

THE CORPORATION OF THE TOWNSHIP OF ESSA
REGULAR COUNCIL MEETING

WEDNESDAY, MARCH 25, 2020
6:00 p.m.

AGENDA

1. OPENING OF MEETING BY THE MAYOR
2. DISCLOSURE OF PECUNIARY INTEREST
3. ADOPTION OF PREVIOUS MINUTES AND MOTIONS

p. 1 **Moved by:** _____ **Seconded by:** _____

Recommendation: *Be it resolved that the motions duly passed and approved at the Committee of the Whole meeting of this date be approved; and That the minutes of the Public, Committee of the Whole and Regular Council meetings held on the 4th day of March, 2020 be adopted as circulated.*

4. CONSENT AGENDA

Moved by: _____ **Seconded by:** _____

Recommendation: *Be it resolved that the items listed in the Consent Agenda dated March 25, 2020 be received for information, and that the necessary action be taken.*

5. COMMITTEE REPORTS
6. PETITIONS
7. MOTIONS AND NOTICES OF MOTIONS
8. UNFINISHED BUSINESS
9. BY-LAWS

p. 15 a. **By-law 2020-21**

Moved by: _____ **Seconded by:** _____

Recommendation: *Be it resolved that leave be granted to introduce By-law 2020-21, that being a By-law to amend the Township's Fees and Charges By-law 2013-28; and, that said By-law be read a first, and taken as read a second and third time and finally passed.*

p. 17

b. By-law 2020-22

Moved by: _____ **Seconded by:** _____

Recommendation: Be it resolved that leave be granted to introduce By-law 2020-22, that being a By-law to amend the Township's Zoning By-law 2003-50; and, that said By-law be read a first, and taken as read a second and third time and finally passed.

p. 19

c. By-law 2020-23

Moved by: _____ **Seconded by:** _____

Recommendation: Be it resolved that leave be granted to introduce By-law 2020-23, that being a By-law to provide for a Site Plan Control Agreement for Concession 9, West Part of Lot 21, County of Simcoe (7511 11th Line, Essa); and, that said By-law be read a first, and taken as read a second and third time and finally passed.

p. 20

d. By-law 2020-24

Moved by: _____ **Seconded by:** _____

Recommendation: Be it resolved that leave be granted to introduce By-law 2020-24, that being a By-law to provide for the erection of Stop Signs at Intersections, and to amend By-law 2019-40; and, that said By-law be read a first, and taken as read a second and third time and finally passed.

p. 21

e. By-law 2020-25

Moved by: _____ **Seconded by:** _____

Recommendation: Be it resolved that leave be granted to introduce By-law 2020-25, that being a By-law to amend the Township's Procedural By-law 2017-77, to allow for Electronic Participation where a State of Emergency has been declared; and, that said By-law be read a first, and taken as read a second and third time and finally passed.

10. QUESTIONS

11. CLOSED SESSION

Moved by: _____ **Seconded by:** _____

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

- *Personal matters about an identifiable individual, including Municipal or local board employees;*
- *Labour relations or employee negotiations;*
- *Litigation or potential litigation.*

Motion to Rise and Report from Closed Session Meeting of March 25th, 2020.

Moved by: _____ **Seconded by:** _____

Recommendation: *Be it resolved that Council rise and report from the Closed Session Meeting at _____ p.m.*

12. CONFIRMATION BY-LAW

Moved by: _____ **Seconded by:** _____

p. 23 **By-law 2020-26**

Recommendation: *Be it resolved that leave be granted to introduce By-law 2020-26, that being a By-law to confirm the proceedings of the Council and Committee of the Whole meetings held on this 25th day of March, 2020; and that said By-law be read a first, and taken as read a second and third time and finally passed.*

13. ADJOURNMENT

Moved by: _____ **Seconded by:** _____

Recommendation: *Be it resolved that this meeting of the Council of the Township of Essa adjourn at _____ p.m. to meet again on the 1st day of April, 2020 following Committee of the Whole.*

THE CORPORATION OF THE TOWNSHIP OF ESSA
PUBLIC MEETING MINUTES
WEDNESDAY, MARCH 4TH, 2020

PROPOSED ZONING BY-LAW AMENDMENT (Z1/20)
HOUSEKEEPING AMENDMENT

A Public Meeting was held on Wednesday, March 4th, 2020 at 6:00 p.m. in the Council Chambers, Administration Centre, Township of Essa.

In attendance: Mayor Sandie Macdonald
Deputy Mayor Michael Smith
Councillor Keith White
Councillor Henry Sander
Councillor Ron Henderson

Staff in attendance: C. Healey-Dowdall, Chief Administrative Officer
A. Powell, Manager of Planning and Development
J. Coleman, Manager of Parks and Recreation
C. Ross Tustin, Fire Chief
D. Burgin, Deputy Fire Chief
L. Lehr, Clerk

The Mayor opened the meeting by stating the purpose of the Public Meeting is to review proposed Housekeeping Amendments to the Township of Essa's Zoning By-law 2003-50 in accordance with Section 34 of the *Planning Act*, and to hear comments and review written submissions from the public and other agencies concerning these proposed Amendments.

