

**THE CORPORATION OF THE TOWNSHIP OF ESSA
REGULAR COUNCIL MEETING
WEDNESDAY, FEBRUARY 21, 2024
(To follow Committee of the Whole)**

AGENDA

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

1. OPENING OF MEETING BY THE MAYOR

2. DISCLOSURE OF PECUNIARY INTEREST

3. ADOPTION OF PREVIOUS MINUTES AND MOTIONS

p. 1 Recommendation: **BE IT RESOLVED THAT** the motions duly passed and approved at the Committee of the Whole meeting of this date be approved; and **THAT** the minutes of the Committee of the Whole, Closed and Regular Council meetings held on the 7th day of February, 2024 be adopted as circulated.

4. CONSENT AGENDA

Recommendation: **BE IT RESOLVED THAT** the items listed in the Consent Agenda dated February 21st, 2024, be received for information.

5. COMMITTEE REPORTS

6. PETITIONS

7. MOTIONS AND NOTICES OF MOTIONS

a. 2024 Pre-Budget Submission – Association on Municipalities Ontario

Recommendation: **WHEREAS** current provincial-municipal fiscal arrangements are undermining Ontario's economic prosperity and quality of life; and **WHEREAS** nearly a third of municipal spending in Ontario is for services in areas of provincial responsibility and expenditures are outpacing provincial contributions by nearly \$4 billion a year; and **WHEREAS** municipal revenues, such as property taxes, do not grow with the economy or inflation; and **WHEREAS** unprecedented population and housing growth will require significant investments in municipal infrastructure; and **WHEREAS** municipalities are being asked to take on complex health and social challenges – like homelessness, supporting asylum seekers and addressing the mental health and addictions crises; and

WHEREAS inflation, rising interest rates, and provincial policy decisions are sharply constraining municipal fiscal capacity; and

WHEREAS property taxpayers, including people on fixed incomes and small businesses, can't afford to subsidize income re-distribution programs for those most in need; and

WHEREAS the province can, and should, invest more in the prosperity of communities; and

WHEREAS municipalities and the provincial government have a strong history of collaboration; and

NOW THEREFORE BE IT RESOLVED THAT the Province of Ontario commit to undertaking with the Association of Municipalities of Ontario a comprehensive social and economic prosperity review to promote the stability and sustainability of municipal finances across Ontario; and further,

THAT a copy of this motion be sent to the Premier of Ontario; Minister of Municipal Affairs and Housing; the Minister of Finance; and to the Association of Municipalities of Ontario.

b. Municipal Equipment Operator Course 2024

Recommendation: **WHEREAS** municipal public works departments from across the Province of Ontario provide invaluable services to our communities ensuring the health and safety of all residents; and

WHEREAS, if it was not for our municipal public works employees from across the Province of Ontario maintaining our public roads systems, our communities would not be able to function as emergency personnel could not respond to calls, school buses could not get our children to school, residents would not be able to get to work, school or appointments and many more basic functions would not be able to happen; and

WHEREAS municipal public works departments are already feeling the impacts of a labour shortage, which will only be exasperated over the next three to five years, which will cause levels of service municipalities are able to provide to ensure the health and safety of our residents to decrease; and

WHEREAS there is currently no provincial-wide course that properly trains potential municipal public works employees, specifically relating to municipal heavy equipment.

NOW THEREFORE IT BE RESOLVED that Township of Essa supports the work of the Association of Ontario Road Supervisors to develop a Municipal Equipment Operator Course to address this issue; and

THAT the Township of Essa calls on the Province of Ontario's Ministry of Labour, Training, Immigration and Skilled Trades to fully fund the Municipal Equipment Operator Course in 2024 through the Skills Development Fund; and

THAT a copy of this resolution be sent to the Minister of Labour, Training, Immigration and Skilled Trades David Piccinni, Township of Essa's Member of Provincial Parliament Brian Saunderson and the Association of Ontario Road Supervisors.

c. #ITSTARTS Month

Recommendation: **WHEREAS** inclusion, acceptance, and equity are important approaches to the diversity of residents living in any community, especially in our growing and changing region; and

WHEREAS March 21st is recognized as the International Day for the Elimination of Racial Discrimination; and

