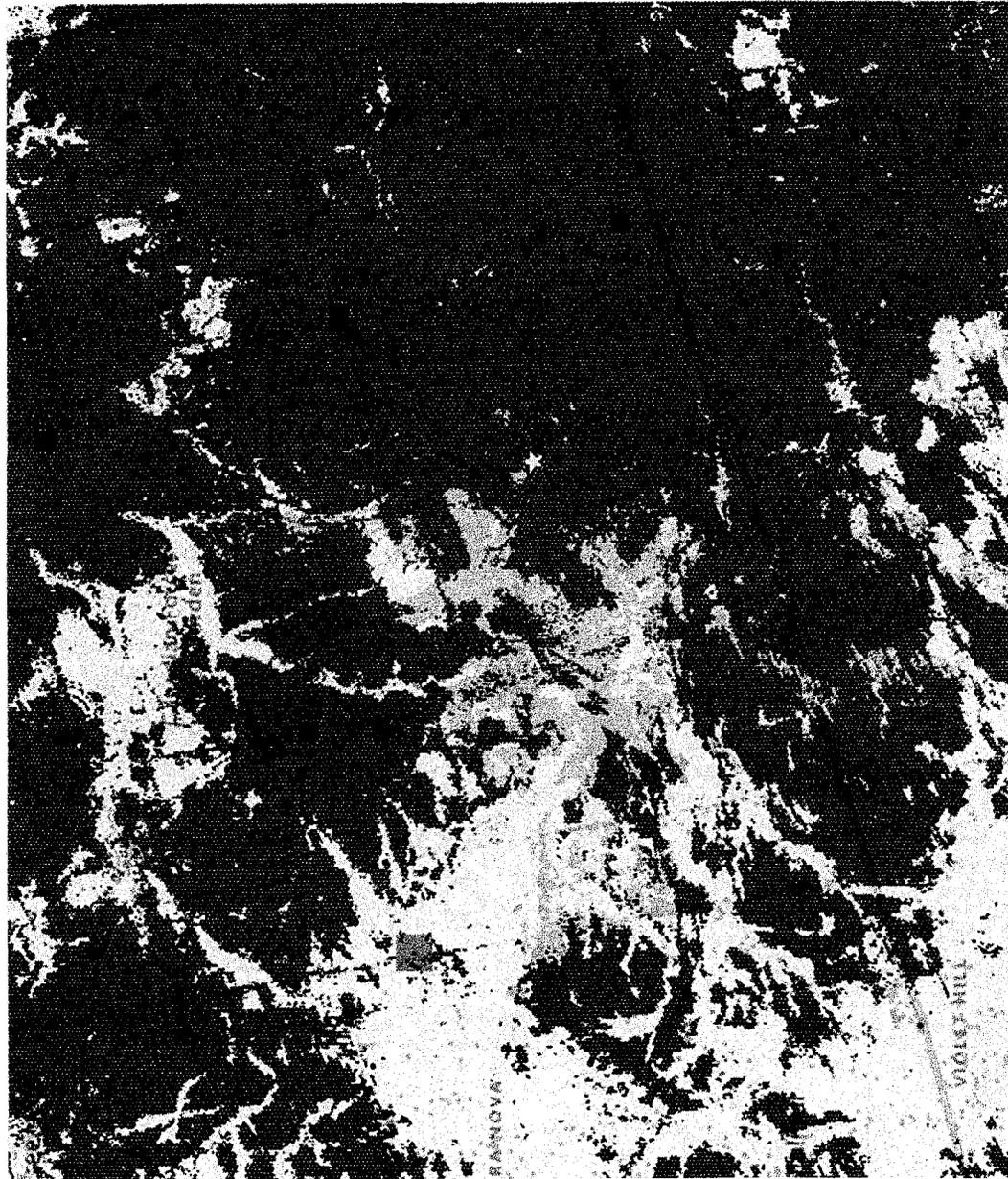
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# Project Objectives



## Coverage Objective



-  Existing LTE Footprint
-  Incremental Footprint after this project
-  Site Planned
-  Live Site

Why here?



# Regulations and Roles

## Telecommunications Facilities

- Innovation, Science, and Economic Development Canada (ISED)
  - Has ultimate jurisdiction for the approval of telecommunications facilities
  - Requires carriers to follow a consultation process in compliance with the Antenna Tower Siting Procedures (CPC-2-0-03, i5)
- Telecommunications Companies
  - Respond to public demand for improved wireless connectivity by improving and expanding network coverage
  - Follow municipal policy preferences and consultation requirements
- Essa Township
  - Is considered the local land-use authority, no locally established policy – proponents default to CPC-2-0-03
  - Represents the preferences of the local population for the design and location of wireless telecommunications facilities
  - Commenting body to the applicant and recommendation authority to ISED
- The Public
  - Notified of a proposal, may ask questions and provide comments
  - Provides feedback on new facility proposals

# Regulations and Roles

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## Consultation process to date

- Written submissions to the Township January – February 2021 (plans, maps, site justification, fee payment)
- Ongoing communication with Township planning throughout the process
- Public consultation conducted via:
  - Mail notification to property owners within 135m of subject property boundary – February 17
  - Newspaper notice (Alliston Herald, Borden Citizen) – February 25 & March 5
  - Public comment close March 28

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# Regulations and Roles



## Public input:

- Correspondence received from 8 property owners (5 object, 2 in support, 1 generic inquiry)
- Concerns/objections include:
  - Health concerns from radiofrequency exposure
  - Aeronautical safety concerns (nearby airports/landing strips etc.)
  - Shared access driveway/power
  - Proximity to existing residences / should be moved further away from surrounding landowners

## Municipal input:

- No objections from Township planning
- CAO indicated Township “will be objecting to any tower site which is concerning to our residents”
- No actionable input received (location/design preference, no specific municipal policy)
- Suggestion by Township Planning to submit multiple site options/re-do consultation



# Moving Forward

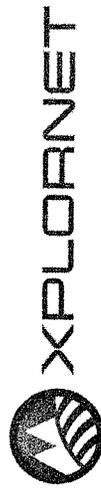
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## Concurrence / non-concurrence

- Xplornet is requesting a recommendation from Council indicating concurrence / non-concurrence with the proposed facility
- If non-concurrence we require a detailed rationale of the objection

## Alternatives

- Will require a detailed preference framework for evaluating alternative sites
- Justification for objections that are considered reasonable/relevant
- Policy/process framework for site selection and concurrence recommendation





## TOWNSHIP OF ESSA STAFF REPORT

**STAFF REPORT NO.:** PD017-21

**DATE:** September 1<sup>st</sup>, 2021

**TO:** Committee of the Whole

**FROM:** Aimee Powell, BURPI., MPA, MCIP, RPP  
Manager of Planning and Development

**SUBJECT:** Zoning By-law Amendment – 203 Barrie Street, Thornton

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### RECOMMENDATION

That Staff Report PD017-21 be received; and

That Council consider an amendment to the Township's Zoning By-law, to permit a Zoning By-law Amendment on lands known as 203 Barrie Street, in Thornton to allow for two medically-related offices.

### BACKGROUND

The Township has received a Planning Act Application for a Zoning By-law Amendment (ZBA) for 203 Barrie Street. The proponent is proposing to develop one (1) new commercial building to accommodate two (2) new commercial units for medically-related office uses, as illustrated on Attachment 'A' to this report.

The subject lands are in the Settlement Area of Thornton, as identified in both the Township of Essa's Official Plan, 2001 and the County of Simcoe's Official Plan, 2008. Land Use Schedule A in the Township's Official Plan, 2001, designates the subject lands as 'Residential'. The subject lands are zoned 'Residential Low Density Detached (R1)' per the Township of Essa's Zoning By-law, 2003-50, as amended. The Township's Official Plan permits this form of development as neighbourhood commercial uses are a permitted use of the 'Residential' designation per Section 8.1 of the Official Plan. A Zoning By-law Amendment is required to allow for a commercial building and more specifically, professional offices, as a permitted use by the Township's Zoning By-law. A portion of the subject property is regulated by the Nottawasaga Valley Conservation Authority (NVCA).

On July 22<sup>nd</sup>, 2020, an application for a ZBA was received by Township Staff, who deemed the application a complete submission. The following list includes the supporting items submitted alongside the ZBA application:

- Planning Justification Report (PJR),
- Drafted ZBA Text (Attachment 'B');

4a

- Drafted ZBA Schedule (Attachment 'C'),
- Conceptual Site Plan,
- Legal Survey,
- Functional Servicing and Stormwater Management Report,
- Geotechnical Investigation and Groundwater Level Assessment Report,
- Traffic Impact Brief, and
- Tree Inventory and Preservation Plan.

Staff Report No. PD026-20 was received by Council on September 16<sup>th</sup>, 2020, where Council directed Township staff to proceed with the scheduling of a public meeting and continue processing the application.

On February 11<sup>th</sup>, 2021, a scoped re-submission was received by Township Staff, who deemed the application a complete submission on March 22<sup>nd</sup>, 2021. In addition to the previously listed materials, a Comments Response Matrix was provided by the Applicant.

The public meeting was held on May 5<sup>th</sup>, 2021, where Council received a presentation from the Landowner's Planning Consultant, Tyler Kawall from Innovative Planning Solutions. No questions or comments were heard.

## **COMMENTS AND CONSIDERATIONS**

The Applicant was in receipt of comments following the first submission dated October 8<sup>th</sup>, 2020. The Township's Public Works Department acknowledged that there are existing water pressure issues in Thornton. The Public Works Department further concluded that the development is small in scale and should not have negative impacts on the water pressure in Thornton. Public Works deferred the rest of the comments to be addressed by the Township Engineer, Ainley Group. The Township Engineer deemed the site servicing from the municipal water distribution system, private septic system, grading and stormwater management scheme reasonable for the proposed site use and size of the development. The Township's Building Department confirmed that the proposal identifies the requirements for firefighting measures under the Building Code which the Township's Fire Department was satisfied with. As a portion of the subject property is regulated by NVCA, NVCA has requested that the Applicant demonstrate safe conveyance, an infiltration base ditch system that is in accordance with the Low Impact Development Stormwater Management Planning and Design Guide (2010), and erosion and sediment control measures at the Site Plan phase. These comments are still outstanding and are to be addressed when the Applicant submits a formal Site Plan Application with the Township. NVCA deemed the Tree Preservation Plan sufficient and concluded that they are satisfied so long as a permit is obtained prior to the construction or grading on the regulated portions of the subject property.

The following planning policy was reviewed to assist in the creation of this report:

Planning Act, R.S.O. 1990, c. P.13 (the 'Act')

The *Planning Act*, 1990, establishes the framework that all land use decisions are made within Ontario. The *Act*, establishes the land use planning system in Ontario, ensuring that it is a fair system, led by Provincial Policy.

Section 2 of the *Act* sets out Provincial Interests in land use planning and identifies the framework surrounding Zoning By-laws as per Section 34. The proposed ZBA aligns with the following provincial interests:

- The adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems,
- The adequate provision and distribution of educational, health, social, cultural, and recreational facilities,
- The promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians,
- The adequate provision of employment opportunities, and
- The appropriate location of growth and development.

The proposed ZBA adequately proposes satisfying these interests by:

- Utilizing existing municipal services;
- Providing employment opportunities within the defined Settlement Area of Thornton; and
- Developing currently underutilized lands within the Settlement Area.

Therefore, the subject ZBA aligns with the Province's Interests in land use planning according to the *Act*.

#### Provincial Policy Statement, 2020 (PPS)

The PPS, 2020 is an important land use planning document created and updated by the provincial government. It guides land use planning across the province, and provides high-level policy that aligns with the goals and objectives of the provincial government.

Part V: Policy 1.0 Building strong and healthy communities of the PPS identifies that:  
"Efficient land use and development patterns support sustainability by promoting strong, liveable, healthy and resilient communities, protecting the environment and public health and safety, and facilitating economic growth."

It is within Part V of the PPS where policy further guides land use planning, and further refines the goals and objectives of the provincial government, as it relates to the proposed ZBA. The following sections directly apply to the merits of the subject ZBA:

- 1.1 Managing and Directing Land Use,
- 1.6 Infrastructure and Public Service Facilities,
- 1.7 Long-Term Economic Prosperity,
- 1.8 Energy Conservation, Air Quality and Climate Change,
- 2.2 Water, and
- 3.1 Natural Hazards.

The proposed ZBA would satisfy the intent and policies of these sections by:

- Directing commercial development of this scale within the defined Settlement Area boundaries,
- Developing multiple commercial units on one site,
- Utilizing existing municipal services,
- Providing employment opportunities through development, where there were none before,
- Promoting development and land use patterns that preserve biodiversity,
- Implementing water quality and quantity controls through Low Impact Development (LID) initiatives in accordance with NVCA policy, and
- Directing development to areas outside of hazardous lands.