The Manager of Planning and Development described the Housekeeping Amendment as follows:

As part of regular Housekeeping in association with the Township's Zoning By-law, Township Staff have undertaken an inventory of properties that require an Amendment to their zoning status as indicated in the subject Zoning By-law. The nature of the Amendment is to address:

- The prohibition of a dwelling on farmlands where a surplus dwelling has been severed, due to farm consolidations, in accordance with the provisions of the Planning Act,
- List properties requiring zoning corrections where mislabeled, or not zoned; and
- Prohibit boat launching in Township Fishing Parks

The Manger of Planning and Development then delivered a presentation to further describe the Amendment and the affected properties in which the Amendment would apply to.

The Mayor then asked if anyone in the audience would like to speak, that speakers must state their name and address so that proper records may be kept and notice of future decisions be sent to those persons involved in the review process. Comments are to be orderly, respectful and not repetitious.

Mr. Randy Graham – 16 Cecil Street

Mr. Graham lives at the subject address and questioned whether the proposed rezoning to his property would affect his property taxes, to the Manager of Planning and Development.

A. Powell advised that the effect of this mapping Amendment would not impact property taxes at the subject address.

Ms. Maria Benjamins – 5567 9th Line

Ms. Benjamins is a member of the Township's Healthy Community Committee and expressed concerns that the prohibition of boat launches works against the principles of encouraging active transportation and trails use, hinders opportunities for tourism and the optimal utilization of parks by closing off access to rivers and watercourses. Ms. Benjamins believes that blocking off publicly accessible launching locations will encourage less safe ways of access into waterways, but it won't prevent access altogether onto this form of trail. Ms. Benjamins also questioned what the plan is for canoe/boat/kayak launching alternatives.

Mayor Macdonald responded that Staff is currently investigating other options for boat launching that will be safer at a designated location that is better regulated for this activity. The current practice is highly unsafe as there are people launching motorized boats into the waterways.

C. Healey-Dowdall noted that through the 2019 Budget Approvals, Council approved funding for the creation of a properly designed safe and accessible boat launch in the Angus Community Park. The existing launches (Don Ross/Nottawasaga Fishing Park) lead public down an unsafe slippery riverbank. The Angus Community Park was selected as a possible location because it is in keeping with further enhancing access to water travel through a safe boat launch which will meet the objectives of Council.

Mayor Macdonald noted that the public is currently using any area they want to launch water vehicles which is unsafe and that the Township needs to address this issue.

Ms. Benjamins questioned if Council would consider the creation of more than one boat launch as there is camping at Centennial Park.

Mayor Macdonald noted that the property in question is leased by the Legion.

Councillor Henderson noted that boats are being put into the waterway on the 20th Sideroad, and that boats are not being launched in the river out of Centennial Park.

Council directed for this matter to be referred to the Clerk's Department for a report on a comprehensive Parks By-law addressing boat launching.

C. Healey-Dowdall emphasized that the purpose of this meeting was to listen to comments and that there will not be a decision tonight. A future report will be coming

C. Healey-Dowdall emphasized that the purpose of this meeting was to listen to comments and that there will not be a decision tonight. A future report will be coming forward; the idea of prohibiting the boat launch through a Zoning By-law Amendment will be abandoned and this matter will be discussed through the investigation of a comprehensive Parks Policy/By-law to let the public know what can and cannot be done in Township owned parks.

Mayor Macdonald thanked all those in attendance.

Sandie Macdonald, Mayor

Lisa Lehr, Clerk

**THE CORPORATION OF THE TOWNSHIP OF ESSA
PUBLIC MEETING MINUTES
WEDNESDAY MARCH 4, 2020**

RE: PROPOSED BY-LAW AMENDMENT TO FEES & CHARGES BY-LAW 2013-28

A Public Meeting was held on Wednesday March 4, 2020 in the Council Chambers of the Administration Centre, Township of Essa.

In attendance: Mayor Sandie Macdonald
Deputy Mayor Michael Smith
Councillor Keith White
Councillor Henry Sander
Councillor Ron Henderson

Staff in attendance: C. Healey-Dowdall, Chief Administrative Officer
J. Coleman, Manager of Parks and Recreation
A. Powell, Manager of Planning and Development
C. Ross Tustin, Fire Chief
D. Burgin, Deputy Fire Chief
L. Lehr, Clerk

The Mayor opened the Public Meeting stating that the purpose of this Public Meeting is to discuss proposed amendments to the Township's Fees and Charges By-law specifically in relation to recommended increases as outlined in Staff Report C006-20, and to hear all comments from residents of the Township of Essa.

The Clerk stated that in accordance with section 391 of the *Municipal Act*, 2001, as amended, a municipality is permitted to impose fees or charges on persons,

- (a) for services or activities provided or done by or on behalf of it;
- (b) for costs payable by it for services or activities provided; and
- (c) for the use of its property including property under its control".