WHEREAS the Simcoe County Local Immigration Partnership (SCLIP) is a community partnership focused on the development of settlement strategies for newcomers. These strategies bring together and support service delivery to newcomers in Simcoe County while promoting positive relationships, opportunity, and use of local resources effectively; and

WHEREAS this month presents an opportunity to further the resolve as we pause to celebrate the diversity of the human race rather than allow our dissimilarities to become a reason for racial separation; and

WHEREAS we encourage all to celebrate the differences in each other such as race, culture, colour, national origin, gender, age, disability and religion; and

WHEREAS during this period we will be hosting an awareness campaign and encouraging residents to take a stand and support #ITSTARTS to share their commitment to embracing acceptance, anti-racism and diversity.

NOW THEREFORE BE IT RESOLVED THAT Council of Township of Essa hereby proclaims the month of March, 2024, as “#ITSTARTS Month” in the Township of Essa, and encourages everyone to take a stand, participate in, and learn more about the #ITSTARTS campaign.

d. Kickboxing Competition-- Municipally Significant Event

Recommendation: WHEREAS Legacy Fight Club has requested to operate a Bar at the Angus Recreation Centre on March 23, 2024 between the hours of 5:00 p.m. to 11:00 p.m.; and

WHEREAS Legacy Fight Club will be selling and serving alcohol to the public; and

WHEREAS Legacy Fight Club will ensure that all servers will be in possession of a Smart Serve Certification and will ensure that alcohol is kept within the designated consumption area; and

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

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

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

8. UNFINISHED BUSINESS

9. BY-LAWS

p. 10 a. **By-law 2024-01 Parking By-law Amendment**

Recommendation: **BE IT RESOLVED** that leave be granted to introduce By-law 2024-01, that being a By-law to amend Essa’s parking By-law 2005-96; and, that said By-law be read a first, and taken as read a second and third time and finally passed.

p. 13 b. **By-law 2024-12 Procedural By-law Amendment 2017-77**

Recommendation: **BE IT RESOLVED** that leave be granted to introduce By-law 2024-12, that being a By-law to amend Essa's Procedural By-law 2017-77; and, that said By-law be read a first, and taken as read a second and third time and finally passed.

p. 15 c. **By-law 2024-13 Issuance of Certificate of Substantial Completion**

Recommendation: **BE IT RESOLVED** that leave be granted to introduce By-law 2024-13, that being a By-law to authorize the issuance of the Certificate of Substantial Completion of Underground Works; and, that said By-law be read a first, and taken as read a second and third time and finally passed.

10. **QUESTIONS**

11. **CLOSED SESSION**

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

- a) Confidential Staff Report CAO003-24 – Sale of Land
 - Acquisition or Disposition of Land [s.239(2)(c)]
 - Litigation or Potential Litigation [s.239(2)(e)]
 - Plans and Instructions for Negotiation [s.239(2)(k)]

Motion to Rise and Report from Closed Session Meeting of February 21, 2024.

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

12. **CONFIRMATION BY-LAW**

p. 17 a. **By-law 2024-14**

Recommendation: **BE IT RESOLVED THAT** leave be granted to introduce By-law 2024-14 that being a By-law to confirm the proceedings of the Committee of the Whole, Closed and Council meetings held on this 21st day of February, 2024; and, that said By-law be read a first, and taken as read a second and third time and finally passed.

13. **ADJOURNMENT**

Recommendation: **BE IT RESOLVED THAT** this meeting of Council of the Township of Essa adjourn at _____ p.m. to meet again on the 6th day of March, 2024 at 6:00 p.m.

**THE CORPORATION OF THE TOWNSHIP OF ESSA
COMMITTEE OF THE WHOLE MEETING
WEDNESDAY, FEBRUARY 7, 2024**

MINUTES

A Committee of the Whole meeting was held in person on Wednesday February 7, 2024, in the Council Chambers of the Administration Centre, Township of Essa.