Through the development of the subject property as a commercial use, and when considering the addition of two (2) medically related office uses, commercial development is desirable and appropriate on the subject site. Development of this nature is ideal on the subject site as it lies within the defined Settlement Area, and would not negatively impact forecasted employment targets. Thornton has limited availability of medically related office uses for residents currently and the addition of two (2) medically related office uses would benefit the residents of the Thornton community.

The subject ZBA aligns with the Province's goals and objectives, as identified in the PPS.

A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020 (the 'Growth Plan')

The Growth Plan outlines where and how communities are to grow, focusing development to previously built-up areas where existing infrastructure can be utilized. Essa Township is identified in the Simcoe sub-area, which provides more specific direction on how the vision of the Growth Plan is to be achieved across Simcoe County.

The following sections have been considered from the Growth Plan:

- 1.2.1 Guiding Principles,
- 2.2.5 Employment,
- 3.2.2 Transportation – General,
- 3.2.5 Infrastructure Corridors,
- 3.2.6 Water and Wastewater Systems,
- 3.2.7 Stormwater Management, and
- 4.2.1 Water Resource Systems.

The proposed ZBA would satisfy the policies of these sections in the Growth Plan by:

- Allocating development to defined Settlement Areas;
- Allocating development within the built-up area and outside of areas where natural and hydrologic features exist,
- Providing additional employment opportunities, which will assist in maintaining the projected employment target,

- Providing multi-modal transportation options that connect the site to a County Road,
- Locating a population-related commercial use within the Settlement Area, reducing reliance on automobile trips,
- Providing appropriate intensification to the subject site which will optimize efficiency of existing municipal services to the site,
- Utilizing LID practices to control water quality and quantity in accordance with NVCA policy, and
- Locating structures outside of areas regulated by the NVCA to protect the quality and quantity of water and hydrologic features.

This development will be within a defined Settlement Area, where infrastructure exists, fronting onto a County Road, communal water supply and will utilize a private septic system. As the Growth Plan directs development to areas where existing infrastructure services can be better utilized, the proposed commercial development and use of medically related offices is appropriate.

The subject ZBA aligns with the Province's goals and objectives, as identified in the Growth Plan.

#### County of Simcoe Official Plan, 2008

The County of Simcoe Official Plan provides a policy context for land use planning conducted across the County's member municipalities. This document is designed to assist with growth management, and provides a framework for coordinating planning with adjacent municipalities, agencies, and other levels of government.

Under the County of Simcoe Official Plan the subject property is designated as 'Settlements' which can be found on Schedule 5.1: Land Use Designations. This County land use designation further refines the policies of the PPS and the Growth Plan. Within the 'Settlements' designation commercial land uses are permitted, and supported which aligns with the targets for Settlement Areas. The proposed commercial development will include only commercial uses, which is supported through the County of Simcoe Official Plan.

Furthermore, the following sections have also been considered in the County of Simcoe's Official Plan:

- 1.3 Goals of the Plan,
- 3.2 Population and Employment Projection/Allocations,
- 3.3 General Development Policies,
- 3.5 Settlements,
- 4.5 Resource Conservation, and
- 4.7 Infrastructure: Sewage and Water Services.

The proposed ZBA would satisfy the policies of these sections by:

- Locating development outside of natural heritage features,

- Providing gentle intensification that represents efficient use of the lands and existing municipal services,
- Providing additional employment opportunities within the Settlement Area,
- Providing multi-modal transportation options for the site that will not negatively impact safety or efficiency of County Roads when accessing the site,
- Increasing employment opportunities as per the Growth Plan and County Official Plan targets,
- Promoting development that diversifies the land use of the Thornton Settlement Area; and
- Aligning with the County's preferred method of servicing Settlement Areas, by utilizing the existing municipal services to support the proposed development.

The subject ZBA aligns with the County's objectives and goals, as identified in the County Official Plan.

#### Township of Essa Official Plan, 2001

The Township of Essa Official Plan has been created to guide land use development patterns across the Township. This document establishes a policy framework to guide growth and development for the course of 20 years.

Section 2 identifies the purpose of the Official Plan. The following goals of the Official Plan are specific to the proposed ZBA:

- To protect and enhance the Township's agricultural resources which are important to the Township's economic base,
- To ensure that growth and development within the Township occurs in a manner that will minimize public health and safety issues, including the protection of human life and property from water related hazards such as flooding and erosion, and
- To generally direct growth to established, serviced Settlement Areas.

The proposed ZBA will align with the purpose of the Official Plan by:

- Developing lands within a defined Settlement Area, not currently located on lands within the agricultural area,
- Locating development outside of agricultural lands, natural heritage features, and hazardous lands, and
- Accommodating growth in Thornton, a secondary Settlement Area serviced with municipal water, through intensification.

The Township of Essa Official Plan designates this property as 'Residential' which is better defined in Section 8 of the Plan. Within this land use designation neighbourhood commercial uses are permitted. Section 8.3.4 defines neighbourhood commercial uses as one or more retail or service commercial establishment providing day to day services to customers in the surrounding area. Neighbourhood commercial uses shall generally be located adjacent to arterial or collector roads and shall be zoned accordingly in the implementing Zoning By-law and shall be subject to Site Plan Control. As demonstrated

by the concept plan (Attachment 'A'), the commercial uses would be located on a County Road and provide day to day services to residents of the Thornton community.

The subject ZBA aligns with the Township's objectives and goals, as identified within the Township Official Plan.

#### Township of Essa Zoning By-law 2003-50

The Township of Essa Zoning By-law 2003-50 is a document used to govern the use of land and the erection or use of buildings or structures except for under certain purposes described in this By-law. The Zoning By-law is a tool used by municipalities to further implement the guiding policies and goals of the local municipal official plan.

The Township of Essa Zoning By-law 2003-50 zones the subject property as 'Residential Low Density Detached (R1)'. Section 14 of the Zoning By-law identifies those permitted uses within the 'R1' zone. A commercial building is not a permitted use of the 'R1' Zone.

The subject ZBA that is before the Township proposes to change the zoning of the subject lands to 'Community Commercial, Special Provisions (C1-X)'. One of the permitted uses of the 'C1' zone is business or professional offices, thus, a commercial building for two (2) medically related office uses would be a permitted use of the 'C1' zone. The proposal does not meet two (2) provisions in the 'C1' zone. The required minimum lot area is 3,000 m<sup>2</sup>, and the proposed is 2,356.3 m<sup>2</sup>. The minimum required landscaped buffer to road allowance is 3.0 m, and the proposed is 2.3 m. These special provisions are due to the potential future road widening identified by Simcoe County of eight (8) metres along the west side of County Road 27. Excluding the widening, the subject property has an area in excess of the minimum 3,000 m<sup>2</sup> for commercial properties under the 'C1' zone, however, should the widening occur, the area of the property would be reduced to 2,356.3 m<sup>2</sup>, triggering this special provision. The concept plan and required studies accompanying the application submission demonstrate that the subject site can function effectively with these deficiencies while accommodating the future road widening.

The location of the subject site is within close proximity to other commercial uses on County Road 27 and existing residential uses. Vehicular access and pedestrian access are to be provided on site which will connect the site with surrounding residential and commercial uses. The proposed commercial building provides day to day services for the Thornton community that are compatible with the surround land uses.

In conclusion, after reviewing applicable land use planning policy, and when considering both the users and nature of the proposed use for this property, development of a commercial building to accommodate two (2) medically related office uses is appropriate and supported.

#### **FINANCIAL IMPACT**

4a

All costs associated with the subject development are to be borne by the applicant/developer. The development of an underutilized site is anticipated to positively contribute to the commercial tax base.

**SUMMARY/OPTIONS**

Council may:

1. Take no further action.
2. Approve an amendment to the Township's Zoning By-law 2003-50, to permit a C1 – Community Commercial, Special Provision '(C1-X)' on lands known as 203 Barrie Street, in Thornton.
3. Direct staff in another manner.

**CONCLUSION**

Option #2 is recommended.

Prepared by:

Carly Murphy BA, MPI.  
Planner

Respectfully submitted by:

Aimee Powell BURPI, MPA, MCIP, RPP  
Manager of Planning &  
Development

Reviewed by:

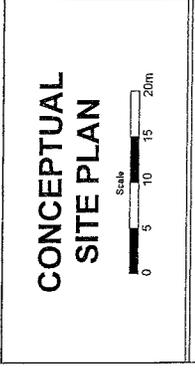
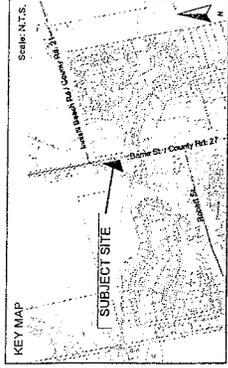
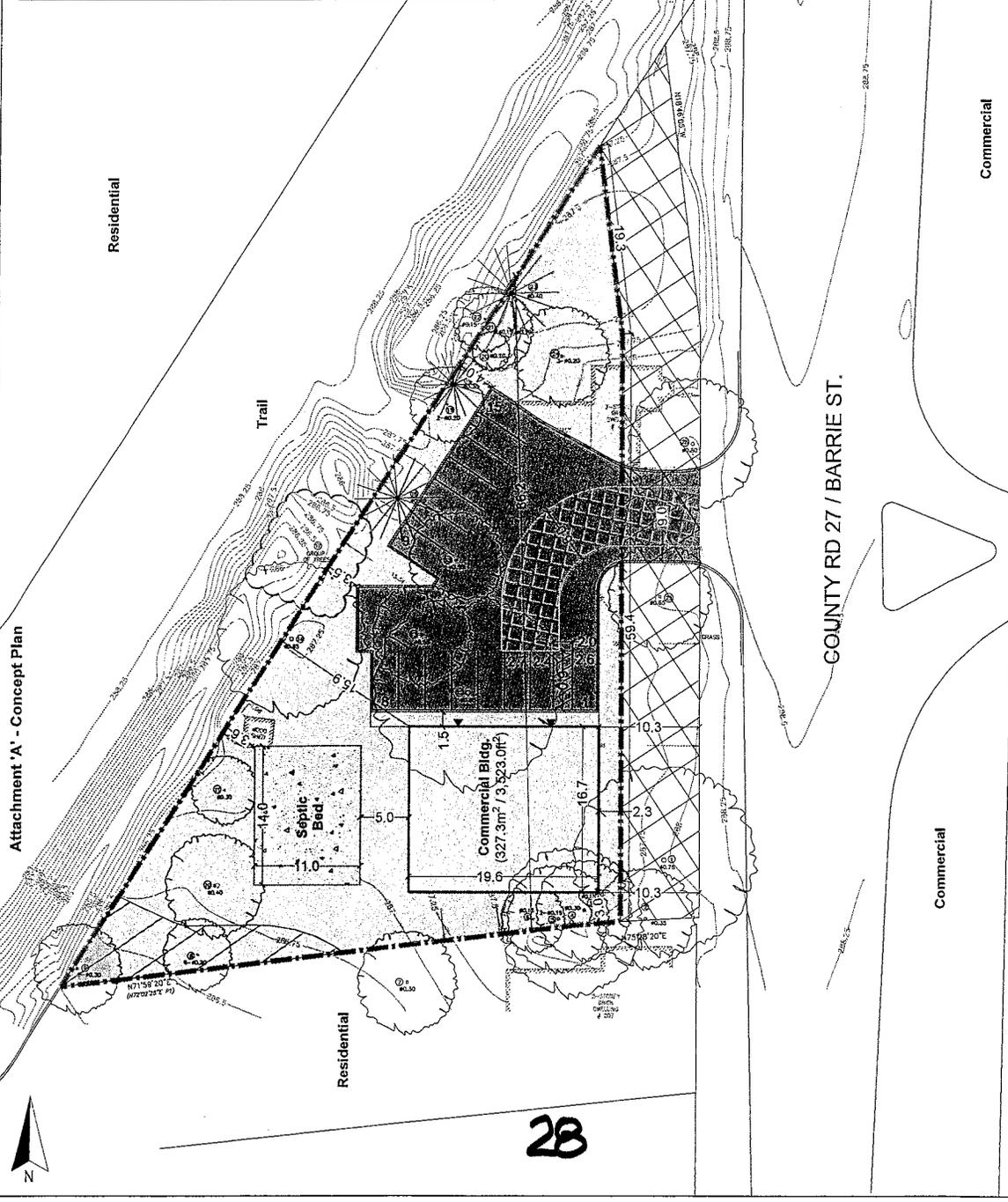
Colleen Healey-Dowdall  
CAO

Attachments:

- A. Concept Plan
- B. Drafted Zoning By-law Amendment Text
- C. Drafted Zoning By-law Amendment Schedule

**Zoning Table - C1 Zone**

Provision	Required	Provided
Min. lot coverage with partial private services (m)	20.0m	66.2m
Min. lot area with partial or private services (m <sup>2</sup> )	3,000.0m <sup>2</sup>	2,356.3m <sup>2</sup> (excl. road widening)
Min. front yard setback (m)	1.5m	2.3m
Min. interior side yard setback (m)	1.2m	3.0m
Min. rear yard setback (m)	6.0m	15.9m
Max. lot coverage	30%	14%
Min. setback for residential zone (18, 19)	3.0m	3.0m
Min. landscaped setback allowance (4, 36, 2.1 (b))	3.0m	2.3m
Max. building height	10.5m	<10.5m
Off street loading requirements (4, 29)	N.A. (0.0m <sup>2</sup> to 500.0m <sup>2</sup> )	N.A.
Required parking (all uses, buildings & structures not specified)	12 spaces with 1 Type 'A' and 1 Type 'B' barrier free parking (1 space of Type 'B' barrier free parking)	15 parking spaces with 1 Type 'A' and 1 Type 'B' barrier free parking



- LEGEND**
- SUBJECT LANDS (3,025.1m<sup>2</sup> / 0.3ha)
  - DEVELOPABLE AREA (2,356.3m<sup>2</sup> / 0.2ha)
  - 8.0m ROAD WIDENING (668.8m<sup>2</sup> / 0.1ha)
  - COMMERCIAL BUILDING (327.3m<sup>2</sup> / 3,523.0m<sup>2</sup>)
  - EXIT / ENTRANCE
  - SEPTIC BED (194.3m<sup>2</sup>)
  - FIRE ROUTE
  - NVCA Regulatory Area (123.9m<sup>2</sup>)
  - Existing Vegetation

**Source:** County of Simcoe Interactive Mapping, 2019  
Township of East, Zoning By-Law No. 2003-50

**Note:** Information shown is approximate and subject to change.

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Date: April 27, 2020  
Drawn By: A.S.  
Checked: D.V./J.K.