She stated that at its meeting of February 19, 2020, Council received Staff Report C006-20 which provided an overview of the recommended amendments per Department to Essa's Fees and Charges By-law 2013-28

The following is a summary of the recommended amendments, per Department:

FIRE DEPARTMENT FEES			
Fee Description	Current Fee	Proposed Fee	Rationale for Amendment
NEW FEE <i>External Engineering and/or Legal Fees</i>	N/A	<i>Actual Cost Incurred</i>	Ensures consistency b/w Essa Fire Department and surrounding municipalities for the covering of engineering fees
AMEND EXISTING FEE <i>Fire Prevention Training</i>	\$100.00	\$150.00	Reflects actual cost to send three firefighters
AMEND EXISTING FEE <i>Other or Additional Follow-up Inspections</i>	\$40.00	\$50.00	Reflects true cost of inspections

PUBLIC WORKS FEES – SITE ALTERATION AND FILL FEES			
Fee Description	Current Fee	Proposed Fee	Rationale for Amendment
DELETE EXISTING FEE Fill less than 1,000 m3	\$250.00 + \$.80/m3	Remove	No longer applies, per By-law 2019-84
DELETE EXISTING FEE Fill between 1,000 m3 and 5,000 m3	\$500.00 + \$.80/m3	Remove	No longer applies, per By-law 2019-84
DELETE EXISTING FEE Fill between 5,000 m3 and 10,000 m3	\$1,500.00 + .80/m3	Remove	No longer applies, per By-law 2019-84
DELETE EXISTING FEE Greater than 10,000 m3	\$2,500.00 + .80/m3	Remove	No longer applies, per By-law 2019-84
NEW FEE Fill up to 1,000 m3	n/a	\$250.00 + \$2.00 / m3	To assist in offsetting cost(s) due to damage and maintenance on roads from truck traffic, as well as extra patrols needed to inspect roads during filling activities.
PLANNING AND DEVELOPMENT FEES			
Fee Description	Current Fee	Proposed Fee	Rationale for Amendment
NEW FEE Staff Attendance at LPAT Hearing(s)	n/a	\$1,500.00/day PLUS \$750.00/subsequent days	Fee to be collected IF required by an applicant that appeals a decision of Council and staff
NEW FEE Validation of Title	n/a	\$500.00	Standard fee collected in addition to Consent Application Fee
NEW FEE Condominium Exemption	n/a	\$2,000.00 PLUS \$2,000.00 Legal and Engineering Deposit	Clarification required for "Exemption" Applications which was never specified
BUILDING DEPARTMENT FEES			
Fee Description	Current Fee	Proposed Fee	Rationale for Amendment
AMEND EXISTING FEE 15.1 - Revision Part 9 Permits/Applications	\$50.00/hr	\$75.00/hr	Increase as per industry standard
AMEND EXISTING FEE 15.2 – Revision Part 3 Permits/Applications	\$50.00/hr	\$75.00/hr	Increase as per industry standard
AMEND EXISTING FEE 15.4 Re-Inspection	\$25.00	\$75.00	Increase as per industry standard
AMEND EXISTING FEE 5.11 Model Home	\$100.00	\$500.00	Flat Fee - includes Review
DELETE EXISTING FEE 2.2 Tents – 2 to 10, same site (per site)	\$50.00	Remove	Housekeeping Amendment to only have one fee for tents
DELETE EXISTING FEE 2.3 Tents - more than 10 (same site)	\$50.00	Remove	Housekeeping Amendment to only have one fee for tents
AMEND (Wording only) Change from "Tents, one only (each) TO "Tents (each)"	\$50.00	Keep fee at \$50.00 per tent	Charge per tent
DELETE EXISTING FEE 5.0-Sheds under 200 ft2	.11/ft2	REMOVE FEE	Fee would fall under \$100.00 minimum
AMEND EXISTIN FEE 15.6 Building Compliance Letters, per property	\$50.00	\$75.00	Update would match fee for Zoning Compliance Letter
AMEND EXISTING FEE 15.6 Building Compliance Letter, RUSH	\$75.00	\$100.00	This update would match the fee for a Rush Zoning Compliance Letter

The Clerk informed Council that she had received one letter of comment on the proposed amendments specific to the Site Alteration and Fill Fees from a representative of Maria Cruz (5555 8th Line) which expressed her concerns as follows:

- The new fee structure places a significant undue hardship on farmers and residents, and in effect will prevent farmers from restoring their homes to the intended agricultural uses;
- The proposed Site Alteration and Fill Fees do not have a nexus to the services provided. The fee should be justified and reflect the anticipated costs associated with the service or program offered by the municipality in which the fees and charges are levied.

Mayor Macdonald asked if anyone in the audience would like to speak, stating that speakers must state their name and address in full so that proper records can be kept and that notice of future decisions can be sent to those persons. Comments are to be orderly, respectful and not repetitious.

Maria Benjamins (5567 9th Line) requested clarification on the proposed amendments to the Site Alteration and Fill Fees, and expressed concern about the endless dump trucks placing fill in the Township.

Colleen Healey-Dowdall, Chief Administrative Officer, advised that Council had recently adopted a new By-law to prohibit fill. She stated that the new By-law contains strict criteria that has to be met prior to any exemption being provided, including the submission of a number of studies (engineering, lot grading). Additionally there are conditions that are required to be met in order to qualify for an exemption; agricultural properties do not qualify for any exemptions. If an exemption is granted based on the strict criteria contained in the By-law, then permit holders are limited to 1,000 m³ of clean fill per year.

There were no questions from members of Council.

Mayor Macdonald thanked all in attendance for their participation and advised that the Clerk will be preparing a staff report and By-law to be presented to Council at their meeting on March 25, 2020.