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

Staff in attendance: M. Mikael, Manager of Public Works/Interim CAO
S. Haniff, Manager of Planning
C. Rankin, Manager of Parks and Recreation
D. Dollmaier, Manager of Finance
S. Corbett, Deputy Clerk
L. Lehr, Manager of Legislative Services

1. OPENING OF MEETING BY THE MAYOR

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

The Township of Essa acknowledges that we are situated on land within the area of Treaty 18, also known as the Lake Simcoe-Nottawasaga Treaty, signed on October 17, 1818 between the Government of Upper Canada and the Anishinaabe Indigenous peoples. The Anishinaabe include the Ojibwe, Odawa and Pottawatomi Nations collectively known as the Three Fires Confederacy. We are dedicated to honoring Indigenous history and culture and committed to moving forward in the spirit of reconciliation and respect with all First nation, Metis and Inuit People.

2. DISCLOSURE OF PECUNIARY INTEREST

Councillor Kiezebrink declared an interest on Item 4(a) as his employer has a pecuniary interest in the proposal.

3. DELEGATIONS / PRESENTATIONS / PUBLIC MEETINGS

a. Delegation

Mary Thomas, CEO Stephenson Memorial Hospital Foundation and Jody Levac, CEO Stephenson Memorial Hospital provided a delegation regarding the future expansion of the SMH and advised of an upcoming Community Town Hall Series meeting to be held on Thursday February 22, 2024 at the Angus Arena.

STAFF REPORTS

4. PLANNING AND DEVELOPMENT

Councillor Kiezebrink declared an interest on Item 4(a). He recused himself from Council Chambers and did not participate in any discussion on this Item.

- a. **Staff Report PD002-24 submitted by the Development Planner, re: 14 & 18 Margaret Street.**

Resolution No: CW005-2024 Moved by: Smith Seconded by: Sander

BE IT RESOLVED THAT *Staff Report PD002-24 be received; and*
THAT *Council adopt a By-law to allow the Mayor and Clerk to execute an Amendment to the Official Plan, which would redesignate the properties municipally known as 14 & 18 Margaret Street from 'Institutional' to 'Residential'; and*
THAT *Council approve an amendment to the Township's Zoning By-law (2003-50), for lands municipally known as 14 & 18 Margaret Street from 'Institutional (I) Zone' and 'Residential, Low Density, Detached (R1) Zone' to the 'Residential, Medium Density, Townhouses with Special Provisions (R3-11) Zone' and 'Residential, Medium Density, Townhouses with Special Provisions (R3-12) Zone' respectively, and from 'Residential, Low Density, Detached (R1)' to 'Residential, Medium Density, Townhouses with Special Provisions (R3-13) Zone'.*

----Carried----

Councillor Kiezebrink resumed his seat for the remainder of the meeting.

5. PARKS AND RECREATION / COMMUNITY SERVICES

- a. **Staff Report PR001-24 submitted by the Manager of Parks and Recreation, re: Business Advertising Locations Enhancement.**

Resolution No: CW006-2024 Moved by: Maltby Seconded by: Kiezebrink

BE IT RESOLVED THAT *Staff Report PR001-24 be received; and*
THAT *Council authorize the Manager of Parks and Recreation to permit additional business advertising locations and spaces to various assets within the Township as contained in this report.*

----Carried----

6. FIRE AND EMERGENCY SERVICES

7. PUBLIC WORKS

- a. **Staff Report PW001-24 submitted by the Interim CAO / Manager of Public Works, re: River Drive – Parking Restrictions.**

Resolution No: CW007-2024 Moved by: Kiezebrink Seconded by: Maltby

BE IT RESOLVED THAT *Staff Report PW001-24 be received; and*

THAT the proposed amendments to Essa's Parking By-law 2005-96 as contained in Staff Report C026-23 be amended at this time to remove the proposed parking restrictions on the north side of River Drive; and
THAT Staff be directed to investigate implementing parking restrictions on River Drive once the new development located at 150 Mill Street, Angus, is complete; and
THAT Council direct Staff to send a formal letter to neighbouring business and property owners regarding the parking restrictions as contained in sections 5.2 and 5.4 of Essa's Parking By-Law 2005-96.

----Carried----

- b. **Staff Report PW002-24 submitted by the Interim CAO / Manager of Public Works, re: Award of Tender – Thornton Pressure Relief Valve (PRV) Supply and Installation.**

Resolution No: CW008-2024 Moved by: Sander Seconded by: Smith

BE IT RESOLVED THAT Staff Report PW002-24 be received; and
THAT the quotation as received from **CC Underground** be accepted in the amount of **\$536,652 (excluding HST)**, to supply and install the Pressure Relief Valves in the Village of Thornton, contingent upon a WSIB Clearance Certificate and a copy of Insurance being provided to the Township, to the Township's satisfaction.