**SCHEDULE OF REVISIONS**

No.	Date	Description	By
1	February 2, 2021	Revise size of septic bed, Change zoning	A.S.

**CONCEPTUAL SITE PLAN**  
**203 Barrie Street, Thornton**

Commercial

Commercial

4a

## Attachment 'B' - Drafted Zoning By-law Amendment Text

### THE CORPORATION OF THE TOWNSHIP OF ESSA

#### BY-LAW NO. 2021-

Being a By-law to Amend By-Law No. 2003-50, of the Township  
of Essa

WHEREAS pursuant to Section 34 of the Planning Act, R.S.O., 1990, Chapter P.13, as amended, By-law No. 2003-50, as amended constitutes the Zoning By-law for the Township of Essa and was passed to control the use of lands, buildings and structures;

AND WHEREAS the Council for the Corporation of the Township of Essa is in support of an application to rezone the subject property, legally known as Part Lot 16 & 17, Concession 11, and municipally known as 203 Barrie Street, to a Community Commercial Special (C1-2) Zone to permit a commercial building with medically related office uses;

AND WHEREAS the Council for the Corporation of the Township of Essa deems it appropriate, and in the public interest, to pass an amendment to the aforesaid Zoning By-law No. 2003-50, as amended;

AND WHEREAS the matters herein as set out conforms to the Official Plan of the Township of Essa.

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

1. **THAT** Schedule "C" of By-law No. 2003-50, as amended, is hereby further amended by changing the zoning on the property legally known as Part Lot 16 & 17, Concession 11, and municipally known as 203 Barrie Street of the Township of Essa, from Residential Low Density Detached (R1) Zone to Community Commercial Special (C1-2) Zone, as shown on the Schedule "A" attached hereto.
2. **THAT** Section 19.4, Special Provisions of By-law 2003-50, as amended is further amended by adding Section 19.4.2 as follows:

"19.4.2 C1-2: Part Lot 16 & 17, Concession 11, 203 Barrie Street

Notwithstanding Section 18, General Provisions for Commercial Zones, on lands zoned C1-2 Zone, a landscape buffer to road allowance of 2.3 m is permitted. All other applicable provisions of the C1 Zone contained in Section 18 shall apply.

Notwithstanding Section 30, Non-Residential Zone Regulations, on lands zoned C1-2 Zone, a minimum lot area of 3000.0 m<sup>2</sup> with partial or private services is permitted. All other applicable regulations of the C1 Zone contained in Section 30 shall apply.

- 3. **THAT** Schedule "A" is hereby declared to form part of this By-law.
- 4. **THAT** this By-law shall come into force on the date of passage and take effect after the last date for filing a notice of appeal where no notice of appeal is filed, or, where a notice of appeal is received, upon approval of the Ontario Land Tribunal, and, in either case, in accordance with the provisions of Section 34 of the Planning Act, R.S.O. 1990, Ch. P.13, as amended.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED on this \_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Sandie Macdonald, Mayor

\_\_\_\_\_  
Lisa Lehr, Clerk





# TOWNSHIP OF ESSA STAFF REPORT

**STAFF REPORT NO.:** PR006-21

**DATE:** September 1, 2021

**TO:** Committee of the Whole

**FROM:** Jason Coleman, Manager of Parks and Recreation

**SUBJECT:** Fundraiser Event

## RECOMMENDATION

That Staff Report PR006-21 be received; and  
 That Council consider waiving the outdoor pad rental fees associated for the event and direct Staff to charge only for the ball diamond fees for the fundraiser event.

## BACKGROUND

The Township has received a request from an Innisfil resident to waive all fees associated for a Puck and Ball Tournament Fundraiser for a 20-year-old girl from Everett who was diagnosed with Cancer. The organizer has requested to book the Thornton outdoor pad, Thornton ball diamond, Baxter outdoor pad and Baxter ball diamond September 11<sup>th</sup> from 8 am to 8 pm with all proceeds going towards Cancer treatment.

## COMMENTS AND CONSIDERATIONS

In the past, Staff has suggested to waive a portion of the fees for these types of events. For this event, waiving the outdoor pad rental fees of \$544 + HST while charging for the ball diamond rental fees of \$320 + HST which would ensure that the municipality is not running at a loss for this event.

## FINANCIAL IMPACT

Normally, the total rental cost for the event would be \$864.32 + HST. Waiving the outdoor pad fees would be in the amount of \$544 + HST at a cost to the Township. The Township would look to collect the ball diamond fees in the amount of \$320 + HST based on the outline of this report.

  
 \_\_\_\_\_  
 Manager of Finance

**SUMMARY/OPTIONS**

Council may:

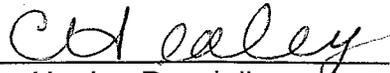
1. Take no further action and collect all normal fees.
2. **Direct Staff to waive the outdoor pad rental fees in the amount of \$544 + HST and charge only for the ball diamond fees at a cost of \$320 + HST as has occurred in similar past occasion.**
3. Waive all fees associated with this rental, at a cost to the municipality.
4. Direct Staff in another course of action.

**CONCLUSION**

Staff recommends Option # 2 be approved.

Respectfully submitted,

  
 \_\_\_\_\_  
 Jason Coleman  
 Manager of Parks and Recreation

  
 \_\_\_\_\_  
 Colleen Healey-Dowdall  
 Chief Administrative Officer

# SUPPORT ALICIA'S LEUKEMIA TREATMENT

December 1st 2020 changed the life of **20-year-old Alicia Kroeplin** daughter of Pat and Tracy Kroeplin when she was diagnosed with an aggressive Cancer - (ALL) **Acute Lymphoblastic Leukemia**.

December 5th, Alicia started Chemo and by Dec 18th ended up with an infection and lost her hair. Things progressively got worse over the next couple of days and she ended up with a high fever, elevated heart rate, pancreatitis and had swelling on her brain that caused seizures. It was discovered that she had a reaction to a certain portion of the chemo. Over this period of time Alicia underwent painful testing and treatments including bone marrow biopsy, had several blood transfusions and received platelets. She had several forms of chemo including injections into the spine.

Alicia had to face tough decisions, and a lot of the times did not have her family by her side due to Covid. She was hoping to be home with her Mom and Dad, Josh and Ryan for Christmas however she was in the hospital until the 2nd week in January. The family held off having Christmas until they could all be together. They still have ongoing challenges with the everchanging Covid protocol.

Alicia continues to receive a low dose chemo when her blood counts are good, however her life is on hold and not knowing what tomorrow brings.

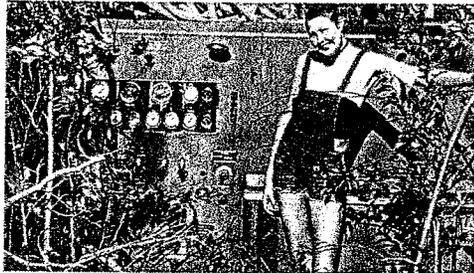
The **Immunotherapy treatment** that her Oncologist would like her to receive is not Government funded. The Drug company agreed to pay half which still leaves the Kroeplin family to come up with **\$180,000.00**.

This has been totally exhausting for Alicia and her family especially during Covid times and all of the travelling for treatment and appointments. **Alicia's cancer is treatable and curable but we all fear a relapse before she has the opportunity to receive treatment.**

If you know Alicia, she is an amazing kind hearted beautiful soul and is truly an inspiration to all.

**So please support Alicia and her battle against Cancer.**

Sincere Thanks.



In an effort to raise the **\$180,000.00** that is needed for Alicia's life-saving immunotherapy treatment, we are looking to gather donations to put towards our fundraisers. These fundraising events will include a Euchre tournament, sports event, and raffles. Any donations for the raffle events would be greatly appreciated on behalf of Alicia, the Kroeplin family, as well as her extended family and friends.



This QR code will link to the Go Fund Me campaign, but we will need much more than that to raise all of the money.

Please contact **Marcie Siggins** (fundraiser events organizer) at:

**mwiggens@hotmail.com**

**705-436-1520**



TOWNSHIP OF ESSA STAFF REPORT

**STAFF REPORT NO.:** PR007-21

**DATE:** September 1, 2021

**TO:** Committee of the Whole

**FROM:** Jason Coleman, Manager of Parks and Recreation

**SUBJECT:** **Tender Award – Dock Access**

**RECOMMENDATION**

That Staff Report PR007-21 be received; and

That the tender as received from **Arenes Construction Ltd.** for the dock access and anchoring system be accepted in the amount of **\$96,990 (excluding HST)**

That Council authorize transferring **\$42,000** from the Parks and Recreation Development Charges reserve to cover the Canoe/Kayak Boat Launch project budget shortfall in the amount of **\$42,000**

**BACKGROUND**

The Canoe/Kayak Boat Launch project is considered a high priority project due to safety concerns related to residents and others launching boats and kayaks on the steep banks of the river.

The project includes excavation, installation of concrete pier footings, armour stone blocks, wood framed platform and stairs.

**COMMENTS AND CONSIDERATIONS**

The tender document was posted on the Bidding website on July 13, 2021 and closed on July 30, 2021.

**FINANCIAL IMPACT**

Council approved **\$78,000** in the 2021 Parks Capital Budget (**\$7,200 - 2020 Carry forward Development Charges**), **\$70,800 (2021 Budget Development Charges)**.

*The total spent budget on the project (consulting fee, survey, deposits for boat launch) is approximately **\$8,800**. The quoted cost for the boat launch provided by*

*the supplier is \$14,084. The lowest bidder (only bidder) Arenes Construction Ltd total costs is \$96,990 (excluding applicable tax).*

*This brings the approximate total cost to \$119,954 (excluding applicable tax) which will result in a shortfall of approximately \$42,000 (assuming no change orders and/or other issues during construction) proposed to come from the Parks and Recreation Development Charges Reserve.*

BIDDER	TOTAL BID (excluding applicable tax)
Arenes Construction Ltd.	\$96,990

**Reasons for Budget increases:**

*The NVCA required a comprehensive review which required the involvement of a consulting firm ( approximately an additional of \$6,000).*

*Complying with AODA requirement to provide persons with disabilities the opportunity to launch their unmotorized boat into the Pine River. (Supply & install wood framed platform and stairs, approximately an additional \$33,952*



**Manager of Finance**

**SUMMARY/OPTIONS**

Council may:

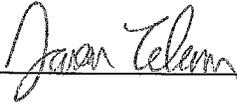
1. Confirm the award of tender to Arenes Construction Ltd. in the amount of **\$96,990 (excluding HST)** – the tender was released during the summer recess period by the Mayor and CAO.
2. Confirm authorization of transferring \$42,000 from the Parks and Recreation Development Charges Reserve to cover the Canoe/Kayak Boat Launch project shortfall in the amount of \$42,000 (excluding applicable tax).
3. Direct Staff in another course of action to follow up in the current plan.

**CONCLUSION**

Staff recommends that **Options 1 & 2** be approved.