Sandie Macdonald, Mayor

Lisa Lehr, Clerk

**THE CORPORATION OF THE TOWNSHIP OF ESSA
COMMITTEE OF THE WHOLE**

**WEDNESDAY, MARCH 4, 2020
6:00 p.m.**

MINUTES

A Committee of the Whole meeting was held on Wednesday, March 4, 2020 in the Council Chambers of the Administration Centre, Township of Essa.

In attendance: Mayor Sandie Macdonald
Deputy Mayor Michael Smith
Councillor Keith White
Councillor Henry Sander
Councillor Ron Henderson

Staff in attendance: C. Healey-Dowdall, Chief Administrative Officer
J. Coleman, Manager of Parks and Recreation
A. Powell, Manager of Planning and Development
C. Ross Tustin, Fire Chief
D. Burgin, Deputy Fire Chief
L. Lehr, Clerk

1. OPENING OF MEETING BY THE MAYOR

Mayor Macdonald opened the meeting at 6:00 pm

2. DISCLOSURE OF PECUNIARY INTEREST

Deputy Mayor Smith declared a conflict on Item 3(b) as he has an active Fill Permit.

3. DELEGATIONS / PRESENTATIONS / PUBLIC MEETINGS

- a. Public Meeting – Zoning By-law Amendment (Z1-20)**
RE: Proposed Housekeeping Amendments

See separate set of minutes.

Deputy Mayor Smith declared a conflict on Item 3(b). He did not vote or participate in any discussion on this Item. He vacated Council Chambers for this portion of the meeting.

- b. Public Meeting – Proposed Amendments – Fees and Charges By-law**
RE: By-law 2013-28

See separate set of minutes.

Deputy Mayor Smith resumed his seat for the remainder of the meeting.

STAFF REPORTS

4. PLANNING AND DEVELOPMENT

- a. **Staff Report PD005-20 submitted by the Manager of Planning and Development, re: Staff Recommendation Report – OPA 33 Pertaining to the lands located at 7994 9th Line.**

MOTION DEFEATED:

Resolution No: DEFEATED Moved by: Sander Seconded by: White

Be it resolved that Staff Report PD005-20 be received; and That Council approve an amendment to the Township's Official Plan, 2001, to policy 26.5.1 as it applies to lands known as Part Lot 25, Concession 8, municipally known as 7994 9th Line.

5. PARKS AND RECREATION/ COMMUNITY SERVICES

6. FIRE AND EMERGENCY SERVICES

7. PUBLIC WORKS

8. FINANCE

9. CLERKS / BY-LAW ENFORCEMENT / IT

- a. **Staff Report C007-20 submitted by the Deputy Clerk, re: Lives Matter Campaign.**

Resolution No: CW031-2020 Moved by: Smith Seconded by: Sander

Be it resolved that Staff Report C007-20 be received; and That Council approve the Traffic Advisory Committee's initiative to roll out a "Lives Matter" Campaign.

----Carried-----

- b. **Staff Report C008-20 submitted by the Clerk, re: By-law Department Budget.**

Resolution No: CW032-2020 Moved by: Smith Seconded by: Henderson

Be it resolved that Staff Report C008-20 be received; and That Council authorize staff to purchase two additional uniforms and a winter jacket for the new Part Time Municipal Law Enforcement Officer, at a maximum upset cost of \$500.00.

----Carried-----

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

- a. **Staff Report CAO018-20 submitted by the Chief Administrative Officer, re: Brookfield Environmental Assessment for Sewage Treatment.**

MOTION DEFEATED:

Resolution No: DEFEATED Moved by: Seconded by:

- b. **Staff Report CAO019-20 submitted by the Chief Administrative Officer, re: Pay Administration Policy.**

Resolution No: CW033-2020 Moved by: White Seconded by: Sander

*Be it resolved that Staff Report CAO019-20 be received; and
That Council approve adopting the Pay Administration Policy, as amended.*

----Carried-----

11. OTHER BUSINESS

12. ADJOURNMENT

Resolution No: CW036-2020 Moved by: Henderson Seconded by: Smith

Be it resolved that this meeting of Committee of the Whole of the Township of Essa adjourn at 6:50 p.m. to meet again on the 25th day of March, 2020 at 6:00 p.m.

----Carried-----

Sandie Macdonald, Mayor

Lisa Lehr, Clerk

**THE CORPORATION OF THE TOWNSHIP OF ESSA
REGULAR COUNCIL MEETING**

**WEDNESDAY, MARCH 4, 2020
6:00 p.m.**

MINUTES

A Meeting of Council was held on Wednesday, March 4, 2020 in the Council Chambers of the Administration Centre, Township of Essa.

In attendance: Mayor Sandie Macdonald
Deputy Mayor Michael Smith
Councillor Keith White
Councillor Henry Sander
Councillor Ron Henderson

Staff in attendance: C. Healey-Dowdall, Chief Administrative Officer
J. Coleman, Manager of Parks and Recreation
A. Powell, Manager of Planning and Development
C. Ross Tustin, Fire Chief
D. Burgin, Deputy Fire Chief
L. Lehr, Clerk

1. OPENING OF MEETING BY THE MAYOR

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

2. DISCLOSURE OF PECUNIARY INTEREST

None declared.