----Carried----

8. FINANCE

- a. **Correspondence from the Interim CAO / Manager of Public Works, re: Release of Securities – Phoenix Building Components Inc.**

Resolution No: CW009-2024 Moved by: Kiezebrink Seconded by: Sander

BE IT RESOLVED THAT Council approve the release of securities relating to Phoenix Building Components Inc. as recommended by the Interim CAO / Manager of Public Works, as follows:

Current Securities Held by Township of Essa:	\$223,494.00
Reduction as Recommended :	\$223,494.00
Securities to be Retained by Township of Essa:	None

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. **Correspondence from Township Engineer AECOM, re: Reduction in Securities – San Diego Homes – Phases 1 and 2 Angus Subdivision (Plans 51M-1129 and 51M-1130).**

This Item was deferred.

- c. **Correspondence from Township Engineer AECOM, re: Release of Lot Grading Deposits – San Diego Homes – Phase 1 Subdivision (Plan 51M-1129).**

This Item was deferred.

9. CLERKS / BY-LAW ENFORCEMENT / IT

- a. **Staff Report C001-24 submitted by the Manager of Legislative Services, re: Amendment to Essa’s Business Licensing By-law 2011-21, re: Schedule 9 “Tow Truck Licensing”.**

Resolution No: CW010-2024 Moved by: Maltby Seconded by: Kiezebrink

***BE IT RESOLVED THAT** Staff Report C001-24 be received; and **THAT** Council approve an amendment to Essa’s Business Licensing By-law 2011-20, to repeal Schedule 9 specific to Essa’s licensing regime surrounding the Tow Truck Industry.*

----Carried-----

- b. **Staff Report C002-24 submitted by the Deputy Clerk, re: Request for Sponsorship - Canadian Armed Forces Day & Air Show-June 15 & 16, 2024.**

Resolution No: CW011-2024 Moved by: Smith Seconded by: Sander

***BE IT RESOLVED THAT** Staff Report C002-24 be received; and **THAT** Council approve a sponsorship in the amount of \$5,000 for the 2024 Canadian Armed Forces Day and Air Show.*

----Carried-----

- c. **Staff Report C003-24 submitted by the Manager of Legislative Services, re: Amendment to Essa Procedural By-law 2017-77 (Section 15 “By-laws”).**

Resolution No: CW012-2024 Moved by: Sander Seconded by: Smith

***BE IT RESOLVED THAT** Staff Report C003-24 be received; and **THAT** Council approves the proposed amendment to section 15 of Essa’s Procedural By-law 2017-77.*

---Carried-----

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

11. OTHER BUSINESS

- Councillor Kiezebrink and Councillor Maltby provided a summary of the 2024 ROMA Conference.
- Mayor Macdonald provided an update on the recruitment of a CAO.
- Interim CAO Michael Mikael provided an update on provincial funding and a delegation scheduled for April 3, 2024 from MPP Brian Saunderson.

12. ADJOURNMENT

Resolution No: CW013-2024 Moved by: Simth Seconded by: Maltby

***BE IT RESOLVED THAT** this meeting of Committee of the Whole of the Township of Essa adjourn at 7:10 p.m., to meet again on the 21st day of February, 2024 at 6:00 p.m.*

----Carried-----

Sandie Macdonald
Mayor

Lisa Lehr
Manager of Legislative Services

THE CORPORATION OF THE TOWNSHIP OF ESSA
REGULAR COUNCIL MEETING
WEDNESDAY, FEBRUARY 7, 2024

MINUTES

The Regular Meeting of Council was held in person on Wednesday February 7, 2024, following the Committee of the Whole in the Council Chambers of the Administration Centre, Township of Essa.

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

Staff in attendance: M. Mikael, Interim CAO/Manager of Public Works
S. Haniff, Manager of Planning
C. Rankin, Manager of Parks and Recreation
D. Dollmaier, Manager of Finance
S. Corbett, Deputy Clerk
L. Lehr, Manager of Legislative Services

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

Mayor Macdonald opened the meeting at 7:10 p.m.

2. **DISCLOSURE OF PECUNIARY INTEREST**

None.