Respectfully submitted,

Reviewed by,



Jason Coleman  
Manager of Parks and Recreation

Colleen Healey-Dowdall,  
Chief Administrative Officer



TOWNSHIP OF ESSA STAFF REPORT

**STAFF REPORT NO.:** PW022-21

**DATE:** September 1, 2021

**TO:** Committee of the Whole

**FROM:** Michael Mikael – Manager of Public Works

**SUBJECT:** Award of Tender – 25<sup>th</sup> Sideroad Asphalt Resurfacing, 9<sup>th</sup> Line to 10<sup>th</sup> Line

**RECOMMENDATION**

That Staff Report PW022-21 be received; and

That the tender as received from **Coco Paving Inc.** for the 25<sup>th</sup> sideroad asphalt resurfacing be accepted in the amount of **\$727,917.14 (excluding HST).**

**BACKGROUND**

The 25 sideroad asphalt resurfacing project is considered a high priority project due to safety concerns related to the road geometry and the asphalt reaching the end of its service-life (aged infrastructure asset - end of life cycle). The Township authorized Planmac Engineering Inc. to complete the design and contract administration.

The project includes installing high tension (Mash) steel cable guiderail along the north road alignment between the 9<sup>th</sup> Line and 10<sup>th</sup> Line to increase the overall safety. Flashing beacons will also be installed to further calm the traffic within the project limits.

**COMMENTS AND CONSIDERATIONS**

The tender document was posted on the Bidding website on June 25, 2021 and closed on July 16, 2021.

A letter stating the project timeline and traffic management plan will be mailed out to the residents within the construction limit to ensure public engagement.

**FINANCIAL IMPACT**

Council approved **\$334,000** in the 2021 Public Works Prioritized Capital Budget (**\$250,500 Development Charges, \$83,500 Gas Tax**). There is a carry-over of **\$450,000** from 2020 (**\$337,500 Development Charges and \$112,500 Gas Tax**).

The consulting firm approximated total fee for the project is **\$53,160** (excluding applicable tax) and the lowest bidder Coco Paving Inc. total cost is **\$727,917.14** (excluding applicable tax). **This brings the approximated total project cost to \$781,077.14** (excluding applicable tax) ***which is approximately \$2,922.86 under the approved Capital budget (assuming no change orders and/or other issues during construction).***

BIDDER	TOTAL BID (excluding applicable tax)
Coco Paving Inc.	\$727,917.14
Ashland Construction	\$795,642.00
Dufferin Construction	\$873,616.00

  
\_\_\_\_\_  
Manager of Finance

**SUMMARY/OPTIONS**

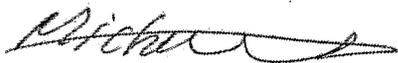
Council may:

1. Confirm the award of tender to Coco Paving Inc. in the amount of **\$727,917.14 (excluding HST)** – the tender was released during the summer recess period by the Mayor & CAO
2. Direct Staff in another course of action to follow up in the current plan

**CONCLUSION**

Staff recommends that **Option 1** be approved.

Respectfully submitted,



\_\_\_\_\_  
Michael Mikael, P.Eng  
Manager of Public Works

Reviewed by,



\_\_\_\_\_  
Colleen Healey-Dowdall,  
Chief Administrative Officer



## TOWNSHIP OF ESSA STAFF REPORT

**STAFF REPORT NO.:** TR012-21  
**DATE:** September 1, 2021  
**TO:** Committee of the Whole  
**FROM:** Carol Traynor-Richter, Manager of Finance  
**SUBJECT:** Set 2022 Budget Deliberation Meetings

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### RECOMMENDATION

That Staff Report TR012-21 be received; and

That Council schedule the Special Meetings of Council for 2022 budget deliberation on Wednesday November 17<sup>th</sup>, 2021 from 1:00 pm to 5:00 pm and Wednesday December 1<sup>st</sup>, 2021 from 1:00 pm to 5:00 pm and Wednesday December 15<sup>th</sup>, 2021 from 1:00 pm to 5:00 pm.

### BACKGROUND

The CAO, Manager of Finance and Deputy Treasurer will review the preliminary budgets with Department Heads and Supervisors in September. The completed budget working papers will be circulated to Council before the first budget meeting.

### COMMENTS AND CONSIDERATIONS

The Special Meeting dates that have been suggested will allow Finance to obtain the necessary data such as rates pertaining to insurance, benefits, source deductions etc. to populate the budget.

It is a requirement under the Municipal Act to provide notice to the public of all Special Meetings of Council. Council may wish to discuss the optional meeting dates to accommodate their individual schedules.

### FINANCIAL IMPACT

There is no financial impact.

### SUMMARY/OPTIONS

Council may:

1. Take no action
2. Schedule the Special meetings of Council for 2022 budget deliberation as follows:

Wednesday November 17<sup>th</sup>, 2021 from 1:00 pm to 5:00 pm and Wednesday, December 1<sup>st</sup>, 2021 from 1:00 pm to 5:00 pm and Wednesday December 15<sup>th</sup>, 2021 from 1:00 pm to 5:00 pm.

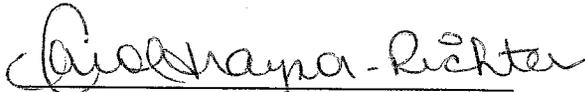
3. Schedule the Special meetings of Council for 2022 budget deliberation at the choice of Council.

**CONCLUSION**

Option # 2 is recommended.

Respectfully submitted:

Reviewed by:

  
\_\_\_\_\_  
Carol Traynor-Richter  
Manager of Finance

  
\_\_\_\_\_  
Colleen Healey-Dowdall  
CAO



## TOWNSHIP OF ESSA STAFF REPORT

**STAFF REPORT NO.:** C018-21  
**DATE:** September 1, 2021  
**TO:** Committee of the Whole  
**FROM:** Lisa Lehr, Manager of Legislative Services  
**SUBJECT:** Operation Brain Freeze

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### RECOMMENDATION

*That Staff Report C018-21 be received; and*

*That Council endorse the "Operation Brain Freeze" initiative; and*

*That Council consider the inclusion of funds in future budgets to cover costs for this campaign to run annually.*

### BACKGROUND

The purpose of this Report is to provide Council with an overview of "Operation Brain Freeze" – an initiative commenced by the municipality to promote safe biking habits and helmet use by youth within the communities of Essa Township. Although wearing a helmet is a recognized way to protect against head injuries, fatal injuries can still occur. That is why it is imperative that in addition to wearing a helmet, safe biking habits are developed early and are exercised by cyclists.

According to Canadian Vital Statistics (<https://www150.statcan.gc.ca/n1/pub/82-625-x/2019001/article/00009-eng.htm>), 890 cyclists died between 2006 and 2017 in Canada (average of 74 deaths per year). The following is a breakdown of the statistics in regards to cycling fatalities:

- 73% due to injuries sustained by motor vehicle collision
- 25% due to other events such as collisions with another cyclist or a stationary object
- 2% due to unknown causes
- approximately 1 in 3 fatalities were the result of the cyclist not wearing a helmet
- 32% of cycling fatalities were the result of cyclists and/or drivers not following road safety rules (ie: not stopping at red light; not obeying stop sign; unsafe lane changes by both cyclist and other involved party; cyclist wearing dark clothing; no lights on bike when riding at dusk; riding on sidewalk; riding against traffic and wearing headphones; speeding; distracted driving; opening of a car door that is parked in the path of a cyclist)

- 56% of fatal cycling events occurred in an urban setting compared with 14% in a rural setting
- 4% of cycling fatalities occurred on bike lanes/paths

As bicycle safety with youth of our communities is a concern for Council, the Clerk's Department initiated a bike safety campaign called "Operation Brain Freeze" which rolled out on July 3, 2021. The objective of the campaign was to not only promote the use of safe biking habits, but to endorse the use of bike helmets by youth within our communities. The goal of the campaign was to target youth caught wearing their helmet while cycling, and to recognize and reward them for using safe biking practices when they are on their bicycles. Habits are developed through continuous repetition, so it was decided that children would be continuously rewarded each time they are caught wearing their helmet. It is believed that the combination of recognition and reward is a simple way to ensure that children continue practicing safe biking habits as they get older.

### **COMMENTS AND CONSIDERATIONS**

Effective July 3, 2021, Municipal Law Enforcement Officers were instructed to approach youth that were cycling within the various communities of Essa while wearing their helmet. Each child "caught" received the following package:

- a congratulatory certificate from the municipality
- a coupon for a free McDonald's ice cream (generously donated by McDonald's in Angus); and,
- a Youth Cycling Guide that was provided to the municipality by Service Ontario.

Between July 3 to August 15, 2021, MLEO Officers have rewarded 55 youth within various communities in Essa with the above-noted package. Over the course of the summer this campaign has been very well received by parents and children within Essa and it seems to have generated quite a bit of excitement by youth within the various communities in our boundaries. It is anticipated that the campaign will wrap up following the upcoming Labour Day weekend.

As a result of the community reaction to the campaign, the Clerk's Department plans to continue the program going forward in 2022 and future years and is requesting that Council endorse the initiative behind "Operation Brain Freeze".

Additionally, on top of the above-noted package being provided to youth caught wearing their helmets, the Clerk's Department would like to grow the campaign in 2022 by including a monthly draw to award a prize to one child per month. Given that the campaign is to encourage safe biking habits and the use of helmets, it is felt that an appropriate prize package would include items such as:

- a coupon for a treat as approved by Council (ie: for something bigger than an ice cream cone; examples may include a sundae, a blizzard, or an ice cream cake, etc.)
- a bike helmet filled with:
  - a bell
  - reflectors
  - a light; and
  - a mirror.

It is anticipated that each helmet filled with these items could cost between \$75.00 to \$100.00. As such, this Report is being presented to Council for consideration in the 2022 and future budgets to include funds that would cover the costs for this campaign (monthly prizes would be awarded from May to August each year).

### FINANCIAL IMPACT

None at this time.

Staff is requesting that Council consider including funds in the 2022 Budget to cover costs for this campaign (approximately \$750.00 to \$1,000.00).



\_\_\_\_\_  
Manager of Finance

### SUMMARY/OPTIONS

Council may:

1. Take no further action thereby receiving the Report only and denying the request to carry on.
2. Endorse the "Operation Brain Freeze" initiative.
3. Direct Staff to include funds in future budgets to cover costs for this campaign.
4. Direct Staff with another course of action, as Council deems appropriate.

### CONCLUSION

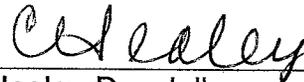
It is recommended that Council approve Option Nos. 2 and 3.

Respectfully submitted:



\_\_\_\_\_  
Lisa Lehr  
Manager of Legislative Services

Reviewed by:



\_\_\_\_\_  
Colleen Healey-Dowdall  
Chief Administrative Officer



## TOWNSHIP OF ESSA STAFF REPORT

**STAFF REPORT NO.:** C019-21

**DATE:** September 1, 2021

**TO:** Committee of the Whole

**FROM:** Lisa Lehr, Manager of Legislative Services  
Michael Mikael, Manager of Public Works

**SUBJECT:** Parking By-law 2005-96

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### RECOMMENDATION

*That Staff Report C019-21 be received; and  
That Council approve an amendment to By-law 2005-96, to include provisions to prohibit the parking of commercial vehicles, large motor vehicles, and trailers on residential roads at any time regardless of signage, in the Township of Essa, and that a Bylaw be prepared for Council's consideration; and  
That Council direct staff to further investigate restricting street parking to one-side of residential streets.*

### BACKGROUND

The Township of Essa's Parking By-law 2005-96, as amended, provides for the regulation of vehicle parking, standing and stopping on highways or parts of highways under the jurisdiction of the Township of Essa. The By-law is intended to be used as a means of addressing potential hazards and safety concerns such as visual obstructions caused by parking congestion or improper parking. It is enforced by Municipal Law Enforcement Officers (MLEOs) and the Ontario Provincial Police (OPP), and allows for vehicles found to be parked in contravention of the By-law to be ticketed and/or towed.

In respect of restricting parking on municipal roads, the By-law contains the following measures of which are enforced by the municipality and OPP:

- Street parking is restricted from November 1 to May 1 each calendar year between the hours of 2:00 am to 8:00 am (winter parking restrictions)
- Street parking is restricted on certain roads where authorized signs have been erected (ie: around schools)
- Parking is restricted regardless of signage (ie: obstructing sidewalk or driveway, too close to intersection, etc.)

All enforcement measures taken to administer the Parking By-law result in the mitigation of safety concerns and hazards, however once parking restrictions are eased (ie: the Winter Parking Restrictions are lifted), roads in residential neighbourhoods become remarkably dense and congested with vehicles of all shapes and sizes parking on the road. The increase of stationary vehicles on the roads in residential areas causes potential safety hazards to residents, pedestrians and motorists alike.

As a result of varying concerns having been brought forward by the public to Council and Staff, at their meeting of September 2, 2020, Council requested that Staff investigate options that will work to further alleviate safety concerns and visual obstructions that are caused by vehicles parking on the municipal road system.

## COMMENTS AND CONSIDERATIONS

Within the past two years, there has been a marked increase in complaints from the public surrounding parking on roads in residential areas. Specifically the concerns surround:

- a) commercial and heavy motor vehicles parking on residential roads; and
- b) congestion caused by motor vehicles parking on both sides of residential roads.

Concerns expressed from members of the public range from noise, damage to road side, sightline impairments causing visual obstruction which impedes the flow of traffic, and pedestrian safety.