3. ADOPTION OF PREVIOUS MINUTES AND MOTIONS

Resolution No: CR055-2020 Moved by: Sander Seconded by: Henderson

Be it resolved that the motions duly passed and approved at the Committee of the Whole meeting of this date be approved; and

That the minutes of the Committee of the Whole and Regular Council meetings held on the 19th day of February, 2020 be adopted as circulated.

----Carried----

4. CONSENT AGENDA

Resolution No: CR056-2020 Moved by: White Seconded by: Sander

Be it resolved that the items listed in the Consent Agenda dated March 4, 2020 be received for information, and that the necessary action be taken.

----Carried----

5. COMMITTEE REPORTS

a. Nottawasaga Police Services Board

Resolution No: CR057-2020 Moved by: White Seconded by: Henderson

Be it resolved that the minutes of the Nottawasaga Police Services Board from their meeting of January 22, 2020, be received.

----Carried----

b. Essa Public Library Board

Resolution No: CR058-2020 Moved by: Smith Seconded by: White

Be it resolved that the minutes of the Essa Public Library Board from their meeting of January 27, 2020, be received.

----Carried----

6. PETITIONS

7. MOTIONS AND NOTICES OF MOTIONS

a. Security Reduction No. 7 – Riverview (Brookvalley North) Subdivision Phase 2 (Stages A, B and C)

Resolution No: CR059-2020 Moved by: Henderson Seconded by: White

Be it resolved that Council approve Security Reduction No. 7 relating to Riverview (Brookvalley North) Subdivision Phase 2 (Stages A, B and C), as recommended by the Township Engineer, as follows:

Current Securities Held by Municipality	\$ 322,114.58
LESS AECOM's Recommended Reduction	\$ 241,946.06
Securities to be Retained	\$ 80,168.52

and

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

----Carried----

b. Proclamation – World Autism Awareness Day April 2, 2020 (Flag Raising Ceremony – April 2, 2020 – 9:00 a.m.)

Resolution No: CR060-2020 Moved by: Smith Seconded by: Sander

WHEREAS World Autism Awareness Day will be recognized on April 2, 2020 in Canada, thanks to Liberal Senator Jim Munson's Bill S-206, An Act Respecting World Autism Awareness Day; and

WHEREAS Autism Spectrum Disorder (ASD) affects more than 135,000 Ontarians, and is now recognized as the most common neurological disorder affecting 1 in every 94 children, as well as their friends, family and community; and

*WHEREAS ASD not only manifests itself differently in every individual in whom it appears, but its characteristics will change over the life of each individual as well. A child with ASD will become an adult with ASD; and
WHEREAS Autism Ontario (formerly Autism Society Ontario) is the leading source of information and referral on autism and one of the largest collective voices representing the autism community, and has been providing support, information and opportunities for thousands of families across the Province since 1973; and
WHEREAS Autism Ontario is dedicated to increasing public awareness about autism and the day-to-day issues faced by individuals with autism, their families, and the professionals with whom they interact, as well as sharing between the Association and its Chapters, the common goals of providing information and education, supporting research, and advocating for programs and services for the autism community;
NOW THEREFORE BE IT RESOLVED THAT Council of the Corporation of the Township of Essa hereby proclaims April 2, 2020 as World Autism Awareness Day.*

----Carried----

c. Proclamation – Purple Day for Epilepsy Awareness, March 26, 2020

Resolution No: CR061-2020 Moved by: Henderson Seconded by: White

*WHEREAS on June 28, 2012, the Purple Day Act (Bill C-278) received a Royal Assent in Canada; and
WHEREAS Epilepsy is a common neurological disease that is not well understood, and affects approximately 1 in every 100 persons in Simcoe County; and
WHEREAS Epilepsy is a chronic neurological disease which affects each person differently, with the effects ranging from mild and relatively minor to extremely serious (which includes death); and,
WHEREAS Epilepsy Simcoe County was established in 1978 to assist individuals, families, caregivers, and professionals in our area with education, support, and advocacy in relation to epilepsy awareness.
NOW THEREFORE BE IT RESOLVED THAT Council of the Corporation of the Township of Essa hereby proclaims March 26, 2020 as "Purple Day for Epilepsy Awareness"*

----Carried----

d. Essa Support – Bill 63, An Act to enact the Right to Timely Mental Health and Addiction Care for Children and Youth Act, 2019

Resolution No: CR062-2020 Moved by: Sander Seconded by: Smith

*WHEREAS Children and youth across Ontario experience mental health and addiction issues that impact their lives and the lives of those around them; and
WHEREAS the number of children and youth in Ontario that live with mental health and addiction issues grows substantially with long wait times before receiving the appropriate care, sometimes in excess of two years; and
WHEREAS early interventions are more effective and successful in addressing mental health and addiction issues, providing those living with these issues the coping tools and assistance that they need to live their lives on a daily basis; and
WHEREAS Bill 63, an Act to enact the Right to Timely Mental Health and Addiction Care for Children and Youth Act, 2019, received second reading on February 21, 2019*

and was referred to the Standing Committee on General Government, but has yet to receive Third Reading to move this Bill forward; and
WHEREAS the passing of Bill 63 would guarantee children and youth with access to mental health and addiction services within 30 days to provide them with the support that they need in a timely manner, enabling them to grow and live their lives to the fullest; and
WHEREAS time is of the essence for children and youth across Ontario who reach out for help with mental health and addiction issues; and
WHEREAS prioritizing child and youth mental health and addiction services is the right and fiscally responsible thing to do;
NOW THEREFORE BE IT RESOLVED THAT Council of the Corporation of the Township of Essa hereby supports Bill 63, the Right to Timely Mental Health and Addiction Care for Children and Youth Act, 2019, and urges the Province to expedite the final reading on this Bill, in an effort to help our most vulnerable sector receive the expedited care that they deserve; and
THAT this resolution be forwarded to all municipalities in the County of Simcoe for their support.