3. **ADOPTION OF PREVIOUS MINUTES AND MOTIONS**

Resolution No: CR013-2024 Moved by: Maltby Seconded by: Smith

***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 Special, Committee of the Whole, Public and Regular Council meetings held on the 17th day of January, 2024 be adopted as amended.*

----Carried----

4. **CONSENT AGENDA**

Resolution No: CR014-2024 Moved by: Maltby Seconded by: Sander

***BE IT RESOLVED THAT** the items listed in the Consent Agenda dated February 7th, 2024, be received for information; and
THAT a motion be prepared for Council's consideration to support Item A2 and A3; and
THAT item A8 be referred to section B for staff to prepare a letter of support to declare February 19, 2024 as "Federated Women's Institutes of Ontario" Day.*

----Carried----

5. COMMITTEE REPORTS

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

Resolution No: CR015-2024 Moved by: Sander Seconded by: Smith

BE IT RESOLVED THAT the minutes of the Essa Healthy, Accessible, Community and Parks Committee from their meeting of December 18, 2023, be received.

----Carried-----

b. Minutes of the Essa Public Library Board

Resolution No: CR016-2024 Moved by: Kiezebrink Seconded by: Maltby

BE IT RESOLVED THAT the minutes of the Essa Public Library Board from their meeting of December 13, 2023, be received.

----Carried-----

c. Minutes of the Nottawasaga Police Services Board

Resolution No: CR017-2024 Moved by: Smith Seconded by: Sander

BE IT RESOLVED THAT the minutes of the Nottawasaga Police Services Board from their meeting of November 20, 2023 be received.

----Carried-----

6. PETITIONS

7. MOTIONS AND NOTICES OF MOTIONS

a. Proclamation – Designate the Month of February, 2024 as “Black History Month”

Resolution No: CR018-2024 Moved by: Sander Seconded by: Kiezebrink

WHEREAS the celebration of Black History Month originates from the U.S. Professor Carter G. Woodson’s 1926 declaration of Negro History Week, a week in February which marked the birthdates of civil rights activists Frederick Douglass and Abraham Lincoln, and

WHEREAS in 1976, the Toronto City Council declared February as Black History Month. National recognition occurred on December 14, 1995, when the House of Commons unanimously agreed to a motion presented by the Honourable Jean Augustine to recognize February as Black History Month; and

WHEREAS Black History Month sought to level the imbalance in historical perspective and has become an important part of multicultural and antiracism programs; and

WHEREAS Black History Month in Canada is essential since it educates Canadians. Few Canadians know that slavery once existed in Canada, or that many of the British Loyalists who came here after the American Revolution were Black. Black History Month recognizes the important sacrifices and contributions of Black people to the development of Canada and the world. Racial discrimination and intolerance is on the rise, it is time for good people to help raise awareness and show their support of the fight against racial discrimination;

NOW THEREFORE BE IT RESOLVED THAT Council of the Township of Essa hereby proclaims the month of February, 2024, as "Black History Month" in our community, and encourages all citizens to participate in educational activities related to and honour the significant role that Black people, both past and present, have played in shaping the Township of Essa and its values.

----Carried-----

8. UNFINISHED BUSINESS

9. BY-LAWS

a. By-law 2024-08 Repeal Schedule 9 of Essa's Business Licensing By-law

Resolution No: CR019-2024 Moved by: Smith Seconded by: Maltby

BE IT RESOLVED that leave be granted to introduce By-law 2024-08; that being a By-law to repeal Schedule 9 of Essa's Business Licensing By-law 2011-20; 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 2024-09 Levy and Interim Tax Collection

Resolution No: CR020-2024 Moved by: Kiezebrink Seconded by: Maltby

BE IT RESOLVED that leave be granted to introduce By-law 2024-09, that being a By-law to authorize the municipal tax levy and the collection of interim tax levy; 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 2024-10 2024 Municipal Borrowing

Resolution No: CR21-2024 Moved by: Sander Seconded by: Smith

BE IT RESOLVED that leave be granted to introduce By-law 2024-10, that being a By-law to authorize 2024 municipal borrowing; 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

Resolution No: CR22-2024 Moved by: Sander Seconded by: Smith

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

- a) Confidential Staff Report CAO002-24 – Staffing
 - Personal matters about an identifiable individual [s.239(2)(b)]
 - Labour Relations or Employee Negotiations [s.239(2)(d)]

3

Motion to Rise and Report from Closed Session Meeting of February 7, 2024.