In respect of options available to alleviate congestion on residential roads caused from parking, Council could consider implementing the following:

### 1. **Prohibit Commercial and Heavy Vehicles from Parking on Roads At All Times Regardless of Signs.**

Currently in respect of Commercial and Heavy Motor Vehicle Parking, the Parking By-law provides the following:

### 13. *Heavy Motor Vehicle – Parking Prohibited with Signs*

1. *For the purpose of this Section, the following definition shall apply:*

(a) *“Heavy Motor Vehicle” means a commercial vehicle having a weight when unloaded of 3 tons (2.7 tonnes) or more, or when loaded, 5 tons (4.5 tonnes), but does not include an ambulance, police, fire, emergency or utility vehicles.*

2. *Except as provided in 14.3 of this By-law, when authorized signs to that effect are displayed, no person shall park or stop a heavy motor vehicle or permit a heavy motor vehicle to remain parked or stopped on any highway or parts of highways where prohibitive signs are located.*

3. *Section 14.2 shall not apply to any vehicle actually engaged in making a delivery to, or a collection from, premises which cannot be reached except by way of a highway or a portion of highway referred to in the said section, or to prohibit the use of such vehicles for such purpose, provided that in making such delivery or collection, the said highway or portion of a highway is traveled only insofar as is unavoidable in getting to and from such premises.*

As can be discerned, the municipality cannot <sup>46</sup> ticket and/or tow such vehicles unless a sign has been posted, or a different parking infraction has occurred. As such, it is recommended that Council consider amending section 13 of By-law 2005-96 to prohibit the parking of commercial and heavy motor vehicles on roads under municipal jurisdiction regardless of signage, EXCEPT if they are loading or unloading goods or performing a service to a specific

property. They should not be permitted to park on the municipal road for any long duration, nor should they be permitted to park on the road overnight unless authorized (permitted) by the Township for a specific period of time in the form of a Roadside Occupancy and/or Parking Permit (R.O.P. & PP).

[To Note: Definitions for **Commercial Motor Vehicles** and **Heavy Motor Vehicles** will be required to be updated to include O. Reg. 419/15. These updates will include a larger span of vehicle classes such as RVs, hearses, trailers, buses, and tractors used for hauling purposes and as per Attachment No. 1 "Ontario Reg 419/15"]

## 2. Restricting Street Parking to One-Side of the Street Only (on specific roads)

Parking on both sides of the street has raised concerns regarding visual obstructions and sightline limitation at various locations. Staff will be investigating this issue in the upcoming months through implementing the proposed Transportation Master Plan (TMP) (2022 proposed capital project) and implementing a wide range of public consultation to ensure that all voices are heard. Staff will be recommending restricting parking to one-side of the street based on sightline/road geometry analysis while establishing parking space areas (parking lots) to residents to ensure adequate parking space is allocated.

Restricting parking to one side of local roads would achieve the objective of facilitating two-way traffic at all times and providing improved access for larger vehicles, in particular emergency vehicles, and promoting overall road safety. However, on-street parking controls should be tailored to local requirements. Balancing safety for all road users, convenience for residents and visitors and minimizing the impact on traffic flows, emergency response times and maintenance must be taken into account when considering new parking restrictions.

It should also be noted that the approach described above applies only to local roads. Collector and Arterial roads are reviewed on a case-by-case basis, based on the width of the travelled portion of the road, the anticipated volume of traffic and whether or not houses front onto the road

## FINANCIAL IMPACT

No financial impact at this time, however additional By-law Enforcement assistance is recommended by staff including the Clerk and the Chief Administrative Officer.

  
\_\_\_\_\_  
Manager of Finance

## SUMMARY/OPTIONS

Council may:

1. Take no further action thereby receiving the Report only.
2. Approve an amendment to By-law 2005-96, to include provisions to prohibit the parking of commercial vehicles, large motor vehicles, and trailers on residential roads at all times regardless of signage, in the Township of Essa, and that a Bylaw be prepared for Council's consideration
3. Direct staff to further investigate restricting street parking to one-side of the residential streets across the Township
4. Direct Staff as Council deems appropriate. 47

**CONCLUSION**

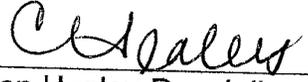
It is recommended that Council approve options 2 and 3.

Respectfully submitted:

  
\_\_\_\_\_  
Lisa Lehr  
Manager of Legislative Services

  
\_\_\_\_\_  
Michael Mikael  
Manager of Public Works

Reviewed by:

  
\_\_\_\_\_  
Colleen Healey-Dowdall  
Chief Administrative Officer

Attachments:

1 – Ontario Reg 419/15



Français

Highway Traffic Act

**ONTARIO REGULATION 419/15**

**DEFINITIONS OF COMMERCIAL MOTOR VEHICLE AND TOW TRUCK**

**Consolidation Period:** From July 1, 2018 to the e-Laws currency date.

Last amendment: 336/18.

Legislative History: [ + ]

***This is the English version of a bilingual regulation.***

**Definitions in this Regulation**

**0.1** In this Regulation,

“mobile equipment vehicle” has the same meaning as in Ontario Regulation 398/16 (Road-Building Machines) made under the Act; (“véhicule de matériel mobile”)

“vehicle built on a truck chassis” does not include a commercial motor vehicle, as defined in subsection 1 (1) of the Act, with a flatbed that can tilt to load. (“véhicule monté sur un châssis de camion”) O. Reg. 399/16, s. 1.

**COMMERCIAL MOTOR VEHICLE**

**Definition of commercial motor vehicle, generally**

1. For the purposes of every provision of the Act and the regulations, “commercial motor vehicle” includes the following, even if it does not have a truck or delivery body attached to it:

1. A motor vehicle commonly known as a tow truck.
2. A mobile equipment vehicle.
3. A vehicle built on a truck chassis. O. Reg. 399/16, s. 2.

**Specified provisions for s.3**

2. (1) For the purposes of the following provisions of the Act, “commercial motor vehicle” is defined in section 3 of this Regulation:

1. Section 16.
2. Subsections 20 (1) and (2).
3. Subsection 32 (17).
4. Clause 41.2 (13) (a).
5. Subsection 57 (20).
6. Subsection 62 (33).
7. Subsection 64 (9).
8. Subsection 66 (6).

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- 9. Subsection 70 (4.1).
- 10. Subsection 80 (2).
- 11. Subsections 82 (3) and (10).
- 12. Section 82.1.
- 13. Subsection 84 (2).
- 14. Subsection 109 (15.1).
- 15. Subsection 111 (5).
- 16. Subsections 124 (5) and (6).
- 17. Section 190.
- 18. Section 191.0.1.
- 19. Subsection 192 (5).
- 20. Section 227.

(2) Despite subsection (1) and clause (b) of the definition of "commercial motor vehicle" in subsection 3 (1), "commercial motor vehicle" in section 190 of the Act and in Ontario Regulation 555/06 (Hours of Service) made under the Act does not include a tow truck as defined in section 4 of this Regulation.

**Definition of commercial motor vehicle for specified provisions**

3. (1) In the provisions of the Act listed in subsection 2 (1),

"commercial motor vehicle" means,

- (a) a commercial motor vehicle, as defined in subsection 1 (1) of the Act, other than a vehicle excluded by subsection (2) or (3),
- (b) a tow truck as defined in section 4, other than a vehicle excluded by subsection (3),
- (c) a commercial motor vehicle, as defined in subsection 1 (1) of the Act, with a flatbed that can tilt to load, other than a vehicle excluded by subsection (3) or (4),
- (d) a mobile equipment vehicle, other than a vehicle excluded by subsection (2) or (3), and
- (e) a vehicle built on a truck chassis, other than a vehicle excluded by subsection (2) or (3). O. Reg. 419/15, s. 3 (1); O. Reg. 399/16, s. 3 (1).

(2) The following vehicles are excluded from clauses (a), (d) and (e) of the definition of "commercial motor vehicle" in subsection (1):

- 1. A commercial motor vehicle, as defined in subsection 1 (1) of the Act, other than a bus, having a gross weight or registered gross weight of not more than 4,500 kilograms.
- 2. A bus that is used for personal purposes without compensation.
- 3. An ambulance, a fire apparatus, a hearse, a casket wagon or a motor home. O. Reg. 419/15, s. 3 (2); O. Reg. 399/16, s. 3 (2).

(3) The following vehicles are excluded from clauses (a), (b), (c), (d) and (e) of the definition of "commercial motor vehicle" in subsection (1):

- 1. A commercial motor vehicle, as defined in subsection 1 (1) of the Act, leased for no longer than 30 days by an individual for the transportation of goods kept for that individual's personal use or the gratuitous carriage of passengers.
- 2. A commercial motor vehicle, as defined in subsection 1 (1) of the Act, operated under and in accordance with a Dealer permit and number plate, a Service permit and number plate or a Manufacturer permit and number plate issued under Regulation 628 (Vehicle Permits) made under the Act that is not transporting passengers or goods. O. Reg. 419/15, s. 3 (3); O. Reg. 399/16, s. 3 (3).

(4) The following vehicles are excluded from clause (c) of the definition of "commercial motor vehicle" in subsection (1):

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1. A vehicle described in clause (b) of the definition of "tow truck" in subsection 4 (1).

(5) Nothing in this section excludes a commercial motor vehicle, as defined in this section, from the definition of "commercial motor vehicle" in subsection 1 (1) of the Act.

**Tow truck defined for s. 3 definition of commercial motor vehicle**

4. (1) For the purpose of clause (b) of the definition of "commercial motor vehicle" in subsection 3 (1),

"tow truck" means,

(a) a motor vehicle commonly known as a tow truck,

(b) a commercial motor vehicle, as defined in subsection 1 (1) of the Act, with a flatbed that can tilt to load and that is used exclusively to tow or transport other motor vehicles, and

(c) a motor vehicle, other than a motor vehicle excluded by subsection (2), that is designed, modified, configured or equipped so that it is capable of towing other motor vehicles.

(2) The following motor vehicles are excluded from clause (c) of the definition of "tow truck" in subsection (1):

1. An off-road vehicle, as defined in section 1 of the *Off-Road Vehicles Act*.

2. A motor vehicle that is used for personal purposes only and that is used infrequently to tow, for no compensation, another motor vehicle that is also used for personal purposes only.

3. A motor home that is used for personal purposes only and that is towing another motor vehicle that is for the use of the driver of the motor home for personal purposes only.

4. A commercial motor vehicle, as defined in subsection 1 (1) of the Act, towing one or more motor vehicles using the saddlemount configuration.

(3) In clause (c) of the definition of "tow truck" in subsection (1),

"towing" means drawing another motor vehicle by means of a boom, hook, hoist, pulley, stinger, sling, belt, fork or other similar device that elevates part of the drawn motor vehicle, with or without the use of a dolly or other similar device.

(4) A reference in this section to a motor vehicle being towed or transported includes a motor vehicle being towed or transported that is damaged, incomplete or inoperable.

**Commercial motor vehicle – restrictions on presence of drugs and alcohol**

4.1 For the purposes of sections 48.0.4 and 48.2.2 of the *Highway Traffic Act*,

"commercial motor vehicle" means,

(a) a motor vehicle of a class described in Column 2 of the Table to subsection 2 (1) of Ontario Regulation 340/94 (Drivers' Licences) that may be driven only by a holder of a Class A, B, C, D, E or F driver's licence;

(b) a road building machine; and

(c) a commercial motor vehicle as defined in section 3 of this Regulation. O. Reg. 336/18, s. 1.

**TOW TRUCK**

**Definition of tow truck in s. 171 of the Act**

5. For the purpose of section 171 of the Act, "tow truck" has the same meaning as in section 4 of this Regulation.

6. OMITTED (PROVIDES FOR COMING INTO FORCE OF PROVISIONS OF THIS REGULATION)

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## TOWNSHIP OF ESSA STAFF REPORT

**STAFF REPORT NO.:** C020-21  
**DATE:** September 1, 2021  
**TO:** Committee of the Whole  
**FROM:** Krista Pascoe, Deputy Clerk  
**SUBJECT:** Proposed Amendment to Noise By-law 2018-47

### RECOMMENDATION

That Staff Report C020-21 be received; and

That Council consider approving the proposed amendments to the Township's Noise by-law 2018-47; and

That the amending By-law be presented to Council for its consideration at a future date.

### BACKGROUND

By-law 2018-47 was adopted by Council at its meeting of June 6, 2018, which repealed the previous By-law 2005-66.

### COMMENTS AND CONSIDERATIONS

Currently the Noise By-law sets out restrictions to prohibit and regulate noises permitted between certain times of day/evening, with set fines for persons that do not comply with the restrictions.

The government has recently introduced amendments to the Municipal Act, 2001 through Bill 215, *Main Street Recovery Act, 2020* that will come into force on September 19, 2021. The amendment does not allow municipalities to regulate noise related to the delivery of goods to the following destinations:

1. Retail business establishments;
2. Restaurants, including cafes and bars;
3. Hotels and motels; and
4. Goods distribution facilities.