----Carried-----

8. UNFINISHED BUSINESS

9. BY-LAWS

a. By-law 2020-17 (Greenwood Drive / Maplewood Drive)

Resolution No: CR063-2020 Moved by: Smith Seconded by: White

Be it resolved that leave be granted to introduce By-law 2020-17, that being a By-law to provide for the erection of stop signs at intersections, and to amend By-law 2019-40; and, that said By-law be read a first, and taken as read a second and third time and finally passed

----Carried-----

b. By-law 2020-18

Resolution No: CR064-2020 Moved by: Sander Seconded by: White

Be it resolved that leave be granted to introduce By-law 2020-18, that being a By-law to appoint a Deputy Chief Building Official; and also a Plumbing Inspector, Property Standards Officer and Zoning Administrator; and, that said By-law be read a first, and taken as read a second and third time and finally passed

----Carried-----

c. By-law 2020-19

Resolution No: CR065-2020 Moved by: White Seconded by: Smith

Be it resolved that leave be granted to introduce By-law 2020-19, that being a By-law to appoint a Municipal Law Enforcement Officer; and also a Tobacco Enforcement Officer, Weed Inspector and Zoning Administrator; and, that said By-law be read a first, and taken as read a second and third time and finally passed

----Carried----

10. QUESTIONS

11. CLOSED SESSION

12. CONFIRMATION BY-LAW

By-law 2020-20

Resolution No: CR066-2020 Moved by: Henderson Seconded by: Smith

Be it resolved that leave be granted to introduce By-law 2020-20, that being a By-law to confirm the proceedings of the Council and Committee of the Whole meetings held on this 4th day of March, 2020; and that said By-law be read a first, and taken as read a second and third time and finally passed.

----Carried----

13. ADJOURNMENT

Resolution No: CR067-2020 Moved by: Smith Seconded by: Henderson

Be it resolved that this meeting of the Council of the Township of Essa adjourn at 7:03 p.m. to meet again on the 25th day of March, 2020 following Committee of the Whole.

----Carried----

Sandie Macdonald, Mayor

Lisa Lehr, Clerk

9a

THE CORPORATION OF THE TOWNSHIP OF ESSA

BY-LAW 2020 – 21

A By-law to amend the Township’s Fees and Charges By-law (2013-28).

WHEREAS Section 11 (1) of the *Municipal Act*, 2001, S.O. 2001, c.M.25, as amended, provides that municipalities may provide any service or thing that the municipality considers necessary or desirable for the public, subject to the rules set out in subsection (4); and

WHEREAS Section 391(1) of the *Municipal Act 2001*, S.O. 2001, c.M.25, as amended, provides that municipalities may pass By-laws imposing fees or charges on any class of persons:

- a) for services or activities provided or done by or on behalf of it;
- b) for costs payable by it for services or activities provided or done by or on behalf of any other municipality or local board; and
- c) for the use of its property including property under its control; and,

WHEREAS Notice of Intent to amend its Fees and Charges By-law was provided to the public, and a Public Meeting was held on March 4, 2020 to provide the public with the opportunity to address Council and provide comments and/or objections to the proposed increase in fees and charges;

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

1. That By-law 2013-28 be and is hereby amended as outlined in Schedule “A” of this By-law, effective immediately upon passage of this By-law.
2. That this By-law shall come into full force and effect upon the final passing thereof.

READ A FIRST, AND TAKEN AS READ A SECOND AND THIRD TIME AND FINALLY PASSED on this the 6th day of November, 2019.

Sandie Macdonald, Mayor

Lisa Lehr, Clerk

9a

SCHEDULE "A" TO BY-LAW 2020-21

Amendments to Fees and Charges

FIRE DEPARTMENT FEES	
Fee Description	Fee
NEW FEE - External Engineering and/or Legal Fees	Actual Cost Incurred
AMEND EXISTING FEE - Fire Prevention Training	\$150.00
AMEND EXISTING FEE - Other or Additional Follow-up Inspections	\$50.00
PUBLIC WORKS FEES – SITE ALTERATION AND FILL FEES	
Fee Description	Fee
NEW FEE - Fill up to 1,000 m3	\$250.00 PLUS \$2.00/m3
DELETE EXISTING FEE - Fill less than 1,000 m3	
DELETE EXISTING FEE - Fill between 1,000 m3 and 5,000 m3	
DELETE EXISTING FEE - Fill between 5,000 m3 and 10,000 m3	
DELETE EXISTING FEE - Greater than 10,000 m3	
PLANNING AND DEVELOPMENT FEES	
Fee Description	Fee
NEW FEE - Staff Attendance at LPAT Hearing(s)	\$1,500.00/day PLUS \$750.00/subsequent days
NEW FEE - Validation of Title	\$500.00
NEW FEE - Condominium Exemption	\$2,000.00 PLUS \$2,000.00 Legal and Engineering Deposit
BUILDING DEPARTMENT FEES	
Fee Description	Fee
AMEND EXISTING FEE - 15.1 - Revision Part 9 Permits/Applications	\$75.00/hr
AMEND EXISTING FEE - 15.2 – Revision Part 3 Permits/Applications	\$75.00/hr
AMEND EXISTING FEE - 15.4 Re-Inspection	\$75.00
AMEND EXISTING FEE - 5.11 Model Home	\$500.00
DELETE EXISTING FEE - 2.2 Tents – 2 to 10, same site (per site)	
DELETE EXISTING FEE - 2.3 Tents - more than 10 (same site)	
AMEND (Wording only) - Change from "Tents, one only (each) TO "Tents (each)"	