Resolution No: CR023-2024 Moved by: Kiezebrink Seconded by: Maltby

***BE IT RESOLVED** that Council rise and report from the Closed Session Meeting at 7:22 p.m.*

----Carried-----

- a. **PERSONAL MATTERS ABOUT AN IDENTIFIABLE INDIVIDUAL [s.239(2)(b)]
LABOUR RELATIONS OR EMPLOYEE NEGOTIATIONS [s.239(2)(d)]
Confidential Staff Report CAO002-24 submitted by the Interim CAO, re: Staff Matter**

Resolution No: CR024-2024 Moved by: Maltby Seconded by: Smith

***BE IT RESOLVED THAT** Confidential Staff Report CAO002-24 regarding personal matters about identifiable individuals be received: and
THAT Council direct staff in accordance with Option 1 as contained within the body of the Report; and
THAT Council direct staff in accordance with Option 2 as contained within the body of the Report.*

----Carried-----

12. CONFIRMATION BY-LAW

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

Resolution No: CR025-2024 Moved by: Kiezebrink Seconded by: Maltby

***BE IT RESOLVED THAT** leave be granted to introduce By-law 2024-11, that being a By-law to confirm the proceedings of the Committee of the Whole, Closed and Council meetings held on this 7th day of February, 2024; and, that said By-law be read a first, and taken as read a second and third time and finally passed.*

----Carried-----

13. ADJOURNMENT

Resolution No: CR2026-2024 Moved by: Smith Seconded by: Sander

***BE IT RESOLVED THAT** this meeting of Council of the Township of Essa adjourn at 7:24 p.m. to meet again on the 21st day of February, 2024 at 6:00 p.m.*

----Carried-----

Sandie Macdonald
Mayor

Lisa Lehr
Manager of Legislative Services

9

9a

THE CORPORATION OF THE TOWNSHIP OF ESSA

BY-LAW 2024 – 01

Being a By-law to provide for the regulation of vehicle parking, standing and stopping on highways or parts of highways under the jurisdiction of the Corporation of the Township of Essa; and, to amend By-law 2005-96.

WHEREAS Section 27 (1) of the *Municipal Act, 2001*, S.O. 2001, c.25 provides that a municipality may pass by-laws with respect to highways over which it has jurisdiction, including the authority to regulate parking on highways; and

WHEREAS Section 35 of the *Municipal Act, 2001* provides that a municipality may pass by-laws removing or restricting the common law right of passage by the public over a highway and the common law right of access to the highway by an owner of land abutting a highway; and

WHEREAS Sections 63 (1) and 101 of the *Municipal Act* allows for the removal and impounding or restraining and immobilization of vehicles placed, stopped, standing or parking on a highway or on private land in contravention of a municipal by-law regulating vehicles; and

WHEREAS the Council of the Township of Essa deems it desirable to restrict commercial and heavy vehicles from parking on local and collector roads at all times, regardless of signage, in order to allow for the safe passage of pedestrians and motor vehicles, including school buses, emergency vehicles and road maintenance equipment;

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

1. That section 3 of By-law 2005-96 be amended to include the following:

3. GENERAL STOPPING OR PARKING REGULATIONS

6. *No person shall park or stop any vehicle on any highway or portion thereof except as follows:*

(a) *where there is a raised curb, on the right-hand side of the roadway, having regard to the direction such vehicle was proceeding with its right front and rear wheels parallel to and not more than .15 metres/6 inches out from such curb;*

(b) *where there is no curb or a rolled curb, on the right-hand side of the roadway having regard to the direction such vehicle was proceeding, with the right front and rear wheels parallel to and as near to the right-hand limit of the highway as is practicable without stopping or parking on a sidewalk or footpath or on any part of the highway where grass is grown and which is not intended for the use of vehicles.*

9a

2. That section 1 of By-law 2005-96 be amended to include the following definitions:

“Electric Vehicle” shall mean a vehicle that runs only on a battery and an electric drive train; or, a plug-in hybrid electric vehicle that runs on a battery and an electric drive train, and also uses an internal combustion engine;

“Electric Vehicle Parking Stall” shall mean a parking space designated for the use of charging Electric Vehicles as indicated by a sign.