Therefore it is being recommended that Council consider amending Section 3.1 "Exemptions" of the Noise By-law 2018-47 to include the following provision:

- g. Does not apply to noise related to the delivery of goods to the following destinations:***
- 1. Retail business establishments;***
  - 2. Restaurants, including cafes and bars;***
  - 3. Hotels and motels; and***
  - 4. Goods distribution facilities.***

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As well, for clarification purposes, it is recommended that point 8 in Schedule "A" Time Prohibitions, is amended to read as follows:

8.	Loading, unloading, delivering, packing, unpacking, or otherwise handling any containers, products, materials, or refuse whatsoever, unless necessary for essential services, designated industrial uses, <b>retail business establishments, restaurants, cafes and bars, hotels and motels, goods distribution facilities</b> , public safety or the moving of private household effects.	8 p.m. to 7 a.m.
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The proposed amendment does not change or alter the intent of the By-law in any way; it simply provides a provision specific to noise caused by the delivery of goods being exempt from the Noise Prohibitions contained in the Township's current Noise By-law.

**FINANCIAL IMPACT**

None.

**SUMMARY/OPTIONS**

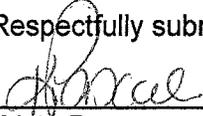
Council may:

1. Take no further action.
2. **Approve the proposed amendments to the Township's Noise By-law, 2018-47.**
3. Direct staff to make further amendments to the Township's current Noise By-law 2018-47, as deemed appropriate by Council.

**CONCLUSION**

It is recommended that Council approve Option 2.

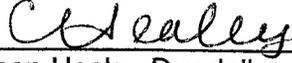
Respectfully submitted:

  
\_\_\_\_\_  
Krista Pascoe  
Deputy Clerk

Reviewed by:

\_\_\_\_\_  
Lisa Lehr  
Manager of Legislative Services

Reviewed by:

  
\_\_\_\_\_  
Colleen Healey-Dowdall  
Chief Administrative Officer

Attachments:

1. By-law 2018-47 as amended.

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THE CORPORATION OF THE TOWNSHIP OF ESSA

BY-LAW NO. 2018 - 47

Being a By-law to provide for the Prohibition of Certain  
Noises and to repeal By-law 2005-66.

WHEREAS the *Municipal Act*, 2001 S.O., c.25, Sec.128(1), provides that a local municipality may prohibit and regulate with respect to public nuisances, including matters that, in the opinion of Council, are or could become or cause public nuisances; and

WHEREAS the *Municipal Act*, 2001 S.O., c.25, Sec.129(1), provides that a municipality may pass by-laws to prohibit and regulate noise, vibration, odour, dust and outdoor illumination; and

WHEREAS Council of the Corporation of the Township of Essa enacted By-law 2005-66 on September 21, 2005, to provide for the prohibition of certain noises during restricted times; and

WHEREAS Council of the Township of Essa deems it necessary and desirable to further regulate or prohibit unusual noises, or noises likely to disturb the health, safety, normal use and enjoyment of the inhabitants of the Township;

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

1. DEFINITIONS

"**By-law Enforcement Officer**" means the Municipal By-law Enforcement Officer appointed by the Council of the Township of Essa.

"**Construction**" includes erection, alteration, repair, dismantling, demolition, painting, moving, structural maintenance, land clearing, earth moving, grading, ploughing, excavating, the laying of pipe and conduit above or below ground level, street and highway building, concreting, equipment installation and alteration and the structural installation of construction components and materials in any form or for any purpose, and includes any work in connection therewith.

"**Construction Equipment**" means any equipment or device designed and intended for use in construction, or material handling, including but not limited to air compressors, pile drivers, pneumatic or hydraulic tools, bulldozers, tractors, excavators, trenchers, cranes, derricks, loaders, scrapers, pavers, generators, ploughs, off-highway haulers or trucks, ditchers, compactors and rollers, pumps, concrete mixers, graders, or other material handling equipment.

"**Council**" means the Council of The Corporation of the Township of Essa.

"**Highway**" includes a common and public highway, street, lane, road allowance, parkway, driveway, bridge, viaduct or trestle designed and intended for the public passage of vehicles.

"**Motor Vehicle**" includes an automobile,  motorcycle, and any other vehicle propelled or driven otherwise than by muscular power; but does not include the cars of electric or

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steam railways, or other vehicles running only upon rails, or a motorized snow vehicle, traction engine farm tractor, self-propelled implement of husbandry or road-building machine within the meaning of the *Highway Traffic Act*.

**"Noise"** means unwanted sound including but not limited to those listed in Schedule "A" attached to this By-law.

**"Public Safety"** refers to any emergency service such as police, fire or medical services, and also pertains to municipal road construction and maintenance operations, and utilities (public or privately owned) including but not limited to snow removal and dewatering practices.

**"Road Service Vehicle"** means a vehicle being used for highway maintenance or construction purposes by or on behalf of the municipality or other authority with jurisdiction and control of the highway.

**"Residential Area"** means recreational and private dwellings in the settlement areas of Angus, Thornton, Baxter, Ivy, Utopia, Egbert or any other built up area.

**"Township"** means the land within the geographic limit of the Corporation of the Township of Essa;

## 2. GENERAL PROHIBITIONS

2.1 No person shall cause or permit to be caused any unusual noises or sounds, or excessive noise likely to disturb the inhabitants of the Township of Essa, including but not limited to the following:

- a. The sounding of a bell, horn, siren, or signaling device for an unnecessary or unreasonable period of time is prohibited, unless specifically required by the Occupational Health and Safety Act and Regulations, or other legislation.
- b. The noise or sound created by the use or operation of any drum, horn, bell, radio or mechanical loudspeaker, or other instrument or device, electrical sound-producing or transmitting instrument or apparatus for the purpose of advertising or for attracting attention to any performance, show or sale or display of goods, wares or merchandise or which amplifies or projects noise or sound into any street or other public place is prohibited, unless the Township has granted specific approval for same.
- c. Unless specific permission is granted by the Township, the sound or noise from or created by any radio, phonograph, public address system, sound equipment, loud speaker, or similar device or devices, or any musical or sound producing instrument, when such device or instrument is played or operated in such a manner or at such volume as to likely annoy or disturb the peace, quiet, comfort or repose of any individual in any type of residence, is prohibited.
- d. Any noise arising from any excavation or construction work whatsoever, whether caused by a large development or an individual, including the erection, demolition, alteration or repair of any building, and/or use of construction equipment, is prohibited between the hours of 8:00 p.m. and 7:00 a.m. Monday through Saturday, or at any time on Sundays or Designated Public Holidays, except in the case of urgent necessity for

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public safety, and then with the approval of the Municipality. Dewatering equipment used for construction work(s) is exempted provided that the said equipment is contained in an enclosure that has adequate noise suppression in place to mitigate such noise(s).

- e. The noise or sound created by the use or operation of any radio or mechanical loudspeaker or amplifier or other instrument or device or sound-producing, sound-reproducing, or sound transmitting instrument or apparatus in or upon any vehicle is prohibited, unless the Municipality has granted specific approval for same.
- f. The noise or sound caused by the discharge of any gun or other firearm, air gun and spring-gun or any class or type thereof is prohibited in any of the built-up or Residential areas of the Municipality. This prohibition shall not apply to peace officers in the performance of their duties, or to agricultural operations in the protection of livestock.
- g. The noise or sound caused by excessive yelling, shouting, hooting, whistling or singing, or excessive sounds generated by a human voice, which is likely to disturb the peace, quiet, comfort or repose of any individual in any type of residence is prohibited.
- h. Persistent barking, whining, howling, calling or other similar noise caused by any domestic pet or any other animal kept or used for any purpose other than agricultural, which is likely to disturb the peace, quiet or comfort of the inhabitants, is prohibited.
- i. The grating, grinding or rattling noises or sound caused by condition of disrepair or maladjustment of any motor vehicle, motorcycle or other vehicle, or part or accessory thereof is prohibited.
- j. The noise or sound created by the use or operation of a lawnmower, chainsaw, power tools or any other noise generating domestic tool or device is prohibited between the hours of 10:00 p.m. of any day and 7:00 a.m. of the following day.
- k. No person shall emit, cause or permit the emission of sound resulting from any act or similar acts listed in Schedule "A" attached to this By-law during the prohibited times.
- l. Where approval has been granted by the Municipality and in accordance with the Township of Essa's Site Alteration and Fill By-law, no person shall cause or permit to be caused the emission of sound created by the performance of a site alteration or fill operation Monday through Friday between the hours of 7:00 p.m. and 7:00 a.m., or at any time on Saturdays, Sundays or Designated Public Holidays

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### 3. EXEMPTIONS

3.1 Notwithstanding any other provision of this By-law, this By-law:

- a. Does not apply to the performance of any use permitted in an Industrial Zone as set out in any By-law in force from time to time passed pursuant to s. 34 of the Planning Act, R.S.O. 1990, p.13, or any predecessor or successor of that section, and further that the noise generated is pursuant to work done in the normal manner, and that the work does not contravene any federal or provincial laws or regulations.
- b. Does not apply to a person or agricultural operation that emits, causes or permits the emission of sound or vibration in connection with an established agricultural function.
- c. Does not apply to a commercial procedure that emits, causes or permits the emission of sound or vibration in connection with an established commercial operation.
- d. Does not apply to any military or other band or to a parade operating under written approval from the Municipality.
- e. Does not apply to an emergency vehicle of the police or fire department of the municipality, or any ambulance, public service, municipal operation, road service vehicle, private or public utility or emergency vehicle while responding to an emergency or carrying out their duties for the purposes of public health and safety.
- f. Does not apply to noise emitted by the use of vehicles or equipment utilized for the clearing of snow from public and private property.
- g. **Does not apply to noise related to the delivery of goods to the following destination:**
  1. **Retail Business establishments;**
  2. **Restaurants, including cafes and bars;**
  3. **Hotels and motels; and**
  4. **Goods distribution facilities.**

3.2 No person shall cause or permit sound from the operation of a combustion engine in conjunction with the reasonable use of any amusement ride at a fair or event within the restricted hours except with permission (written approval) from the Municipality.

3.3 None of the provisions of this By-law shall apply to the use in a reasonable manner of any apparatus or mechanism for the amplification of the human voice or of music in a public park or any other large open space in connection with any public election meeting, public celebration or other lawful gathering within the times specified in Schedule "A" attached, and provided written approval of the Municipality has first been obtained.

3.4 Permanent or temporary premises which are licensed for the sale of alcoholic beverages will be governed by the permitted hours of sale in accordance with the terms of their liquor license and business permits, where applicable. This restriction applies to indoor or outdoor establishments.



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#### 4. APPLICATION FOR EXEMPTION FROM COUNCIL

- 4.1 Upon receipt of a written request, Council may, by Resolution, grant an exemption to provisions of this By-law for a specified period of time, up to a limit of six months, subject to such terms and conditions as are deemed advisable.

The request shall include:

- a. the name and address of the applicant;
  - b. a description of the source of the sound in respect of which an exemption is being sought;
  - c. the period of time for which the exemption is being sought;
  - d. the reasons why an exemption is being sought.
- 4.2 Such request shall be accompanied by proof of publication, within the preceding ten days, in a newspaper of general circulation within the applicable service area of the Township of Essa, of a notice of intention to apply for an exemption to this by-law, containing the information required in clauses (i) through (iv) above, and stating the date upon which the application to Council is intended to be made in order to provide public comment on the request.
- 4.3 A copy of the request shall be provided to the Municipal Law Enforcement Officer who will conduct a site inspection and prepare a report to Council which includes details of any complaint history or corrective measures to be taken.
- 4.4 In deciding whether to grant the exemption, Council will review the request, the staff report, and any written submissions, and will provide the applicant and any person opposed an opportunity to speak in accordance with Council's Procedure By-law.
- 4.5 Where an exemption is granted, any breach of the terms or conditions renders the exemption null and void.

#### 5. ENFORCEMENT AND PENALTIES

- 5.1 Every person who contravenes a section of this By-law is, upon conviction, guilty of an offence and subject to a penalty as provided under the *Provincial Offences Act*.
- 5.2 Each new day of a continuing offence will be considered a new offence and punishable for each day the violation continues.
- 5.3 The Court in which the conviction has been entered, and any court of competent jurisdiction thereafter, may make an order prohibiting the continuation or repetition of the offence by the person convicted, and such order shall be in addition to any other penalty imposed on the person convicted.

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**6. GENERAL PROVISIONS**

- 6.1 If any court of competent jurisdiction finds that any sections or provisions of this By-law, or parts thereof, are ultra vires, or are invalid for any reason, such section or provision shall be deemed to be severable and shall not invalidate any of the other sections or provisions of the By-law which are separate and independent from each other and shall remain in full force and effect.
- 6.2 Where the context permits, words importing the singular also include more than one person, party or thing of the same kind.
- 6.3 The word "may" shall be construed as permissive and the word "shall" shall be construed as imperative.
- 6.4 That By-law 2005-66 be and is hereby repealed.
- 6.5 The short form title of this By-law shall be The Township of Essa "Noise By-law".