THE CORPORATION OF THE TOWNSHIP OF ESSA

BY-LAW NO. 2020 – 22

Being a By-law to amend the Township’s Zoning By-Law, By-law No. 2003-50, as amended, affecting properties throughout the Municipality.

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

WHEREAS the Council of the Corporation of the Township of Essa has determined a need to rezone farmland, where surplus dwelling has been severed, to prohibit a new home;

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

- 1. THAT Schedule “A” to By-law 2003-50 is hereby amended by rezoning those lands shown on Schedule 1, and attached herein, and labelled as “A-1”, to no longer permit a dwelling.
- 2. THAT Section 6.4, Special Provisions, of By-law No. 2003-50, is amended by adding the following to 6.4.1:

“Conc 4, Part 1/2 Lot 5 (around 5563 County Road 10)”
- 3. THAT Section 32.5, Environmental Protection (EP) Zone, of By-law No. 2003-50, is amended by adding the following to 32.5 (as indicated below, as per Draft Plan Condition of Subdivision):

“Part 1, Plan 51R-37371 (Birchwood Subdivision)”
- 4. THAT Schedule “B” to By-law 2003-50 is hereby amended by rezoning those lands shown on Schedule 1 and attached herein, as indicated below:

Pt Lots 97 & 98, Plan 1299, 51R-17376 Parts 3 & 6, 14 Cecil St R1
 Pt Lots 97 & 98, Plan 1299, 51R-17376 Parts 2 & 5, 16 Cecil St R1
 Pt Lot 30, 51R18348 Part 1, 190 Centre St R1, EP
 Pt Lot 30, 51R15803 Part 1, 194 Centre St R1
 Pt Lot 30, 51R15428 Part 2, 195 Calford St R1
 W Pt Lot 30, Conc. 4, 51R21412 Part 1, 121 Graham St R1,EP
 W Pt Lot 30, Conc. 4, 51R21412 Part 1, 119 Graham St R1,EP
 Plan 1372, N ½ Lot 42, 51R14102, Part 1, 117 Graham St R1,EP
 Plan 1372, S ½ Lot 42, 51R14102, Part 2, 115 Graham St R1,EP
 Plan 1372, Pt Lot 42, 51R14102, Part 3, 113 Graham St R1,EP

9b

Plan 1372, S ½ Lot 41, 111 Graham St R1,EP
Plan 1372, Lot 40, Pt Block A & 51R36258, Part 1,109 Graham St R1,EP
Plan 160A, Pt Auburn St, 51R39917, Parts 1 & 2 R1
Part Lot 32, Conc. 3, 366 Mill St C2, EP

- 5. THAT this By-law shall take effect as of the date of passing, subject to the provisions of the *Planning Act*, R.S.O. 1990, Chap. P.13, as amended.

READ A FIRST, AND TAKEN AS READ A SECOND AND THIRD TIME AND FINALLY PASSED on this the 25th day of March, 2020.

Sandie Macdonald, Mayor

Lisa Lehr, Clerk

9c

THE CORPORATION OF THE TOWNSHIP OF ESSA

BY-LAW NO. 2020 – 23

A By-law to provide for a Site Plan Control Agreement for Concession 9, West Part of Lot 21, County of Simcoe (7511 9th Line, Essa Township).

WHEREAS the Council of the Corporation of the Township of Essa is empowered to enter into agreements for Site Plan Control pursuant to Section 41 of the *Planning Act*, R.S.O. 1990; and

WHEREAS the Township and the owner of the property known as Concession 9, West Part of Lot 21, desire to enter into an Agreement in order to permit the development of the aforesaid property in accordance with a Site Plan; and

WHEREAS Council deems it advisable to enter into such an Agreement;

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

1. The Agreement attached hereto is approved by Council, and Council agrees to the terms of the aforesaid Agreement.
2. The Mayor and Clerk are hereby authorized to execute the subject Agreement and all other documentation necessary to give effect to the attached Agreement.
3. This By-law and Agreement attached shall be registered in the Land Titles Office for the County of Simcoe after execution by all parties.
4. This By-law comes into force and effect on the day it is finally passed.

READ A FIRST, AND TAKEN AS READ A SECOND AND THIRD TIME AND FINALLY PASSED on this the 25th day of March, 2020.

Sandie Macdonald, Mayor

Lisa Lehr, Clerk

9d

THE CORPORATION OF THE TOWNSHIP OF ESSA

BY-LAW NO. 2020 – 24

A By-law to provide for the erection of stop signs at intersections, and to amend By-law 2019-40.