“Electric Vehicle Charging Station” shall mean any facility or equipment that is used to charge a battery or other energy storage device of an Electric Vehicle;

3. That section 11 of By-law 2005-96 be amended to include the following:

11. PARKING PROHIBITED – PRIVATE PROPERTY AND MUNICIPAL PROPERTY

11.1 ELECTRIC VEHICLES

- a. *No person shall park a vehicle or any part of a vehicle in an Electric Vehicle Parking Stall where such vehicle is not an Electric Vehicle.*
- b. *No person shall park a vehicle or any part of a vehicle in an Electric Vehicle Parking Stall where such vehicle is not connected to an Electric Vehicle Charging Station and is actively charging.*

4. That Set Fine provisions contained in By-law 2005-96 be amended as outlined in Schedule A to this By-law.
5. That By-law 2005-96 be and is hereby amended.
6. That this By-law shall come into force and effect on the day it is finally passed.
7. That By-law 2005-96 be and is hereby amended.

READ A FIRST, AND TAKEN AS READ A SECOND AND THIRD TIME AND FINALLY PASSED on this the 21st day of February, 2024.

Sandie Macdonald, Mayor

Lisa Lehr, Manager of Legislative Services

9a

TOWNSHIP OF ESSA BY-LAW 2024-01
Schedule "A"

AMENDMENTS TO BY-LAW 2005-96 SET FINES

Township of Essa
By-law No. 2005-96, as amended
Title: Vehicle Parking, Standing & Stopping By-law
Part II Provincial Offences Act

Item	Column 1 Short Form Wording	Column 2 Provision Creating or Defining Offence	Column 3 Early Voluntary Payment Payable within 7 days	Column 4 Set Fine
24.	Park on highway between 2:00 a.m. and 8:00 a.m. from November 1 to May 1	5.1.3	\$35.00	\$50.00
47	Park or stop facing wrong direction	3(6)	\$35.00	\$50.00
48	Park vehicle in Electric Vehicle Parking Stall – not an electric vehicle	11.1(a)	\$75.00	\$125.00
49	Park vehicle in Electric Vehicle Parking Stall – not connected/charging	11.1(b)	\$75.00	\$125.00

The general penalty provision for the offences listed above is section 19 of By-law 2005-96, as amended, a certified copy of which has been filed.

12

9b

THE CORPORATION OF THE TOWNSHIP OF ESSA

BY-LAW NO. 2024 – 12

Being a By-law to amend the Township’s Procedural By-law 2017-77.

WHEREAS Section 238(2) of the *Municipal Act*, 2001, S.O. 2001, c.25 as amended, states that every municipality and local board shall pass a procedural by-law for governing the calling, place and proceedings of meetings; and

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 Council of the Township of Essa deems it desirable to amend By-law 2017-77 to allow for housekeeping changes that will assist with efficiency during Council meetings;

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

1. That By-law 2017-77 be amended to replace section 15 “By-laws” with the following:
 - 15.1 *By-laws for the Township of Essa shall be presented in draft form until they have been adopted by Council.*
 - 15.2 *The adoption of multiple By-laws presented to Council, with the exception of the Confirmatory By-law, may be the subject of one motion, the resolution reading as:
BE IT RESOLVED THAT By-law Nos . x,xx,xxx,xxx be read a first, and taken as read a second and third time and finally passed.*
 - 15.3 *At the request of any member, prior to the vote for adoption, By-laws may be discussed or voted on individually.*
 - 15.4 *No By-law may be defeated on the floor of Council without reconsideration of the original matter/motion which gave rise to consideration of the By-law.*
 - 15.5 *The proceedings at every meeting of Council shall be confirmed by By-law so that every decision of Council at that meeting, and every resolution thereof, shall have the same force and effect as if each and every one of them had been the subject matter of a separate By-law duly enacted.*
 - 15.6 *The Clerk is authorized to make such minor deletions, additions or other grammatical and clerical errors or changes in form to any By-law before same is signed and sealed, for the purpose of ensuring correct and complete implementation of the actions of Council forming the subject matter of the By-law.*
 - 15.7 *Amendments to By-laws approved by Council shall be deemed to be incorporated into the By-law upon passage of the amending By-law, of which the amendments shall be inserted by the Clerk.*

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15.8 *Every By-law enacted by Council shall be signed by the Mayor or the member who presided as Chair at the meeting, and the Clerk or his/her designate. The Corporate Seal shall be affixed to the By-law, and the By-law shall be numbered, dated and retained in the Clerk's Office.*

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 21st day of February, 2024.

Sandie Macdonald, Mayor

Lisa Lehr, Manager of Legislative Services

9c

THE CORPORATION OF THE TOWNSHIP OF ESSA

BY-LAW NO. 2024-13

A By-law to Authorize the Issuance of the Certificate of Substantial Completion of Underground Works, Phase 1 - External, Marshall (Brookfield) Subdivision, (Brookfield Residential (Ontario) Limited), Registered Plan 51M-1256

WHEREAS Section 51, Subsection (26) of the *Planning Act*, R.S.O. 1990; Chapter P. 13, as amended, provides that municipalities may enter into agreements imposed as a condition to the approval of a plan of subdivision and such agreements may be registered against the land to which the subdivision plan applies;

AND WHEREAS Council for the Corporation of the Township of Essa entered into a Subdivision Agreement with Brookfield Residential (Ontario) Limited on August 22, 2023 to construct a residential development.

AND WHEREAS the requirements of this Subdivision Agreement with respect to the underground services have now been met;

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

1. That the Certificate of Substantial Completion of Underground Works, Phase 1 - External, for Marshall (Brookfield) Subdivision, Registered Plan 51M-1256, may now be issued by the Township Engineers (Ainley & Associates Limited) in compliance with the Subdivision Agreement between the Corporation of the Township of Essa and Brookfield Residential (Ontario) Limited.
2. That the attached Schedule "A", Certificate of Substantial Completion of Underground Works, Phase 1 - External, shall form part of this By-law.
3. 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 21st day of February, 2024.

Sandie Macdonald, Mayor

Lisa Lehr, Clerk

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SCHEDULE "A"



Where Town and Country Meet

**CERTIFICATE OF SUBSTANTIAL COMPLETION OF
UNDERGROUND WORKS
PHASE 1 – EXTERNAL**

MUNICIPALITY: Township of Essa

SUBDIVISION: Marshall (Brookfield) Subdivision

DEVELOPER: Brookfield Residential

Description of Works considered for Substantial Completion:

Municipal services, including stormwater drainage system, watermain and services, sanitary sewer and services, road base granulars, concrete curb and gutter, concrete sidewalk, base course asphalt and restorative work including grading complete with topsoil and sod completed on Denney Drive, external to the development.

Ainley & Associated Ltd hereby notifies the Township of Essa that the underground works have been completed in general conformance with the Engineering Drawings and the terms and conditions of the Subdivision Agreement, with the exception of the deficiencies and outstanding works noted below, which are required to be completed prior to first occupancy:

1. Refer to attached deficiency list from SCS Consulting Ltd. dated October 18, 2023.
2. Hydrant colour coding.

Ainley and Associates Ltd recommends that the Township hereby accept these works for use and operation by the Municipality subject to the rectification of the above noted items and any further deficiencies that may become apparent.

The date of Substantial Completion for the above noted work is established by this Certificate as noted below.

Date: Feb-7-24

Signature: 

Michael Mikael, P.Eng.
Manager of Public Works

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THE CORPORATION OF THE TOWNSHIP OF ESSA

BY-LAW 2024 - 14

Being a By-law to confirm the proceedings of the Council meeting held on the 21st day of February, 2024.

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

THAT the action of the Council at its meeting held on the 21st day of February, 2024 and, in respect of each recommendation contained in the Minutes of the Regular Council meeting held on the 7th day of February, 2024, the Minutes of the Committee of the Whole meeting held on the 7th day of February, 2024, and, in respect of each motion, resolution and other action passed and taken by Council at the said meetings, is, except where prior approval of the Ontario Municipal Board is required, hereby adopted, ratified and confirmed.

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

READ A FIRST, AND TAKEN AS READ A SECOND AND THIRD TIME AND
FINALLY PASSED on this the 21st day of February, 2024.

Sandie Macdonald, Mayor

Lisa Lehr, Manager of Legislative Services

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