READ A FIRST, AND TAKEN AS READ A SECOND AND THIRD TIME AND FINALLY PASSED on this the 6<sup>th</sup> day of June, 2018.

\_\_\_\_\_  
Terry Dowdall, Mayor

\_\_\_\_\_  
Lisa Lehr, Clerk

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**TOWNSHIP OF ESSA BY-LAW NO. 2018-47**  
**SCHEDULE 'A'**  
**TIME PROHIBITIONS**

	<b>Prohibited Activity</b>	<b>Prohibited Period of Time</b>
1.	Discharge of firearms. Exception: police services, security and agricultural for the protection of livestock.	All times in any Residential area.
2.	Persistent barking, whining, howling, calling or other similar noise caused by any domestic pet or any other animal kept or used for any purpose other than agricultural.	All times
3.	The operation of a combustion engine which is used in, or is intended for use, in a toy or a model or replica of any device, which model or replica has no function other than amusement and which is not a conveyance.	All times
4.	The operation of any electronic device or group of connected electronic devices incorporating one or more loudspeakers or other electro-mechanical transducers, and intended for the production, reproduction or amplification of sound.	11 p.m. to 7 a.m.
5.	The operation of any auditory signaling device, including but not limited to the ringing of bells or gongs, the playing of music, and the blowing of horns, sirens, whistles or the production, reproduction or amplification of any similar sounds by electronic means except where required or authorized by law or in an accordance with public safety practices.	11 p.m. to 7 a.m.
6.	The operation of any motorized conveyance other than on a highway or other place intended for its operation including all Commercial vehicles over one ton, except for limited designated deliveries.	11 p.m. to 7 a.m.
7.	Excessive yelling, shouting, hooting, whistling or singing.	All times
8.	Loading, unloading, delivering, packing, unpacking, or otherwise handling any containers, products, materials, or refuse whatsoever, unless necessary for essential services, designated industrial uses, <b>retail business establishments, restaurants, cafes and bars, hotels and motels, goods distribution facilities</b> , public safety or the moving of private household effects.	8 p.m. to 7 a.m.
9.	The operation of any equipment in connection with construction.	8 p.m. to 7 a.m. Monday through Saturday  At no time on Sundays or on Designated Holidays
10.	Site alteration or fill operation pursuant to Essa's Site Alteration and Fill By-Law	7:00 p.m. and 7:00 a.m. Monday through Friday  At no time on Saturdays, Sundays or Designated Public Holidays.
11.	The operation or use of any tool, machine or motor for domestic purposes other than snow removal	10 p.m. to 7 a.m.

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	<b>Prohibited Activity</b>	<b>Prohibited Period of Time</b>
12.	Cause or allow the emissions of any unreasonable or unusual noise or vibration by means of the use of operation of any electrical motor, electrical, mechanical, hydraulic or pneumatic device, internal combustion engine or other mechanical or like device within a residential area.	10 p.m. to 7 a.m.

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**Corporation of the Township of Essa  
By-law 2018-47  
Noise Control By-law**

**PART 1 PROVINCIAL OFFENCES ACT**

<b>ITEM</b>	<b>COLUMN 1 Short Form Wording</b>	<b>COLUMN 2 Provision for Creating or Defining Offence</b>	<b>COLUMN 3 Set Fine</b>
1.	Cause or permit unusual or excessive sound from a bell, horn, siren or signaling device	2.1 (a)	\$100.00
2	Cause or permit unusual or excessive sound created by the use or operation of any drum, horn, bell, radio or mechanical loudspeaker, electrical sound-producing or transmitting instrument or apparatus.	2.1 (b)	\$100.00
3.	Cause or permit unusual or excessive sound from any radio, phonograph, public address system, sound equipment, loud speaker, or similar device, or any musical or sound producing instrument during.	2.1 (c)	\$100.00
4.	Cause or permit sound from excavation or construction work during prohibited hours	2.1 (d)	\$100.00
5.	Cause or permit sound from use or operation of mechanical loudspeaker or amplifier or other device or sound-producing, sound-reproducing or sound-transmitting instrument or apparatus in or upon any vehicle.	2.1 (e)	\$100.00
6.	Cause or permit sound caused by the discharge of any gun or other firearm, air gun and spring-gun, or any class or type thereof in any built-up or residential areas of the municipality	2.1 (f)	\$100.00
7.	Cause or permit sound by excessive yelling, shouting, hooting, whistling or singing.	2.1 (g)	\$100.00
8.	Cause or permit persistent barking, whining, howling, calling or other similar noise caused by any domestic pet or any other animal kept or used for any purpose other than agricultural	2.1 (h)	\$100.00
9.	Cause or permit sound grating, grinding, rattling noises caused by motor vehicle, motorcycle or other vehicle.	2.1 (i)	\$100.00
<b>ITEM</b>	<b>COLUMN 1</b>	<b>COLUMN 2</b>	<b>COLUMN 3</b>

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	<b>Short Form Wording</b>	<b>Provision for Creating or Defining Offence</b>	<b>Set Fine</b>
10.	Cause or permit sound from operation of lawnmower, chainsaw, power tools, or any other noise generating domestic tool or device during prohibited hours.	2.1 (j)	\$100.00
11.	Cause or permit sound from site alteration or fill operations during prohibited hours.	2.1 (l)	\$100.00
12.	Cause or permit sound from the operation of a combustion engine	3.2	\$100.00

**NOTE:** The Penalty Provision for the offences indicated above is Section 5 of By-law 2018-47, a certified copy of which has been filed, and s. 61 of the *Provincial Offences Act*, R.S.O., 1990, c. P. 33.

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# TOWNSHIP OF ESSA STAFF REPORT

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**STAFF REPORT NO.:** C021-21  
**DATE:** September 1, 2021  
**TO:** Committee of the Whole  
**FROM:** Krista Pascoe, Deputy Clerk  
**SUBJECT:** Amalgamation of Committees

## RECOMMENDATION

That Staff Report C021-21 be received; and

That Council approve amalgamating the Accessibility Advisory Committee, Parks and Recreation Committee, Age-Friendly Committee, and Healthy Community Committee to take effect with the commencement of the next term of Council.

## BACKGROUND

The Township of Essa has established various Advisory Committees over the years, each with a specific purpose. Terms of Reference have been established for each Committee that outlines items such as, mandate, scope of responsibilities, composition, meeting schedule, and term of service.

At its meeting of June 16, 2021, Council requested that Staff provide a Report to Council at a future meeting outlining the benefits of amalgamating some of the Township's Committees, specifically the Accessibility Advisory Committee, Age-Friendly Committee, Parks and Recreation Committee and the Healthy Community Committee.

## COMMENTS AND CONSIDERATIONS

Upon review of the Committees, it is clear that the common purpose of each Committee is to serve the community as a whole by removing barriers, promoting healthy and active lifestyles, creating and preserving the beauty and heritage throughout the Township and improving the quality of life for all persons within our community regardless of age, gender or ability.

Some of the benefits in amalgamating the Committees include, but are not limited to:

<b>Budget</b>	<ul style="list-style-type: none"> <li>Combining the Committees would allow for larger projects and/or initiatives to take place rather than 3 or 4 smaller projects as each Committee has its own operating budget.</li> <li>Remuneration paid to members would decrease, as we would go from approx. 20 community members to a smaller community representation of Council's choice.</li> </ul>
<b>Staff Time</b>	<ul style="list-style-type: none"> <li>Combining the Committees would reduce the number of Staff members involved and thereby free up some staff time..</li> <li>Would decrease the amount of time spent in scheduling and minute taking.</li> </ul>

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<b>Grant Opportunities</b>	<ul style="list-style-type: none"> <li>Funds received from Grant opportunities could be used on a wider range of eligible projects or combined to carryout a super project.</li> </ul>
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\*It should be noted that in some instances, citizens involved are involved above and beyond the Terms of Reference with no expectation for payment.

It is also important to note that the Terms of Reference state the Term of Service for each Committee is 2018-2022 with the exception of the Age-Friendly Committee that was established in 2019, therefore it is being recommended to amalgamate the Committees at the end of this term.

**FINANCIAL IMPACT**

Overall the amalgamation of Committees would result in a savings of remuneration paid, however the total is dependant on the number of members, meetings held and the amount of remuneration paid per meeting.

Manager of Finance Approval:

  
\_\_\_\_\_

**SUMMARY/OPTIONS**

Council may:

1. Take no further action.
2. **Authorize staff to proceed with amalgamating the committees at the end of this term and beginning with the next term of Council.**
3. Direct staff as Council deems appropriate.

**CONCLUSION**

Staff recommends that Council approve Option No. 2.

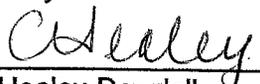
Respectfully submitted:

  
\_\_\_\_\_  
Krista Pascoe  
Deputy Clerk

Reviewed by:

\_\_\_\_\_  
Lisa Lehr  
Manager of Legislative Services

Reviewed by:

  
\_\_\_\_\_  
Colleen Healey-Dowdall  
Chief Administrative Officer

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# TOWNSHIP OF ESSA STAFF REPORT

**STAFF REPORT NO.:** CAO 034-21

**DATE:** September 1, 2021

**TO:** Committee of the Whole

**FROM:** Colleen Healey-Dowdall, Chief Administrative Officer

**SUBJECT:** Staffing By-law Hours

## RECOMMENDATION

That Staff Report CAO 034-21 be received; and

That Council consider to increase the part-time Municipal Law Enforcement Officer (MLEO) hours to full-time beginning immediately to adjust for increased demand for by-law enforcement; and to add another part-time MLEO in 2022.

## BACKGROUND

As the population of Essa has surpassed 20,000 and Essa Township has become more dense, the demand for by-law enforcement has increased as well. Council members as well as staff regularly receive complaints where the MLEO is needed. The Clerk has been tracking by-law complaints to the Clerks department and refers to such in the attached memo.

## COMMENTS AND CONSIDERATIONS

There is estimated to be enough work for 3 MLEOs but right now the municipality employs 1.5 – 1.75 MLEOs (weekly hours of the part-time officer vary). The Clerk has reported on the MLEO budget in her memo. It should be noted that the MLEO budget is split between by-law and canine control budgets (and that wages include support/supervisory staff).

It is thought, by this CAO, that the MLEOs could also assist with zoning by-law compliance since this CAO sees this as an area in need and where a sharing of services may assist staff to become more effective/efficient. The MLEO's could also be of assistance at the fishing parks.

## FINANCIAL IMPACT

Going forward in 2022, increasing the hours of the part-time MLEO from 45 hours to 70 hours bi-weekly will result in an increase of approximately \$15,000 to the municipal budget – less should Council compare to 2021 numbers.

This CAO would agree with the Clerk, even with the end of the pandemic, the number of by-law complaints does not seem to be decreasing. This office supports 2 full-time MLEOs, at least, beginning immediately. There will be an insignificant impact on the 2021 budget given the vacancy (refer to Clerk's memo). The cost of a third officer in 2022 will mean approximately \$31,020 on the 2022 budget.

Manager of Finance Approval: \_\_\_\_\_ 

## SUMMARY/OPTIONS

Council may:

1. Take no further action – deny the request and maintain status quo.
2. Increase the part-time MLEO hours to full-time beginning immediately.
3. Increase the part-time MLEO hours to full-time beginning in 2022.
4. Increase the part-time MLEO hours to full-time beginning immediately **and add another part-time MLEO in 2022** at a cost of approx. \$31,020.

## CONCLUSION

Option 4 is recommended.

Respectfully submitted:



Colleen Healey-Dowdall  
CAO

Attachments:

Memo of Clerk and stats



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**MEMORANDUM - CONFIDENTIAL**

TO: Colleen Healey-Dowdall, Chief Administrative Officer  
FROM: Lisa Lehr, Manager of Legislative Services  
DATE: August 4, 2021  
SUBJECT: Municipal Law Enforcement Officer (MLEO)

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As the result of the resignation of the full-time MLEO in July 2021, the Clerk's Department is currently in the process of recruiting for a new Municipal Law Enforcement Officer. At this time, I am requesting that consideration (and hopefully approval) be granted to increase the Part-Time MLEO hours from 30 hours to 35 hours per week.

As you may recall, when Council approved the part-time position in early 2020, Council approved the position to include 45 hours bi-weekly (22.5 hours weekly). As a response to the increase in demand for enforcement of the COVID regulations, Council approved an increase to the hours of the part-time officer position to 30 hours per week. (With no end in sight when the 2021 Budget was prepared, the part-time officer wages were calculated at 30 hours per week.)