WHEREAS the *Highway Traffic Act*, R.S.O. 1990 Chapter H8, as amended, provides that the Council of a Municipality may, by By-law, provide for the erection of stop signs at intersections on highways under its jurisdiction, and every sign so erected shall comply with regulations of the Ministry of Transportation.

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

- 1. That Schedule "A" to By-law 2019-40 be amended to include the following:

	<u>Column 1 – Intersection</u>	<u>Column 2 – Facing Traffic</u>
ADD	# 152 Greenwood Drive and Maplewood Drive	Eastbound on Maplewood Drive (Park Exit)

- 2. The penalties provided in the *Highway Traffic Act*, as amended, shall apply to offences against this By-law.
- 3. Each designation made by Section 1 shall not become effective until stop signs have been erected in accordance with the Regulations of the *Highway Traffic Act*.
- 4. This By-law shall come into force and take effect on the final day of passing thereof.

READ A FIRST AND TAKEN AS READ A SECOND AND THIRD TIME AND FINALLY PASSED on this the 25th day of March, 2020.

Sandie Macdonald, Mayor

Lisa Lehr, Clerk

THE CORPORATION OF THE TOWNSHIP OF ESSA

BY-LAW NO. 2020 – 25

A By-law to amend the Township’s Procedural By-law 2017-77 to allow for Electronic Participation where a State of Emergency has been declared.

WHEREAS Council of the Township of Essa enacted and passed By-law No. 2017-77, a By-law to govern the proceedings of Council, Standing Committees, and Other Committees and Boards of Council at its meeting of December 20, 2017; and

WHEREAS section 2.8 of By-law 2017-77 contains provisions which do not allow for electronic participation by members of Council, Standing Committees, and other Committees and Board of Council in meetings; and

WHEREAS Bill 187, the *Municipal Emergency Act, 2020*, was passed by the Provincial Legislature on March 19, 2020, which grants Municipal Councils with discretionary authority to participate in public and closed session meetings via electronic means where a State of Emergency has been declared under Sections 4 of 7.0.1 of the *Emergency Management and Civil Protection Act*; and

WHEREAS Council of the Township of Essa is desirous of exercising this discretionary authority, to implement measures to allow for electronic participation by Council only in situations deemed to be urgent, where a State of Emergency has been declared in accordance with Sections 4 and 7.0.1 of the *Emergency Management and Civil Protection Act*, and to provide for transparency and accountability to the public while ensuring the health and safety of its members, staff and the public; and

WHEREAS Council of the Township of Essa deems it expedient to amend the Procedural By-law to include such provisions to permit electronic participation by members of Council for such situations where a State of Emergency has been declared in accordance with the *Emergency Management and Civil Protection Act*;

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

1. That Procedural By-law 2017-77 be and is hereby amended as follows:

2.8.1 *While every effort shall be made by members of Council to attend meetings physically in person, in the event that an emergency has been declared to exist in all or part of the Township of Essa, or in accordance with provisions contained in Sections 4 or 7.0.1 of the Emergency Management and Civil Protection Act, a member of Council may participate fully in a meeting by electronic means (via teleconference or video conference). This applies to members of Council only, and to their participation in the following types of meetings: Committee of the Whole, Closed Session, Regular, Special, and Emergency Meetings.*

2.8.1.1 *Electronic participation shall mean participation by teleconference or video conference.*

- 2.8.1.2 *Any member of Council participating by electronic means shall notify the Clerk at a minimum four (4) hours in advance of the meeting.*
- 2.8.1.3 *Where a State of Emergency has been declared as outlined in Section 2.8.1 above, electronic participation shall count towards quorum in accordance with section 238(3.3) of the Municipal Act, 2001, as amended by Bill 187.*
- 2.8.1.4 *Votes cast by members electronically shall be counted towards the overall decision of Council.*
- 2.8.1.5 *A member cannot be physically absent for more than three (3) consecutive meetings without the consent of Council.*
- 2.8.1.6 *In the event of technical failure during the meeting, Council/Committee may take a recess of not more than ten (10) minutes to allow staff to reinstate the electronic participation. If a member can no longer participate by electronic means, it will not affect the validity of the meeting or decisions made.*

2. This By-law shall come into force and take effect on the final day of passing thereof.

READ A FIRST AND TAKEN AS READ A SECOND AND THIRD TIME AND FINALLY PASSED on this the 25th day of March, 2020.

Sandie Macdonald, Mayor

Lisa Lehr, Clerk

THE CORPORATION OF THE TOWNSHIP OF ESSA

BY-LAW 2020 - 26

Being a By-law to confirm the proceedings of the Council meeting held on the 25th day of March, 2020.

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

THAT the action of the Council at its meeting held on the 25th day of March, 2020 and, in respect of each recommendation contained in the Minutes of the Regular Council meeting held on the 4th day of March, 2020, and the Public and Committee of the Whole meetings held on the 4th day of March, 2020; and, in respect of each motion, resolution and other action passed and taken by Council at the said meetings, is, except where prior approval of the Ontario Municipal Board is required, hereby adopted, ratified and confirmed.

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

READ A FIRST, AND TAKEN AS READ A SECOND AND THIRD TIME AND FINALLY PASSED on this the 25th day of March, 2020.

Sandie Macdonald, Mayor

Lisa Lehr, Clerk