Since Council approved the hiring of a part-time MLEO, quarterly summary reports have been provided of which show the increased demand on both the part-time and full-time officers. The reports have provided a breakdown of COVID-related concerns in addition to municipal by-law concerns where enforcement measures are required to be implemented to achieve compliance with various municipal By-laws. The demand on Municipal Law Enforcement was apparent prior to the COVID pandemic, and has continued to be the case even with the easing of COVID restrictions. The summary reports have also demonstrated that there is a substantial cross-over between departments of complaints that are lodged with the By-law Department (ie: complaints coming to By-law Officers, of which get referred to other departments who require assistance from MLEO to assist with inspections and follow-ups).

As confirmed with the Deputy Treasurer, the total amount budgeted in 2021 for both Full-Time and Part-Time MLEO positions was \$119,438.41, which includes all employer related expenses. To date, the municipality has paid a combined amount of \$63,707 in wages to MLEO employees. The Deputy Treasurer has advised that there is a favourable variance of approximately \$6,000.00, of which is expected to increase with the vacancy of the position.

Trusting this to be satisfactory.

Sincerely,

Lisa Lehr  
Manager of Legislative Services

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	Actuals to Date	Budget to Date	2021 Budget	Actuals vs Budget to Date	Variance Actuals to Annual Budget
<b>Clerks Department</b>					
<b>Clerks</b>					
Clerk's Wages and Salaries	\$152,790	\$136,103	\$233,320	\$16,687	65.49%
Election Wages and Salaries	\$0	\$0	\$0	\$0	0
Clerk's Operating Expenses	\$73,638	\$105,962	\$181,650	-\$32,325	40.54%
Election Operating Expenses	\$1,857	\$8,085	\$13,860	-\$6,228	13.40%
<b>Total Expenses:</b>	<b>\$228,285</b>	<b>\$250,151</b>	<b>\$428,830</b>	<b>-\$21,866</b>	<b>53.23%</b>
Revenues	-\$11,729	-\$17,529	-\$30,050	\$5,800	39.03%
Taxation required:	\$216,556	\$232,622	\$398,780	-\$16,066	54.30%
<b>By-Law</b>					
Wages and Salaries	\$60,118	\$76,062	\$130,392	-\$15,944	46.11%
Operating Expenses	\$2,365	\$21,146	\$36,250	-\$18,781	6.52%
<b>Total Expenses:</b>	<b>\$62,483</b>	<b>\$97,208</b>	<b>\$166,642</b>	<b>-\$34,725</b>	<b>37.50%</b>
Revenues	-\$19,060	-\$10,558	-\$18,100	-\$8,502	105.30%
Taxation required:	\$43,423	\$86,650	\$148,542	-\$43,227	29.23%
<b>Animal Control</b>					
Wages and Salaries	\$3,589	\$13,698	\$23,482	-\$10,109	15.28%
Operating Expenses	\$8,930	\$10,045	\$17,220	-\$1,115	51.86%
<b>Total Expenses:</b>	<b>\$12,519</b>	<b>\$23,743</b>	<b>\$40,702</b>	<b>-\$11,224</b>	<b>30.76%</b>
Revenues	-\$10,435	-\$10,558	-\$18,100	\$124	57.65%
Taxation required:	\$2,085	\$13,185	\$22,602	-\$11,100	9.22%
<b>Operating Assistance</b>					
Operating Expenses	\$7,300	\$5,250	\$9,000	\$2,050	81.11%
Taxation required:	\$7,300	\$5,250	\$9,000	\$2,050	81.11%

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**Colleen Healey**

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**From:** Lisa Lehr  
**Sent:** August 20, 2021 12:24 PM  
**To:** Colleen Healey  
**Subject:** RE: CAO034-21 Staffing By-law Hours

Hi Colleen

Here are the stats from Jan 1-Dec 31 2020 and from January 1 2021 to July 31, 2021:

<b>Annual Caseload Statistics – January 1 2020 to December 31, 2020</b>	
Phonecalls/Emails received in 2020, re: By-law Officers	726
# Complaints received in respect of alleged By-law infractions	722
# Inquiries re: Municipal By-laws	178
# Infractions validated as a result of complaints received, requiring additional follow-up	271
Total Cases Opened in MOAR - January 1, 2020 – December 31, 2020 (MOAR)	213 cases attached to households in 2020

Here are the stats to-date from Jan 1 to July 31 2021

<b>Annual Caseload Statistics – January 1 2021 to July 31 2021</b>	
Phonecalls/Emails received Jan 1 2021 to July 31 2021, (By-law Department only)	360
# Complaints received in respect of alleged By-law infractions	171
# Inquiries re: Municipal By-laws	143
# Infractions validated as a result of complaints received, requiring additional follow-up	126
Total Cases Opened in MOAR - January 1, 2021 – July 31, 2021 (MOAR)	106 cases attached to households in 2021

Sincerely,

**Lisa Lehr, CMO**  
Manager of Legislative Services  
Township of Essa  
Phone 705-424-9917 ext 117

**\*\*Did you know? The Township of Essa is undertaking a comprehensive review of its Official Plan. Click [HERE](#) for more information!\*\***

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## TOWNSHIP OF ESSA STAFF REPORT

**STAFF REPORT NO.:** CAO035-21

**DATE:** September 1, 2021

**TO:** Committee of the Whole

**FROM:** Colleen Healey-Dowdall, Chief Administrative Officer

**SUBJECT:** Speeding Enforcement

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### RECOMMENDATION

That Staff Report CAO035-21 be received; and

That Council consider to request a paid-duty OPP officer to carry out additional speed enforcement on an overtime basis for a couple of months (4x/mo) in Essa, at a cost of approximately \$2,400 to come from the 2021 policing budget.

### BACKGROUND

Council directed that staff discuss increased speed enforcement with the OPP with the intent to negotiate a new position which would generate revenue from tickets so as to be cost-neutral on the municipal budget.

The CAO met with the OPP to discuss the matter and negotiate as directed. Discussions revealed the following:

- There is no easy cost-recovery method associated with speed enforcement. The province eliminated this option a few years back since it appeared to the public as a "bribery-type" situation (pay us and we'll let you off). As it stands, the existing court-funded model leaves no room for additional fines or fees to be directed to our own local force. The existing model steers a specified percentage to all those relying on the Provincial Offences Office in Barrie.

### COMMENTS AND CONSIDERATIONS

With this in mind, there are few options to Essa to serve to increase speed enforcement. Options include:

- (a) Hire a new OPP officer to provide for enhanced service. The cost to the municipality would be approximately \$150,000/year. Note that at present, the OPP is struggling to fill vacancies.

(b) Offer "paid duty" to existing officers assigned to speed enforcement only unless in a major emergency situation. An existing officer would get 1.5 times pay and be assigned to speed enforcement on a day and time, and at a location, picked by Council. This could be carried out on a trial basis for a couple of months if an existing officer were interested. Again, the paid-duty officer would not be leaving to regular calls but only an emergency situation.

**FINANCIAL IMPACT**

Option (a) would cost approximately \$150,000/year whereas option (b) would cost approximately \$1,200/month and could be tried out for a couple of months or as directed by Council.

Manager of Finance Approval:  \_\_\_\_\_

**SUMMARY/OPTIONS**

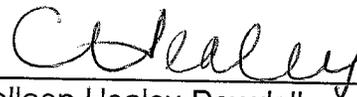
Council may:

1. Take no further action at no additional cost to the municipality.
2. Hire an additional officer to provide for an enhancement to its OPP contract.
3. Request a paid-duty officer carry out speed enforcement on an overtime basis for a couple of months (4x/mo).

**CONCLUSION**

Option #3 is recommended.

Respectfully submitted:

  
\_\_\_\_\_  
Colleen Healey-Dowdall  
CAO

Attachments:

Actual 2021 Policing spending and the approved 2021 Budget

	Actuals to Date	Budget to Date	2021 Budget	Variance Actuals vs Budget to Date	Actuals to Annual Budget
<b>Fire / Emergency Services</b>					
<b>Fire Department</b>					
Admin Wages and Salaries	\$167,697	\$188,894	\$323,819	-\$21,197	51.79%
Fire Fighting Wages and Salaries	\$143,486	\$203,292	\$348,500	-\$59,805	41.17%
Fire Training Wages and Salaries	\$53,420	\$84,583	\$145,000	-\$31,163	36.84%
Admin Operating Expenses	\$16,077	\$442,671	\$758,865	-\$426,594	2.12%
Fire Fighting Operating Expense	\$36,904	\$145,536	\$249,490	-\$108,632	14.79%
Fire Training	\$107	\$2,333	\$4,000	-\$2,226	2.68%
Angus Fire Hall	\$12,174	\$16,625	\$28,500	-\$4,451	42.72%
Thornton Fire Hall	\$11,152	\$16,333	\$28,000	-\$5,181	39.83%
Fleet	\$52,605	\$62,942	\$107,900	-\$10,336	48.75%
<b>Total Expenses:</b>	<b>\$493,624</b>	<b>\$1,163,210</b>	<b>\$1,994,074</b>	<b>-\$669,586</b>	<b>24.75%</b>
Revenues	-\$100,119	-\$72,683	-\$124,600	-\$27,436	80.35%
Taxation required:	\$393,504	\$1,090,526	\$1,869,474	-\$697,022	21.05%
<b>Emergency Measures</b>					
Wages and Salaries	\$13,529	\$8,223	\$14,096	\$5,306	95.98%
Operating Expenses	\$18,893	\$6,358	\$10,900	\$12,534	173.33%
<b>Total Expenses:</b>	<b>\$32,421</b>	<b>\$14,581</b>	<b>\$24,996</b>	<b>\$17,840</b>	<b>129.71%</b>
Revenues	\$0	\$0	\$0	\$0	0.00%
Taxation required:	\$32,421	\$14,581	\$24,996	\$17,840	129.71%
<b>Policing</b>					
Operating Expenses	\$1,468,601	\$1,773,339	\$3,040,010	-\$304,738	48.31%
Revenues	-\$200	-\$54,250	-\$93,000	\$54,050	0.22%
<b>Taxation required:</b>	<b>\$1,468,401</b>	<b>\$1,719,089</b>	<b>\$2,947,010</b>	<b>-\$250,688</b>	<b>49.83%</b>

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## TOWNSHIP OF ESSA STAFF REPORT

**STAFF REPORT NO.:** CAO038-21

**DATE:** September 1, 2021

**TO:** Committee of the Whole

**FROM:** Colleen Healey-Dowdall, Chief Administrative Officer

**SUBJECT:** Space at the Administration Centre

### RECOMMENDATION

That Staff Report CAO038-21 be received; and

That Council consider to relocate the MLEO's to the Angus Arena, at least on a temporary basis, to help to resolve the space shortage at the Administration Centre.

### BACKGROUND

The population of the municipality is quickly growing as are all communities in south Simcoe, and as such, the staff complement is growing too. With new staff added in the last couple of years and now the return of staff to the office, more office space is needed – not a new problem but now re-surfacing and with a solution needed immediately (even if only on a temporary basis with a more permanent solution to eventually follow).

### COMMENTS AND CONSIDERATIONS

To band-aid the problem for the time being, this CAO is suggesting to situate the MLEO's out of the Angus Arena. The Manager of Parks & Recreation was considered for a relocation but there is argument to continue with this position at the Administration Centre. The by-law officers are mobile and travel around and about the municipality constantly, so could still report into the Administration Centre daily during their travels. More business is conducted online with improved internet and IT capability than previous, and the MLEO's work 7 days/week with all different shift starts and ends. Reporting to the Arena later at night on any given day is likely safer than reporting to the Administration Centre.

Longer term, Council should begin thinking of options including:

1. An Administration Centre addition.
2. An Administration Centre renovation, i.e., some offices could be made smaller and with properly planned and constructed or purchased cubicles, the open area upstairs could be better utilized.

3. A portable positioned in the back parking lot, renovated to suit administrative needs.
4. Rental of a plaza unit in either Angus or Thornton, or both (similar to Bradford West Gwillimbury).
5. New office space in a new park's storage building behind the Angus Arena (space needed for new equipment as well).
6. New office space in a new road's storage building behind the Roads Garage (space needed for new equipment as well).
7. Position staff and/or the Mayor to work from home.

### FINANCIAL IMPACT

This office has not collected quotes as of yet as was only raising the concept to Council to start in principle, and to gain permission for a temporary measure/relocation. The short-term proposal to move the MLEO's to the Angus Arena would not cost anything at this time other than staff time to carry out the move.

If staff is to be squeezed into the Administration Centre (i.e., "do nothing"), then panels will be purchased immediately using 2021 Administration Facility funds (cost less than \$5,000).

Manager of Finance Approval: \_\_\_\_\_



### SUMMARY/OPTIONS

Council may:

1. Take no further action (staff to be accommodated at this time within the office in close quarters).
2. Relocate MLEO's to the Angus Arena at least on a temporary basis to help to resolve the space shortage at the Administration Centre.
3. Relocate Parks and Recreation staff to the Angus Arena.
4. Direct staff in another course of action.

### CONCLUSION

Option #2 is recommended for the short term. Staff will begin to collect quotes associated with longer term solutions.

Respectfully submitted:



Colleen Healey-Dowdall  
CAO

Attachments: