

**THE CORPORATION OF THE TOWNSHIP OF ESSA
VIRTUAL COMMITTEE OF THE WHOLE MEETING
WEDNESDAY, JUNE 16, 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

p. 1 a. **Public Meeting – Proposed Amendments - Fees and Charges By-law**
re: By-law 2013-28

p. 6 b. **Public Meeting – OPA 37, ZBA Z6/20 and Draft Plan of Subdivision**
re: 6275 County Road 90, Angus

STAFF REPORTS

4. PLANNING AND DEVELOPMENT

5. PARKS AND RECREATION / COMMUNITY SERVICES

p. 22 a. **Staff Report PR005-21 submitted by the Manager of Parks and Recreation,**
re: Expression of Interest.

Recommendation: *Be it resolved that Staff Report PR005-21 be received; and That Council direct the Manager of Parks and Recreation to proceed with utilizing the designated former Pro Shop area in the Thornton and Angus Arena for staff and operations to ensure optimal use of space for the department and Township.*

6. FIRE AND EMERGENCY SERVICES

7. PUBLIC WORKS

p. 25 a. **Staff Report PW019-21 submitted by the Manager of Public Works, re:**
Award of Tender – Elizabeth Street Bridge Culvert Replacement.

Recommendation: *Be it resolved that Staff Report PW019-21 be received; and That the quotation as received from Arnott Construction Limited. for the Elizabeth Street Bridge Culvert Replacement be accepted in the amount of \$1,000,000.00 (excluding HST).*

8. FINANCE

- a. **Reduction of Securities – Brownley Meadows – Phase 2 (Brookvalley Angus South) Subdivision Reduction No. 3.**

Recommendation: *Be it resolved that Council approve the reduction of securities relating to Brownley Meadows, Brookvalley Angus South, as recommended by AECOM as follows:*

| | |
|---|---------------------|
| <i>Current Securities Held by Township of Essa:</i> | <i>\$755,530.82</i> |
| <i>LESS AECOM's Recommended Reduction:</i> | <i>\$677,977.74</i> |
| <i>Securities to be Retained by Township of Essa:</i> | <i>\$77,553.08</i> |

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.

- p. 30 b. **Staff Report TR010-21 submitted by the Deputy Treasurer, re: Budget to Actuals Update as of May 31st 2021.**

Recommendation: *Be it resolved that Staff Report TR010-21 be received.*

9. CLERKS / BY-LAW ENFORCEMENT / IT

- p. 45 a. **Staff Report C016-21 submitted by the Manager of Legislative Services, re: Proposed Amendments to Fireworks By-law 2020-59.**

Recommendation: *Be it resolved that Staff Report C016-21 be received; and That Council approve the recommended amendments to the Fireworks By-law as outlined in this Report; and That Council direct staff to present a By-law to amend the Township's Fireworks By-law 2020-59, for Council consideration of passage in its Regular meeting of this date.*

- p. 62 b. **Staff Report C017-21 submitted by the Manager of Legislative Services, re: DRAFT Council Vacancy Policy.**

Recommendation: *Be it resolved that Staff Report C017-21 be received; and That Council approve a Draft Council Vacancy Policy.*

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

- p. 76 a. **Staff Report CAO029-21 submitted by the Chief Administrative Officer, re: Proposal for Public Transit for Seniors.**

Recommendation: *Be it resolved that Staff Report CAO029-21 be received; and That Council authorize staff to enter into an agreement with Driverseat, on a trial basis, for 24 weeks beginning July 13, 2021, to provide seniors in Essa with transportation to points also within Essa on Tuesday's and Thursday's at a cost of \$18,480.00 (plus HST) to come from the Public Works budget.*

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 7th day of July, 2021 at 6:00 p.m.*



**PUBLIC MEETING OUTLINE
PROPOSED BY-LAW AMENDMENT TO BY-LAW 2013-28
FEES AND CHARGES BY-LAW
JUNE 16, 2021**

MAYOR:

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 outlined in Staff Report C015-21, and to hear all comments from residents of the Township of Essa.

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".

DESCRIPTION OF THE PROPOSAL – DEPUTY CLERK

At its meeting of June 2, 2021, Council received staff report C015-21 which provided Council with an overview of the recommended increases to the fees specific to the Parks and Recreation Department, Public Works Department, Planning and Development Department and the Building Department as well as fees relating to the Thornton Union Cemetery. Below is a summary of the recommended increases proposed for consideration:

| Proposed Amendments to Fee Schedule (By-law 2013-28) | | | |
|--|-------------|--------------|--|
| PARKS AND RECREATION DEPARTMENT FEES – AMENDEMENTS NO LONGER RECOMMENDED | | | |
| Fee Description | Current Fee | Proposed Fee | Rationale for Amendment |
| AMEND EXISTING FEE 3.1 Day Use (6am-5pm) Per Hour | \$138.00 | | 3% Increase as per inflation adjustment. Fee Increase no longer recommended per Manager of Parks and Recreation. |
| AMEND EXISTING FEE 3.2 Prime Time Use (5pm-12pm) Adult Per Hour | \$220.00 | | 3% Increase as per inflation adjustment. Fee Increase no longer recommended per Manager of Parks and Recreation. |
| AMEND EXISTING FEE 3.3 Prime Time Use (5pm-12pm) Minor League Per Hour | \$170.00 | | 3% Increase as per inflation adjustment. Fee Increase no longer recommended per Manager of Parks and Recreation. |
| PUBLIC WORKS FEES – SITE ALTERATION AND FILL FEES | | | |
| Fee Description | Current Fee | Proposed Fee | Rationale for Amendment |
| AMEND EXISTING FEE Road Occupancy Permit – (New – Major) | \$60.00 | \$300.00 | Increase is required to cover Admin Fees and to align with other municipalities. Deposit will vary upon application. Major is defined as greater than 5 days. |
| AMEND EXISTING FEE Road Occupancy Permit – (New – Minor) | \$60.00 | \$110.00 | Increase is required to cover Admin Fees and to align with other municipalities. Deposit will vary upon application. – Minor is defined as less than 5 days. |
| AMEND EXISTING FEE Wide or Heavy Load Permit – Project CHANGE NAME to Seasonal Load Permit | \$100.00 | \$175.00 | Increase is required to cover admin fees and to align with other municipalities. Fees go back into maintaining our roads. Name change will allow season only (farmers, landscaping etc.) |

| | | | |
|---|-------------------------|---------------------------------------|--|
| AMEND EXISTING FEE Wide or Heavy Load Permit – Single Trip | \$25.00 | \$75.00 | Increase is required to cover admin fees and to align with other municipalities. Fees go back into maintaining our roads. |
| AMEND EXISTING FEE Wide or Heavy Load Permit – Annual | \$150.00 | \$300.00 | Increase is required to cover admin fees and to align with other municipalities. Fees go back into maintaining our roads. |
| AMEND EXISTING FEE Property Identifier Signs – Rural, Replacement etc. CHANGE NAME to Property Identifier Sign | \$32.50 | \$75.00 | For both new homes and vacant lots, as well as replacement the fee will be \$75.00 and installed by the Township only. |
| AMEND EXISTING FEE Sewer/Water Inspections (done by OCWA) | \$75.00 | \$120.00 | Fee covers administration fees and Staff time as well as OCWA inspection. |
| AMEND EXISTING FEE Tile Drainage Inspection Fee | \$150.00 | \$250.00 | Increase due to travel, inspection, admin, report and follow-up. |
| AMEND EXISTING FEE Encroachment Agreement | \$100.00 | \$1000.00 (\$5000 Deposit) | Legal and survey required but not included. Deposit \$5000.00 to cover legal review. |
| AMEND EXISTING FEE Entrance Permit - Commercial | \$90.00 | \$250.00 PLUS \$1000.00 Deposit | Increase to cover onsite inspection and staff time. Deposit to only be returned upon satisfactory inspection. |
| AMEND EXISTING FEE Entrance Permit - Residential | \$60.00 | \$150.00 PLUS \$400.00 Deposit | Increase to cover onsite inspection and staff time. Deposit to only be returned upon satisfactory inspection. |
| NEW FEE Engineering Services – Water and Sewer Connection | n/a | \$1000.00 | Will cover services for 1 connection per dwelling (1 of each water and sewer). Will include typical site inspections (flushing, chlorination, pressure testing, restoration) |
| NEW FEE Engineering Services | n/a | \$145.00/hr | Hourly Rate, for in house reviews, inspections etc. to cover staff time. |
| NEW FEE Survey/GIS Technician | n/a | \$225.00/hr | New hourly rate for surveying and GIS services as required for various projects. |
| PLANNING AND DEVELOPMENT FEES | | | |
| Fee Description | Current Fee | Proposed Fee | Rationale for Amendment |
| AMEND EXISTING FEE <i>Pre-Servicing or Earthworks</i> <i>Permissions and</i> <i>Agreements</i> | \$1000.00 | \$1,500.00 | These Agreements take substantial time to administer and a fee increase would better align to cover staff time. |
| BUILDING DEPARTMENT FEES | | | |
| Fee Description | Current Fee | Proposed Fee | Rationale for Amendment |
| AMEND EXISTING FEE <i>9 Group F, Farm Uses (9.1,</i> <i>9.2 and 9.3)</i> | .10/.19 ft ² | .20/ft ² | These Agreements take substantial time to administer and a fee increase would better align to cover staff time. |
| AMEND WORDING <i>9.3 Change from “Accessory</i> <i>Structures <500 ft² to</i> <i>“Accessory Structures”</i> | .10/.19 ft ² | .20/ft ² (as above) | These Agreements take substantial time to administer and a fee increase would better align to cover staff time. |
| AMEND EXISTING FEE <i>10.4 Below Grade Exterior</i> <i>Stairs</i> | .85 ft ² | \$150.00 flat rate | These Agreements take substantial time to administer and a fee increase would better align to cover staff time. |

| | | | |
|--|------------------------|--------------------|---|
| AMEND EXISTING FEE 10.5 Decks, No Roof | .11/.38ft ² | .38ft ² | These Agreements take substantial time to administer and a fee increase would better align to cover staff time. |
| AMEND EXISTING FEE 12.11 Park Model Trailers/Mobile Homes (incl. Foundation) | \$150.00 | \$200.00 | These Agreements take substantial time to administer and a fee increase would better align to cover staff time. |
| AMEND EXISTING FEE 12.12 Modular Factory Built Homes (incl. Foundation) | \$100.00 flat rate | \$400.00 flat rate | These Agreements take substantial time to administer and a fee increase would better align to cover staff time. |
| AMEND EXISTING FEE 13.5 Re-Inspection | \$25.00 flate rate | \$100.00 flat rate | These Agreements take substantial time to administer and a fee increase would better align to cover staff time. |
| AMEND EXISTING FEE 15.4 Re-Inspection | \$75.00 | \$100.00 flat rate | These Agreements take substantial time to administer and a fee increase would better align to cover staff time. |
| NEW FEE 10.6 Decks, With Roof (re-number current 10.6 and below) | n/a | .40ft ² | Currently non existent. |
| NEW FEE 11.5 Compliance Inspection of Existing System | n/a | \$100.00 | These Agreements take substantial time to administer and a fee increase would better align to cover staff time. |
| DELETE EXISTING FEE 5.10 Sheds – Under 200 ft ² | .11 / ft ² | Remove | Contradicts \$100.00 minimum fee. |

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| RECREATION RELATED FEES – Thornton Union Cemetery HST to be added to all Fees | | | | 2.5% Increase | | |
|--|-------------|------------|--------------|-----------------|------------|------------------|
| 1. Sale of Burial Rights (Site Lot Size 3'3 x 10) | RATE | HST | TOTAL | New Rate | HST | New Total |
| 1.1 Interment Rights, Care & Maintenance and 4 Corner Posts | 1360.00 | 176.80 | 1536.80 | 1394.00 | 181.22 | 1575.22 |
| 1.2 Vault | 350.00 | 45.50 | 395.50 | 358.75 | 46.64 | 405.39 |
| 1.3 Crypt | 250.00 | 32.50 | 282.50 | 256.25 | 33.31 | 289.56 |
| 2. Sale of Columbarium-Niche (Size 11x11x11) | RATE | HST | TOTAL | New Rate | HST | New Total |
| 2.1 Top Row, Care & Maintenance | 1650.00 | 214.50 | 1864.50 | 1691.25 | 219.86 | 1911.11 |
| 2.2 3 rd Row, Care & Maintenance | 1450.00 | 188.50 | 1638.50 | 1486.25 | 193.21 | 1679.46 |
| 2.3 2 nd Row, Care & Maintenance | 1250.00 | 162.50 | 1412.50 | 1281.25 | 166.56 | 1447.81 |
| 2.4 1 st Row, Care & Maintenance | 1050.00 | 136.50 | 1186.50 | 1076.25 | 139.91 | 1216.16 |
| 3. Opening and Closing Cost | RATE | HST | TOTAL | New Rate | HST | New Total |
| 3.1 Cremated Remains in Ground | 330.00 | 42.90 | 372.90 | 338.25 | 43.97 | 382.22 |
| 3.2 Cremated Remains in Niche | 209.00 | 27.17 | 236.17 | 214.23 | 27.85 | 242.09 |
| 3.3 In Ground Burial | 825.00 | 107.25 | 932.25 | 845.63 | 109.93 | 955.56 |
| 3.4 Flat Markers | 50.00 | 6.50 | 56.50 | 51.25 | 6.66 | 57.91 |
| 3.5 Upright Marker | 100.00 | 13.00 | 113.00 | 102.50 | 13.33 | 115.83 |
| 3.6 Extra Deep Burial Adult | 450.00 | 58.50 | 508.50 | 461.25 | 59.96 | 521.21 |
| 3.7 Extra Deep Burial Child | 200.00 | 26.00 | 226.00 | 205.00 | 26.65 | 231.65 |
| 3.8 Transfer of Interment Rights | 200.00 | 26.00 | 226.00 | 205.00 | 26.65 | 231.65 |
| 3.9 Staking Fee (Monument Base) | 200.00 | 26.00 | 226.00 | 205.00 | 26.65 | 231.65 |
| 3.10 Funerals Entering Cemetery after 3:00pm ADD on | 300.00 | 39.00 | 339.00 | 307.50 | 39.98 | 347.48 |
| 3.11 Burials on Holidays and Saturdays: After 11:30am ADD on | 700.00 | 91.00 | 791.00 | 717.50 | 93.28 | 810.78 |
| 3.12 Cremation Burials on Holidays and Saturdays: After 11:30am ADD on | 275.00 | 35.75 | 310.75 | 281.88 | 36.64 | 318.52 |
| 4. Disinterment | RATE | HST | TOTAL | New Rate | HST | New Total |
| 4.1 Adult in Ground | 3500.00 | 455.00 | 3955.00 | 3587.50 | 466.38 | 4053.88 |
| 4.2 Child in Ground | 1700.00 | 221.60 | 1921.00 | 1742.50 | 226.53 | 1969.03 |
| 4.3 Cremated Remains from in Ground | 375.00 | 48.75 | 423.75 | 384.38 | 49.97 | 434.35 |
| 4.4 Cremated Remains from in Niche | 200.00 | 26.00 | 226.00 | 205.00 | 26.65 | 231.65 |
| 5. Social Services Department (Welfare/On Assistance) | RATE | HST | TOTAL | New Rate | HST | New Total |
| 5.1 Grave (Interment Rights, Care & Maintenance, Grave Opening) | 1300.00 | 169.00 | 1469.00 | 1332.50 | 173.23 | 1505.73 |

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COMMENTS FROM THE PUBLIC - MAYOR

Speakers must type their name and address into the Chat Function on Zoom so that proper records may be kept and notice of future decisions can be sent to those persons involved in the review process.

REPLY – MAYOR

Council may ask questions for clarification.

Public may respond to points clarified by Council and amendments suggested by Staff.

FINAL STATEMENT – MAYOR

If there are no further questions, Council wishes to thank all those in attendance for their participation. The Clerk`s Department will be preparing a by-law to be presented to Council concerning this matter for the next meeting of Council.



**PUBLIC MEETING OUTLINE
PROPOSED OFFICIAL PLAN AMENDMENT, ZONING BY-LAW AMENDMENT, AND DRAFT
PLAN OF SUBDIVISION**

RE: 6275 County Road 90, ANGUS

**NOTICE TO RE-DESIGNATE THE LANDS FROM COMMERCIAL RECREATION,
AGRICULTURAL, AND ENVIRONMENTAL, TO COMMERCIAL – SPECIAL POLICY AREA,
OPEN SPACE, RESIDENTIAL MULTIPLE, AND ENVIRONMENTAL WITH SITE-SPECIFIC
ZONING TO PERMIT THE DEVELOPMENT OF 194 RESIDENTIAL UNITS INCLUDING
BOTH SINGLE-DETACHED AND TOWNHOUSE DWELLINGS, A FUTURE RESIDENTIAL
BLOCK, A PUBLIC PARK, TWO COMMERCIAL BLOCKS, A STORMWATER
MANAGEMENT BLOCK, PUMPING STATION, AND ENVIRONMENTAL PROTECTION.**

June 16th 2021

INTRODUCTION BY MAYOR:

The purpose of this Public Meeting is to discuss proposed Amendments to the Township’s Official Plan, 2001, and Zoning By-law 2003-50 and a proposed Draft Plan of Subdivision in accordance with Sections 22, 34, and 51 of the Planning Act, R.S.O., c.p. 13, to hear a presentation from Vanessa Simpson from Innovative Planning Solutions introduced by Township Planning Staff, and to hear all comments from residents of the Township of Essa.

DESCRIPTION OF THE PROPOSAL – Planner Jaspreet Sidhu

The Township is in receipt of a complete application submission for 6275 County Road 90, Angus. The submission includes applications for an Official Plan Amendment (OPA), Zoning By-law Amendment (ZBA), and a proposed Draft Plan of Subdivision.

6275 County Road 90 is 18.98 hectares in size, designated Commercial Recreation, Agricultural, and Environmental in the Township’s Official Plan, and is zoned Commercial Recreation, Low-Density Detached, and Environmental Protection. The land is currently operational as the Green Acres Golf Centre.

The Official Plan Amendment is to redesignate the lands from Commercial Recreation, Agricultural, and Environmental, to Commercial – Special Policy Area, Open Space, and Residential Multiple, while maintaining the Environmental designation. The recommended redesignation also intends to amend the current floodway policy in the Township’s Official Plan to adhere to the Provincial Policy Statement, 2020 (PPS) definition. The Zoning By-law Amendment is to provide site-specific zoning for a Mixed-Use development.

The Proposed Plan of Subdivision is for the development of 194 residential units, a future residential block, a public park, two commercial blocks fronting County Road 90, a stormwater management block, a pumping station, and Environmental Protection.

A full comment set concerning this application’s circulation is pending Staff’s review and will inform the forthcoming recommendation Report that will be provided to Council for their decision

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at a future meeting of the Committee of the Whole. Staff will be intaking comments on this matter until July 14th, 2021.

Staff welcomes Vanessa Simpson from Innovative Planning Solutions to deliver her presentation on the subject applications.

COMMENTS FROM THE PUBLIC – PLANNER

Those wishing to ask questions or provide comments must type their name and address into the 'Chat Function' on Zoom so that proper records may be kept, and Notice of future decisions can be sent to those persons involved in the review process.

REPLY – MAYOR

Council may ask questions for clarification.

FINAL STATEMENT – MAYOR

If there are no further questions, Council wishes to thank all those in attendance for their participation. The Planning and Development Department will be preparing a Staff Report to be presented to Council at a future meeting of the Committee of the Whole.



PUBLIC MEETING

6275 COUNTY ROAD 90, ANGUS

JUNE 16, 2021

PRESENTATION BY:



INNOVATIVE PLANNING SOLUTIONS

PLANNERS • PROJECT MANAGERS • LAND DEVELOPERS

SUBJECT SITE

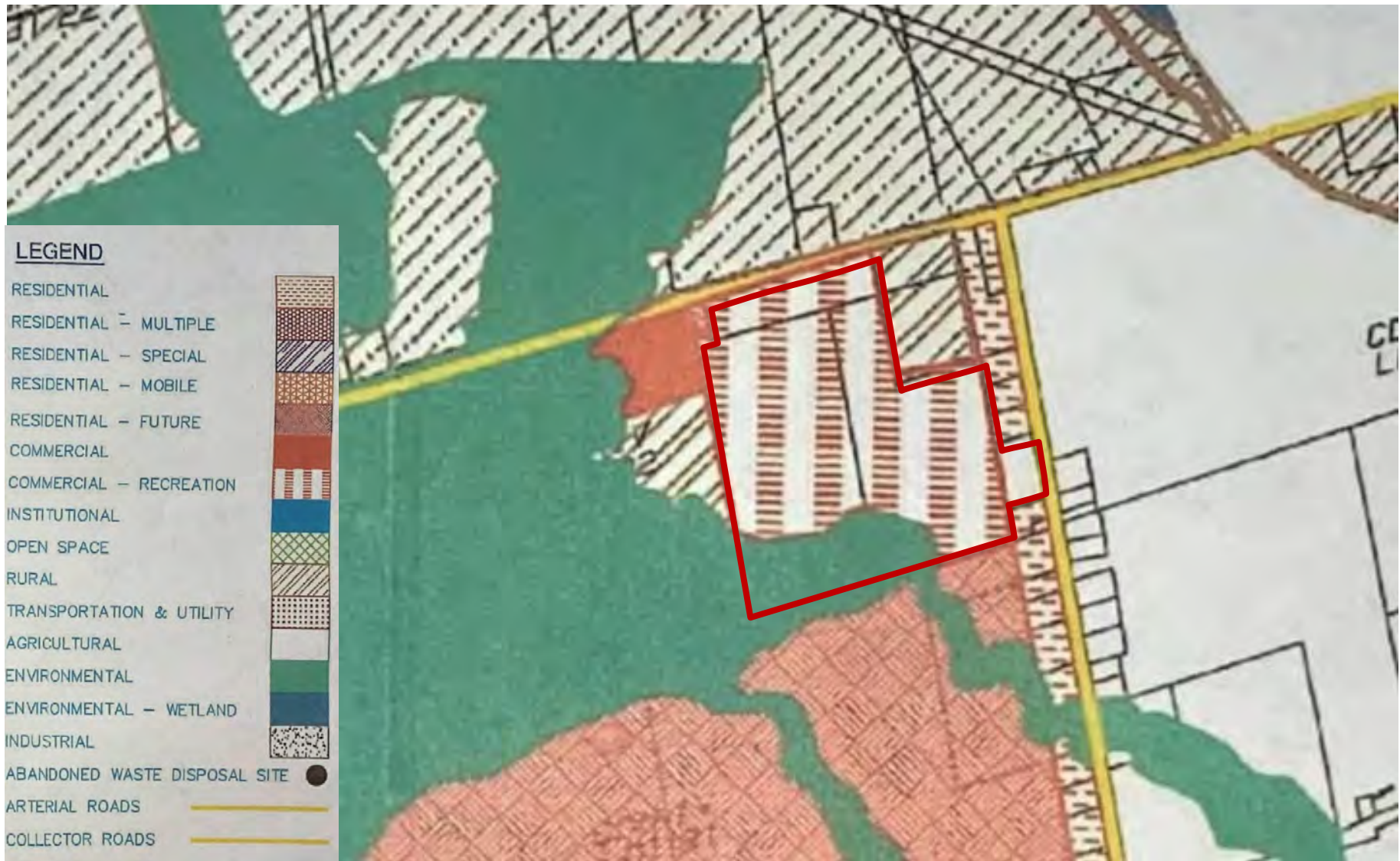


— SUBJECT SITE - - - SETTLEMENT AREA

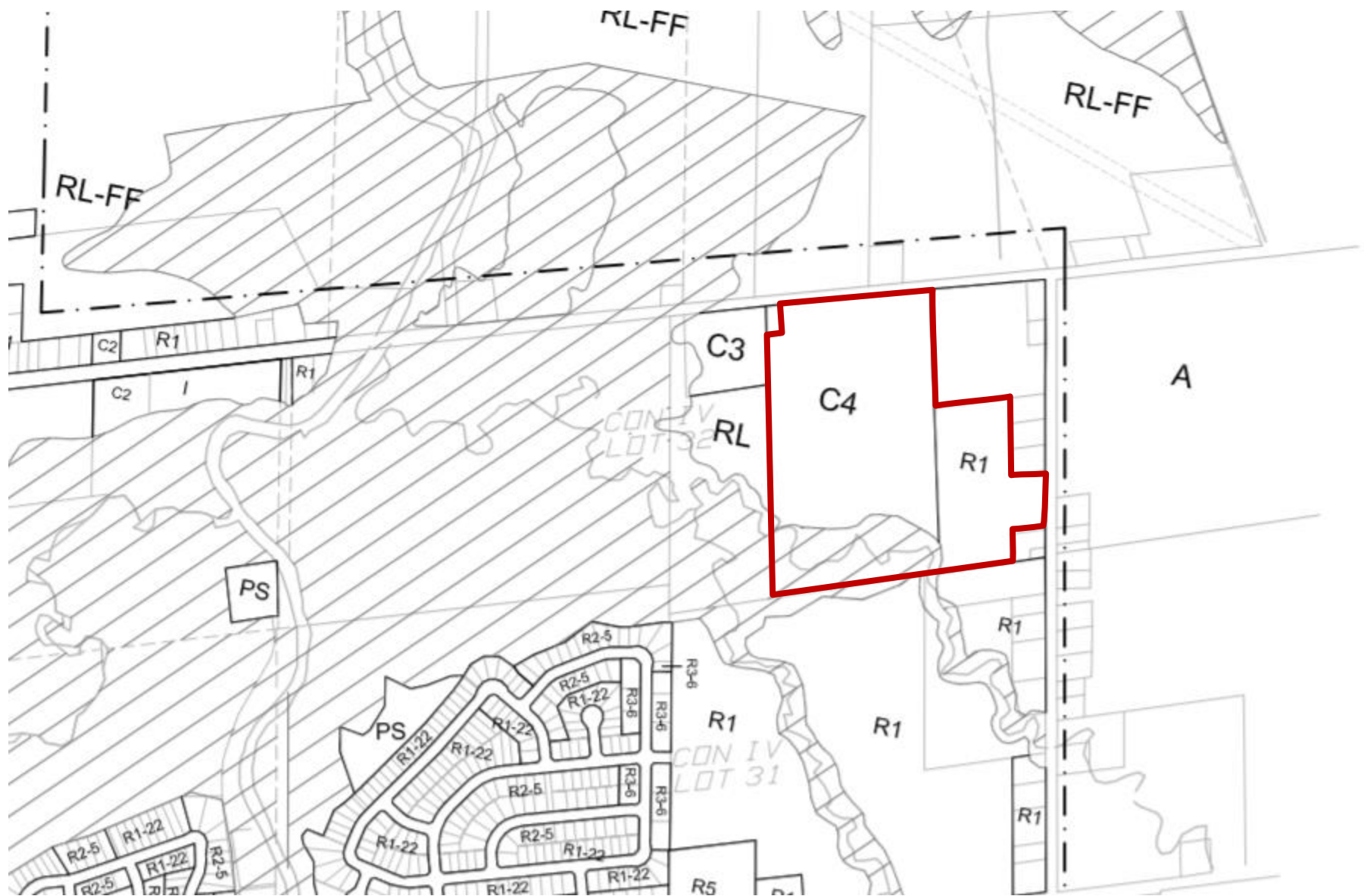
BACKGROUND

- November 2018 – pre-consultation with the County, Township and NVCA
- December 2018 – first submission was made
- May 2019 – meeting with Township and NVCA, where additional materials were requested
- April 2020 – NVCA provided further comments and its Study prerequisites for qualifying the applications as “complete”
- Ongoing conversations between the Township, NVCA, County and applicant have been had between November 2018 and the date of the second submission.
- December 2020 – second submission was made
- January 13, 2021 – application was deemed complete
- April 7, 2021 - May 20, 2021 – review comments received
- April 27, 2021 – meeting with Township Staff/departments, County and NVCA to discuss review comments received

OFFICIAL PLAN DESIGNATION



ZONING BY-LAW



DRAFT PLAN OF SUBDIVISION

Total of 194 dwelling units

- 106 single detached dwellings ranging from 9.8m-12.2m wide lots
- 88 townhouses dwellings, 6m wide lots
- Parkette, with walkway
- Stormwater Management & Pumping Station Blocks
- 2 Commercial Blocks, along County Road 90
- Environmental Protection Lands



CONCEPTUAL ELEVATIONS



LOT 1 - MODERN

LOT 2 - TRADITIONAL

LOT 3 - MODERN

LOT 4 - TRADITIONAL

TYPICAL STREETSCAPE - 12.2m WIDE LOTS



LOT 1 - CORNER

LOT 2

LOT 3

LOT 4

LOT 5

LOT 6

LOT 7

LOT 8 - END

6.0m WIDE TOWNHOUSE - TYPICAL BLOCK - TRADITIONAL STYLE



LOT 1 - END

LOT 2

LOT 3

LOT 4

LOT 5

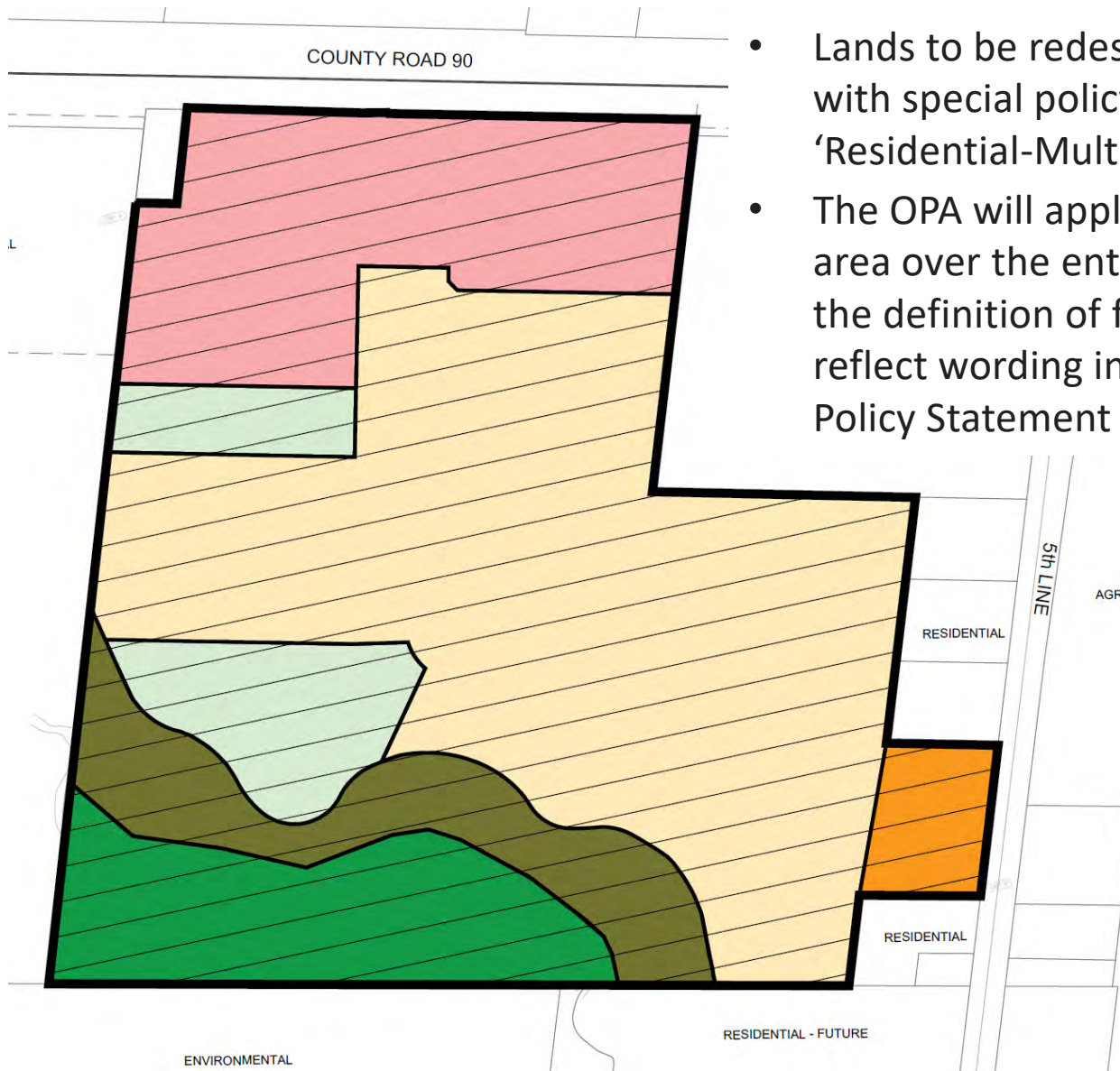
LOT 6

LOT 7

LOT 8 - CORNER

6.0m WIDE TOWNHOUSE - TYPICAL BLOCK - MODERN STYLE

OFFICIAL PLAN AMENDMENT



- Lands to be redesignated to 'Commercial with special policy area', 'Open Space', 'Residential-Multiple', and 'Environmental'
- The OPA will apply site specific, special policy area over the entire lands, which modifies the definition of floodway (Section 27.4), to reflect wording in accord with the Provincial Policy Statement



ZONING BY-LAW AMENDMENT

COUNTY ROAD 90

RESIDENTIAL

R1

R1

R1

R1

LEGEND



Subject Site
Area: 18.98ha (46.90ac)



Lands to be rezoned from 'Commercial Recreation (C4)' zone to 'Medium Density, Townhomes (R3-X)' zone with special provisions



Lands to be rezoned from 'Commercial Recreation (C4)' zone to 'Low Density, Detached (R1-X)' zone with special provisions



Lands to be rezoned from 'Low Density, Detached (R1)' zone to 'Low Density, Detached (R1-X)' zone with special provisions



Lands to be rezoned from 'Low Density, Detached (R1)' zone to 'Low Density, Detached Holding Provisions (R1-H)' zone



Lands to be rezoned from 'Commercial Recreation (C4)' zone to 'Community Commercial (C1-X)' zone with special provisions



Lands to be rezoned from 'Commercial Recreation (C4)' zone to 'Open Space Park (OSP)' zone



Lands to be rezoned from 'Commercial Recreation (C4)' zone to 'Public Services (PS)' zone



Lands to be rezoned from 'Environmental Protection (EP)' zone to 'Public Services (PS)' zone



Lands to be rezoned from 'Commercial Recreation (C4)' zone to 'Environmental Protection (EP)' zone

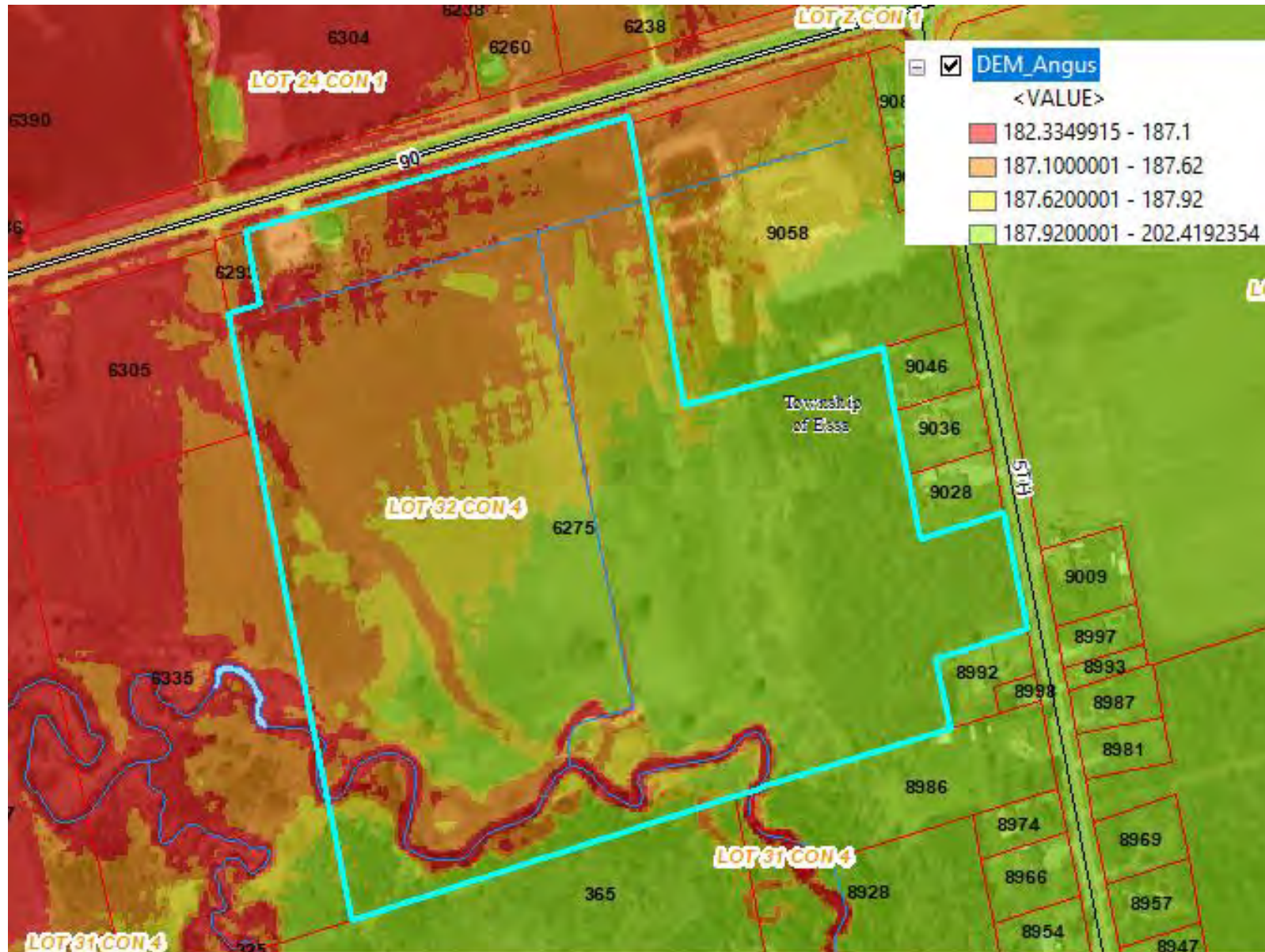


Lands to remain as 'Environmental Protection (EP)' zone

Provincial Policy Statement & Growth Plan

- Encourages efficient land use patterns that sustain healthy, liveable and safe communities
- Settlement areas are to be the focus of growth and development, and shall provide appropriate densities and mix of land uses
- A mix of housing densities, levels of affordability and types are encouraged
- Protection of environmental areas, Bear Creek, is required
- A portion of the subject lands are within the 100 year floodline and Regional floodline
- Policy 3.1.6, notes that *where the two zone concept for flood plains is applied, development and site alteration may be permitted in the flood fringe, subject to appropriate floodproofing to the flooding hazard elevation or another flooding hazard standard approved.*

TWO-ZONE MAPPING



- The Official Plan supports development within Settlement Area, while protecting the natural environment
- An adequate supply and diversity of housing types and density forms are encouraged
- Urban development is to be directed primarily to Angus, where it can be on full municipal services
- **Multiple Density Residential** designation permits single detached dwellings, townhouse dwellings and low-rise apartment buildings, where located on an arterial or collector road or is accessible by such, adequate municipal services are available, and appropriate zoning is established
- **Commercial with Special Policy Area** designation permits a wide range of commercial uses which are compatible with the adjacent existing uses. Landscape buffers are to be provided, and adequate entrances and parking.

1. Planning Justification Report Addendum
2. Functional Servicing and Stormwater Management Report
3. Floodplain Study & Cumulative Impact Assessment
4. Traffic Impact Study
5. Stage 1, Archeological Background Study
6. Stage 2, Archeological Property Assessment
7. Flood Analysis Report
8. Floodplain Impact Assessment – Supplementary
9. Erosion Hazard Analysis Report
10. Environmental Impact Study
11. Flood Remediation Study – Angus – Township of Essa
12. Floodplain Planning Policy Review
13. Mapping of the 100-year and Regional Floodline, the NVCA Regulation Limit and delineated
14. Environmental Noise Feasibility Study
15. Preliminary Geotechnical Investigation
16. Geotechnical Report
17. Hydrogeological Report
18. Retail Market Demand and Impact Assessment

CONCLUSION

- The proposed applications will facilitate a residential subdivision, proposing:
 - 194 dwelling units
 - Two commercial blocks along County Road 90
 - Parkette
 - Environmental lands, that will be further protected and enhanced
- The lands will be floodproofed by filling the site above the Regional floodplain
- Redesignate and rezone the lands to facilitate the proposed residential and commercial uses, while realigning the environmental protection areas

THANK YOU

Questions and Comments Welcome

Email: info@ipsconsultinginc.com



TOWNSHIP OF ESSA STAFF REPORT

STAFF REPORT NO.: PR005-21

DATE: June 16, 2021

TO: Committee of the Whole

FROM: Jason Coleman, Manager of Parks and Recreation

SUBJECT: Expression of Interest

RECOMMENDATION

That Staff Report PR005-21 be received; and

That Council consider directing the Manager of Parks and Recreation to proceed with utilizing the designated former Pro Shop area in Thornton and Angus Arena for staff and operations to ensure optimal use of space for the department and Township.

BACKGROUND

In previous years, a designated space inside the Thornton Community Centre and the Angus Recreation Centre has been leased out to successful bidders to operate as a Pro Shop typically on a 3-year term. The Pro Shop offers and provides the sale of limited sporting goods, apparel, skate sharpening and other miscellaneous items such as hockey tape and laces. The purpose of the Pro Shop is deemed as an alternative option to having to go to a sporting goods store to purchase goods and services. The income generated from each lease to the municipality is minimal.

The Pro Shop operates approximately 5 to 6 months of the calendar year which coincides with the hockey season October through March. Usually, limited hours in the evenings and several hours on the weekend. During the off-season, 6 months of the year, the Pro Shop is not utilized at all; the door is locked but all merchandise/inventory stays on site in the room until the following year when it is re-opened again, despite no rent being provided to the municipality.

An Expression of Interest for the lease of designated space in both Thornton and Angus was posted on the Township website, social media and Biddingo on April 29th, 2021 through to May 19th 2021 calling for bids and applications. The Township received limited inquiries upon closing date.

COMMENTS AND CONSIDERATIONS

Each year, it has become more noticeable that there is less of a need for this type of service than there was once was many years ago. Some contributing factors are believed to be lower registration/enrolment numbers in minor hockey organizations, and as well, today, people are much more mobile than in the past. Another is portable skate sharpeners along with handheld sharpening devices have become more readily available to consumers at an affordable cost. The selection, convenience and ease of online ordering also has been a noticeable factor. While others have preference to go to a specialized custom hockey skate sharpening specialist or sporting goods store located elsewhere. Meanwhile, some simply do not sharpen skates as much as they use to due to better technology. Skates used to have to be sharpened as a whole boot and chassis system. Technology has made the option where the blade can simply unclick on the skate and a new sharp blade can be installed on the skate boot eliminating the entire skate boot being required to sharpen. For comparison, the concept would be similar of changing a razor blade on a razor.

It should be noted that either Pro Shop has had very limited hours being open and appears to be becoming less each day of the week which is another indication that the **space is not being well utilized** or fulfilled. Many snack bar concessions in arenas now typically offer essentials such as tape, laces, mouthguards etc. in the absence of a Pro Shop.

The Township is continuing to grow and expand both in population and in staffing levels. For these reasons, it is the Manager of Parks and Recreation's opinion that the available space can be **better utilized** in a greater capacity for Township needs such as: additional office space, camp office, storage space, tool/workshop areas and general maintenance purpose rooms on a constant year-round basis compared to a traditional lease that has been previously offered for minimal rent. As facilities are aging, it is more evident that there is lack of storage and office space located within these facilities compared to newer more modern facilities.

FINANCIAL IMPACT

There would be a decrease in total revenue of \$3,300 between the Thornton and Angus locations of space for lease each year. However, by proceeding with this approach, there would only be a minimal cost to expand or relocate additional office spaces if deemed appropriate versus the costs required for new renovations all together. It should be noted, the Manager of Parks and Recreation will continue to seek out other possible additional sources for revenue as well.



Manager of Finance Signature

SUMMARY/OPTIONS

Council may choose:

1. To proceed with offering the traditional Pro Shop lease based on the results received from the Expression of Interest.
2. **To proceed with utilizing the designated former Pro Shop area in Thornton and Angus Arena for staff, building purposes and accommodations due to the declining patron and service levels at each location.**
3. Direct Staff in another course of action.

CONCLUSION

Staff strongly recommends **Option # 2** be approved at this time.

Respectfully submitted,

Jason Coleman

Jason Coleman
Manager of Parks and Recreation

Colleen Healey-Dowdall

Colleen Healey-Dowdall
Chief Administrative Officer



TOWNSHIP OF ESSA STAFF REPORT

STAFF REPORT NO.: PW019-21

DATE: June 16, 2021

TO: Committee of the Whole

FROM: Michael Mikael – Manager of Public Works

SUBJECT: Award of Tender – Elizabeth Street Bridge Culvert Replacement

RECOMMENDATION

That Staff Report PW019-21 be received; and

That the quotation as received from **Arnott Construction Limited.** for the **Elizabeth Street Bridge Culvert Replacement** be accepted in the amount of **\$1,000,000.00 (excluding HST)**

BACKGROUND

The Elizabeth Street Bridge Culvert Replacement is considered a high priority project due to safety concerns related to the existing bridge culvert reaching the end of its service- life (aged infrastructure asset – end of life cycle). The Township authorized Ainley Group Ltd. to complete the design and contract administration. The project was proposed to be tendered in 2020 but was deferred due to Covid19. Minor geometry intersection upgrades are included and traffic control measures to enhance the safety measures at the intersection of Elizabeth Street & Simcoe Street.

COMMENTS AND CONSIDERATIONS

The Tender document was posted on the Biddingo website on May 21, 2021 and closed on June 7, 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 **\$686,252** in the 2021 Public Works Prioritized Capital Budget (**\$686,252 Gas Tax.**) There is a carry-over of **\$737,000** from 2020 (**\$400,000 - 2020 Gas Tax and \$337,000 – 2020 OCIF**).

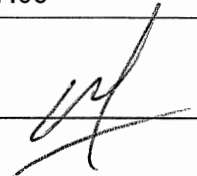
The total 2021 capital budget for the project is **\$1,423,252** which will result in **\$423,252 surplus** excluding the following:

- Contract Administration and Materials Testing which is expected to be in the range of **\$95,000.00 - \$142,000. (allowance)**

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- Enbridge Gas Distribution Plant Relocation **\$31,871.00** (excluding HST) which represents 35% of the overall cost as per the franchise agreement (**quoted**)
- Butternut Tree Replacement Work Plan "if found not healthy" **\$10,000 (allowance)**
- Legal fees & EASR fees **\$4,000 (allowance)**

| BIDDER | TOTAL BID (excluding applicable tax) |
|--|---|
| Arnott Construction Limited | \$1,000,000.00 |
| Neptune Security Services Inc. | \$1,166,603.00 |
| Dufferin Construction Company (CRH Canada Group Inc) | \$1,244,796.00 |
| Arenes Construction Ltd | \$1,411,267.00 |



Manager of Finance

SUMMARY/OPTIONS

Council may:

1. Take no action.
2. Award the Tender to **Arnott Construction Limited**. in the amount of \$1,000,000.00 (excluding HST)
3. Direct Staff in another course of action

CONCLUSION

Staff recommends that **Option 2** be approved, given that this contractor is the lowest bidder and in a good standing with the Township and with no known past performance problems.

Respectfully submitted,

Reviewed by,



Michael Mikael, P.Eng
Manager of Public Works



Colleen Healey-Dowdall,
Chief Administrative Officer



Ainley & Associates Limited
 550 Welham Road, Barrie, Ontario L4N 8Z7
 Tel: (705) 726-3371 • Fax: (705) 726-4391
 E-mail: barrie@ainleygroup.com

June 8, 2021

File No. 220001

“BY E-MAIL”

Township of Essa
 5786 County Road 21
 Utopia, Ontario
 L0M 1T0

Attn: **Michael Mikael**
Manager of Public Works

Ref: **Township of Essa**
Elizabeth Street Culvert Replacement
Contract No. 220001
Tender Review Summary

Dear Mr. Mikael:

Further to the tender closing for the above noted contract on June 7, 2021, we are pleased to provide the following report summarizing our review of the tenders received.

A total of four (4) tenders were received for this contract. A summary of the tenders received, ordered from lowest total tender price to highest, is provided as follows:

| Contractor | Total Tender Price (incl. HST) |
|-----------------------------------|---------------------------------------|
| 1. Arnott Construction Limited | \$1,130,000.00 |
| 2. Neptune Security Services Inc. | \$1,318,261.39 |
| 3. Dufferin Construction | \$1,406,619.48 |
| 4. Arenes Construction Ltd. | \$1,594,731.71 |

We completed a review of the submitted tenders both with respect to the tender prices and compliance with the tender submission requirements, based on scanned copies of the tender submissions provided to us by the Township. A mathematical review was completed of all tenders with respect to extension of unit prices and summation of extended prices and no errors were discovered. Likewise, based on the information provided to us, all tenders appear to be compliant with respect to the tender submission requirements.

Based on the above results, we completed a detail review of the two (2) lowest tenders as follows.

Arnott Construction Limited

The Ainley Group has considerable experience with Arnott Construction having worked with them on several projects in recent years and numerous projects in Simcoe County over the past 50+ years. Most recently we have worked with Arnott on the reconstruction of Essa Road and Ferndale Drive in the City of Barrie, with both projects completed to the satisfaction of the City.

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Given the tight timelines to complete this tender review, we were only able to obtain one reference check for Arnott, although we tried to contact all of the references included in their tender. As such, we had to rely mostly on our past experience with this contractor. That being said, the reference check that was completed (Front Street Reconstruction, Phase 2 for the City of Orillia) was quite favourable. The City contact indicated that Arnott was fully qualified and competent for the work that they completed which involved fully infrastructure reconstruction including watermain, sanitary sewers, storm sewer, large maintenance hole structures, road construction and traffic signals. They stated that Arnott was very cooperative in their dealings and that the quality of work was up to their standards. Additionally, the construction was completed on schedule and the extras requested were all warranted. As such, they confirmed that they would recommend Arnott for future similar projects.

In our experience with Arnott Construction, we have likewise found them to be a very capable contractor with the knowledge, skill, ability and equipment to satisfactorily complete both large and small municipal infrastructure projects.

Based on our past experience working with Arnott Construction, as well as the reference received from the City of Orillia, we are confident that they have the necessary expertise, manpower, equipment and experience to complete this project to the Township's satisfaction and meet the schedule specified in the tender documents.

Neptune Security Services Inc.

Based on our review of the tender submitted for this project, as well as our review of a tender submitted earlier this year for a similar project, we have several concerns with Neptune Security Services' submission.

Firstly, we have no experience with Neptune Security and in fact had never heard of them prior to this year. As such, we have to rely strictly on the experience listed in their tenders and the information obtained from the reference checks completed for this contractor. As the references provided for this project are very similar to those provided for the tender we reviewed earlier this year, we did not complete additional reference checks and instead are relying on the previously completed reference checks as well as our limited online research.

Based on the research we completed, it appears that Neptune Security is a security services firm that has recently decided to "branch out" into construction. Also, it appears that they act primarily as a project manager, rather than a general contractor, completing the majority of the construction utilizing subcontractors.

As for the previous tender we reviewed, none of the reference projects listed in Neptune Security's tender submission for this project were in any way similar to the Elizabeth Street culvert replacement in terms of either scope or complexity of the work. In fact, the scope of work for the three (3) reference projects listed in their tender involved primarily sidewalk and curb repairs and miscellaneous concrete rehabilitation. None of the projects included any culvert, structural concrete construction, watermain, storm sewer, in-water/watercourse control or earth/subsurface works.

Additionally, we have a number of concerns with some to the tender unit prices submitted by Neptune Security for this project, including the prices submitted for watercourse control, removal of asphalt pavement (partial depth), removal of the existing culvert structure, dewatering, reinforcing steel (both black and stainless) and river stone.

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Lastly, we note that Neptune Security did not list any subcontractors in their tender submission and in fact indicated that they would be completing all work with their own forces. However, based on the reference checks we completed previously, we have been advised that Neptune Security normally subcontracts almost all of the work on their projects. Also, it would appear that they do not have the necessary experience to complete all aspects of the project with their own forces (nor would we want them to).

Based on the above, we do not believe that Neptune Security has the necessary experience or ability to complete this project to the satisfaction of either the Township or the Ainley Group.

Summary

We trust that the above information is sufficient for the Township to make an informed decision regarding the award of this project. However, should you have any questions regarding this information please do not hesitate to contact the undersigned.

Yours truly,

AINLEY & ASSOCIATES LIMITED



Brian R. Wickenheiser, P.Eng, P.E.
Bridges and Structures Group Lead

BRW/

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TOWNSHIP OF ESSA STAFF REPORT

STAFF REPORT NO.: TR010-21
DATE: June 16th, 2021
TO: Committee of the Whole
FROM: Rob Rosilius, Deputy Treasurer
SUBJECT: Budget to Actuals Update as of May 31st, 2021

RECOMMENDATION

That Staff Report TR010-21 be received.

BACKGROUND

During the 2020 Budget deliberations, Council requested staff to bring forward quarterly updates on the budget. With the outbreak of COVID 19, Council requested staff provide updates on a regular basis while the Township is under a state of emergency. This report includes activities recorded as of May 31st, 2021.

COMMENTS AND CONSIDERATIONS

Summary of Budget Variances by Department (Attachment #1) summarizes the operating budget into three major sections:

- **Employee Related Expenses** - includes salaries and hourly wages, Township benefits along with mandatory contributions.
- **Operating Expenses** – all other non-employee related expenses, which include taxation amounts being transferred to the Capital Budget to fund the departments capital project(s).
- **Revenues** - revenues relating to that department.
- **Taxation Required** – this is the difference between the expenses and revenues for the department or sub-department. If the amount is positive taxation levy is required to balance department; whereas if the value is negative, it reduces the taxation levy.

The Columns of the Attachment #1 include;

- **Actuals to Date** – what has been processed into the general ledger.
- **Budget to Date** – represents 5/12 or 41.7% of the annual budget.
- **2021 Budget** – the approved budget amount.
- **Variance Actuals to Budget to Date** – the dollar value difference between actual recorded during the reporting period compared to the budget to date.

- **Expenses** – for sections that are expenses, If the *Variance Actuals to Budget to Date* value is negative, the actuals are less than the budget to date. If the dollar value is positive, the actuals are greater than the budget to date.
- **Revenues** – for the revenue sections if the *Variance Actuals to Budget to Date* value is negative the actuals are greater than the budget to date. If the dollar value is positive, the actuals are less than the budget to date.
- **Variance Actuals to Annual Budget** – a percentage of the actual amount as of the reporting period in comparison to the 2021 approved budget.

In Attachment #2, each approved Capital Budget item is listed with its total approved budget along with the amount(s) approved for 2021. The Actual To-date includes all the costs, both current and previous years, incurred as of May 31st. The Variance Actuals to Total Budget is a percentage of the Actuals To-date compared to the Total Budget for the project.

FINANCIAL IMPACT

For the reporting period, the expected Actuals should be roughly 41.7% of the annual budget. Since the previous Budget to Actuals Report, there has been no financial changes to report on.

SUMMARY/OPTIONS

Council may:

1. Take no further action.
2. Receive the Budget to Actuals as of May 31st, as circulated.

CONCLUSION

Option #2 is recommended.


Respectfully submitted:

Reviewed by:

Reviewed by:


 Rob Rosilius
 Deputy Treasurer

 Carol Traynor
 Manager of Finance


 Colleen Healey-Dowdall
 Chief Administrative Officer

Attachment #1 – Summary of Budget to Actuals as of May 31st, 2021
 Attachment #2 – Capital Budget Update as of May 31st, 2021



Township of Essa
Summary of Budget Variances by Department
For the Period Ending May 31st, 2021

| | Variance | | | | |
|--|-----------------|----------------|---------------|---------------------------|--------------------------|
| | Actuals to Date | Budget to Date | 2021 Budget | Actuals vs Budget to Date | Actuals to Annual Budget |
| Summary of Municipal Operations (excl Water & Wastewater) | | | | | |
| Total Operating Expenses: | \$3,798,938 | \$7,752,401 | \$18,605,762 | -\$3,953,462 | 20.42% |
| Total Revenues: | -\$14,551,540 | -\$10,137,982 | -\$28,148,085 | -\$4,413,559 | 51.70% |
| Total Reserve Transfer From/(To): | -\$56,577 | \$0 | \$0 | -\$56,577 | |
| Summary of Water and WasteWater | | | | | |
| Total Operating Expenses: | \$1,085,163 | \$1,528,752 | \$3,669,005 | -\$443,589 | 29.58% |
| Total Revenues: | -\$881,757 | -\$1,528,752 | -\$3,669,005 | \$646,995 | 24.03% |
| Total Reserve Transfer From/(To) | \$203,406 | \$0 | \$0 | \$203,406 | |
| Council | | | | | |
| Wages and Salaries | \$70,049 | \$66,526 | \$159,662 | \$3,523 | 43.87% |
| Operating Expenses | \$2,042 | \$14,875 | \$35,700 | -\$12,833 | 5.72% |
| Total Expenses: | \$72,091 | \$81,401 | \$195,362 | -\$9,309 | 36.90% |
| Taxation required: | \$72,091 | \$81,401 | \$195,362 | -\$9,309 | 36.90% |
| CAO | | | | | |
| Admin Wages and Salaries | \$92,894 | \$97,883 | \$234,920 | -\$4,989 | 39.54% |
| Office Building Wages and Salaries | \$656 | \$0 | \$0 | \$656 | 0.00% |
| Admin Operating Expenses | \$40,156 | \$25,083 | \$60,200 | \$15,072 | 66.70% |
| Office Building Operating Expenses | \$0 | \$0 | \$0 | \$0 | 0.00% |
| Total Expenses: | \$133,705 | \$122,967 | \$295,120 | \$10,739 | 45.31% |
| Revenues | \$0 | \$0 | \$0 | \$0 | 0 |
| Taxation required: | \$133,705 | \$122,967 | \$295,120 | \$10,739 | 45.31% |

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Township of Essa
Summary of Budget Variances by Department
For the Period Ending May 31st, 2021

| | Variance | | | | |
|-----------------------------|------------------|------------------|------------------|---------------------------|--------------------------|
| | Actuals to Date | Budget to Date | 2021 Budget | Actuals vs Budget to Date | Actuals to Annual Budget |
| Clerks Department | | | | | |
| Clerks | | | | | |
| Clerk's Wages and Salaries | \$100,293 | \$97,217 | \$233,320 | \$3,076 | 42.99% |
| Election Wages and Salaries | \$0 | \$0 | \$0 | \$0 | 0 |
| Clerk's Operating Expenses | \$65,021 | \$75,687 | \$181,650 | -\$10,667 | 35.79% |
| Election Operating Expenses | \$1,857 | \$5,775 | \$13,860 | -\$3,918 | 13.40% |
| Total Expenses: | \$167,171 | \$178,679 | \$428,830 | -\$11,509 | 38.98% |
| Revenues | -\$6,450 | -\$12,521 | -\$30,050 | \$6,071 | 21.46% |
| Taxation required: | \$160,721 | \$166,158 | \$398,780 | -\$5,438 | 40.30% |
| | | | | | |
| By-Law | | | | | |
| Wages and Salaries | \$39,384 | \$54,330 | \$130,392 | -\$14,946 | 30.20% |
| Operating Expenses | \$1,963 | \$15,104 | \$36,250 | -\$13,141 | 5.41% |
| Total Expenses: | \$41,347 | \$69,434 | \$166,642 | -\$28,087 | 24.81% |
| Revenues | -\$17,605 | -\$7,542 | -\$18,100 | -\$10,063 | 97.26% |
| Taxation required: | \$23,742 | \$61,893 | \$148,542 | -\$38,151 | 15.98% |
| | | | | | |
| Animal Control | | | | | |
| Wages and Salaries | \$2,349 | \$9,784 | \$23,482 | -\$7,435 | 10.00% |
| Operating Expenses | \$6,870 | \$7,175 | \$17,220 | -\$305 | 39.90% |
| Total Expenses: | \$9,219 | \$16,959 | \$40,702 | -\$7,740 | 22.65% |
| Revenues | -\$9,485 | -\$7,542 | -\$18,100 | -\$1,943 | 52.40% |
| Taxation required: | -\$265 | \$9,418 | \$22,602 | -\$9,683 | (1.17%) |
| | | | | | |
| Operating Assistance | | | | | |
| Operating Expenses | \$18,286 | \$3,750 | \$9,000 | \$14,536 | 203.18% |
| Taxation required: | \$18,286 | \$3,750 | \$9,000 | \$14,536 | 203.18% |

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Township of Essa
Summary of Budget Variances by Department
For the Period Ending May 31st, 2021

| | Variance | | | | |
|---------------------------|---------------------|---------------------|----------------------|---------------------------|--------------------------|
| | Actuals to Date | Budget to Date | 2021 Budget | Actuals vs Budget to Date | Actuals to Annual Budget |
| Treasury | | | | | |
| Finance Department | | | | | |
| Wages and Salaries | \$219,049 | \$200,684 | \$481,641 | \$18,365 | 45.48% |
| Operating Expenses | \$91,230 | \$1,839,385 | \$4,414,524 | -\$1,748,154 | 2.07% |
| Total Expenses: | \$310,279 | \$2,040,069 | \$4,896,165 | -\$1,729,789 | 6.34% |
| Revenues | -\$258,121 | -\$293,542 | -\$704,500 | \$35,421 | 36.64% |
| Taxation required: | \$52,159 | \$1,746,527 | \$4,191,665 | -\$1,694,368 | 1.24% |
| Taxation | | | | | |
| Operating Expenses | \$5,120,477 | \$0 | \$0 | \$5,120,477 | 0 |
| Revenues | -\$13,168,252 | -\$7,132,101 | -\$20,933,972 | -\$6,036,150 | 62.90% |
| Total Taxation: | -\$8,047,775 | -\$7,132,101 | -\$20,933,972 | -\$915,674 | 38.44% |
| General Revenues | -\$550,700 | -\$2,008,313 | -\$4,819,950 | \$1,457,613 | 11.43% |

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Township of Essa
Summary of Budget Variances by Department
For the Period Ending May 31st, 2021

| | Variance | | | | |
|----------------------------------|------------------|--------------------|--------------------|---------------------------|--------------------------|
| | Actuals to Date | Budget to Date | 2021 Budget | Actuals vs Budget to Date | Actuals to Annual Budget |
| Fire / Emergency Services | | | | | |
| Fire Department | | | | | |
| Admin Wages and Salaries | \$109,047 | \$134,925 | \$323,819 | -\$25,877 | 33.68% |
| Fire Fighting Wages and Salaries | \$91,735 | \$145,208 | \$348,500 | -\$53,473 | 26.32% |
| Fire Training Wages and Salaries | \$29,163 | \$60,417 | \$145,000 | -\$31,254 | 20.11% |
| Admin Operating Expenses | \$14,238 | \$316,194 | \$758,865 | -\$301,955 | 1.88% |
| Fire Fighting Operating Expense | \$17,359 | \$103,954 | \$249,490 | -\$86,595 | 6.96% |
| Fire Training | \$0 | \$1,667 | \$4,000 | -\$1,667 | 0.00% |
| Angus Fire Hall | \$7,582 | \$11,875 | \$28,500 | -\$4,293 | 26.60% |
| Thornton Fire Hall | \$8,285 | \$11,667 | \$28,000 | -\$3,381 | 29.59% |
| Fleet | \$34,066 | \$44,958 | \$107,900 | -\$10,892 | 31.57% |
| Total Expenses: | \$311,476 | \$830,864 | \$1,994,074 | -\$519,388 | 15.62% |
| Revenues | -\$71,517 | -\$51,917 | -\$124,600 | -\$19,600 | 57.40% |
| Taxation required: | \$239,959 | \$778,947 | \$1,869,474 | -\$538,989 | 12.84% |
| Emergency Measures | | | | | |
| Wages and Salaries | \$8,739 | \$5,873 | \$14,096 | \$2,866 | 62.00% |
| Operating Expenses | \$8,283 | \$4,542 | \$10,900 | \$3,741 | 75.99% |
| Total Expenses: | \$17,022 | \$10,415 | \$24,996 | \$6,607 | 68.10% |
| Revenues | \$0 | \$0 | \$0 | \$0 | 0.00% |
| Taxation required: | \$17,022 | \$10,415 | \$24,996 | \$6,607 | 68.10% |
| Policing | | | | | |
| Operating Expenses | \$740,301 | \$1,266,671 | \$3,040,010 | -\$526,370 | 24.35% |
| Revenues | -\$200 | -\$38,750 | -\$93,000 | \$38,550 | 0.22% |
| Taxation required: | \$740,101 | \$1,227,921 | \$2,947,010 | -\$487,820 | 25.11% |



Township of Essa
Summary of Budget Variances by Department
For the Period Ending May 31st, 2021

| | Variance | | | | |
|---------------------------------|------------------|------------------|------------------|---------------------------|--------------------------|
| | Actuals to Date | Budget to Date | 2021 Budget | Actuals vs Budget to Date | Actuals to Annual Budget |
| Planning and Development | | | | | |
| Planning | | | | | |
| Wages and Salaries | \$84,486 | \$85,295 | \$204,709 | -\$809 | 41.27% |
| Operating Expenses | \$18,626 | \$152,231 | \$365,355 | -\$133,605 | 5.10% |
| Total Expenses: | \$103,113 | \$237,527 | \$570,064 | -\$134,414 | 18.09% |
| Revenues | -\$34,165 | -\$51,104 | -\$122,650 | \$16,939 | 27.86% |
| Taxation required: | \$68,948 | \$186,423 | \$447,414 | -\$117,475 | 15.41% |
| Committee of Adjustment | | | | | |
| Wages and Salaries | \$5,959 | \$20,558 | \$49,338 | -\$14,598 | 12.08% |
| Operating Expenses | \$405 | \$2,604 | \$6,250 | -\$2,199 | 6.48% |
| Total Expenses: | \$6,364 | \$23,162 | \$55,588 | -\$16,798 | 11.45% |
| Revenues | -\$13,418 | -\$8,208 | -\$19,700 | -\$5,210 | 68.11% |
| Taxation required: | -\$7,054 | \$14,953 | \$35,888 | -\$22,008 | (19.66%) |
| Economic Development | | | | | |
| Wages and Salaries | \$5,583 | \$4,971 | \$11,930 | \$612 | 46.80% |
| Operating Expenses | \$1,529 | \$1,167 | \$2,800 | \$363 | 54.62% |
| Total Expenses: | \$7,113 | \$6,138 | \$14,730 | \$975 | 48.29% |
| Taxation required: | \$7,113 | \$6,138 | \$14,730 | \$975 | 48.29% |
| Building Department | | | | | |
| Wages and Salaries | \$86,580 | \$163,034 | \$391,282 | -\$76,454 | 22.13% |
| Operating Expenses | \$19,528 | \$24,896 | \$59,750 | -\$5,368 | 32.68% |
| Total Expenses: | \$106,108 | \$187,930 | \$451,032 | -\$81,822 | 23.53% |
| Revenues | -\$162,685 | -\$187,930 | -\$451,032 | \$25,245 | 36.07% |
| Reserve Transfer From/ (To) | -\$56,577 | \$0 | \$0 | -\$56,577 | |



Township of Essa
Summary of Budget Variances by Department
For the Period Ending May 31st, 2021

| | Variance | | | | |
|----------------------------------|------------------|--------------------|--------------------|---------------------------|--------------------------|
| | Actuals to Date | Budget to Date | 2021 Budget | Actuals vs Budget to Date | Actuals to Annual Budget |
| Public Works | | | | | |
| Public Works | | | | | |
| Public Works Operating Expenses | \$2,022 | \$10,000 | \$24,000 | -\$7,977 | 8.43% |
| Sidewalk Wages and Salaries | \$0 | \$15,729 | \$37,750 | -\$15,729 | 0.00% |
| Sidewalk Operating Expenses | \$24,025 | \$31,333 | \$75,200 | -\$7,308 | 31.95% |
| Streetlights Operating Expense | \$28,980 | \$43,750 | \$105,000 | -\$14,770 | 27.60% |
| Public Transit Operating Expense | \$0 | \$0 | \$0 | \$0 | 0.00% |
| Tile Drainage | \$0 | \$906 | \$2,175 | -\$906 | 0.00% |
| Total Expenses: | \$55,028 | \$101,719 | \$244,125 | -\$46,691 | 22.54% |
| Revenues | -\$4,222 | -\$1,250 | -\$3,000 | -\$2,972 | 140.75% |
| Taxation required: | \$50,806 | \$100,469 | \$241,125 | -\$49,663 | 21.07% |
| Roads | | | | | |
| Wages and Salaries | \$567,295 | \$549,714 | \$1,319,313 | \$17,582 | 43.00% |
| Operating Expenses | \$71,192 | \$212,065 | \$508,957 | -\$140,874 | 13.99% |
| Roadways Maintenance | \$51,226 | \$153,542 | \$368,500 | -\$102,316 | 13.90% |
| Roadside Maintenance | \$47,546 | \$155,625 | \$373,500 | -\$108,079 | 12.73% |
| Fleet | \$155,170 | \$192,500 | \$462,000 | -\$37,330 | 33.59% |
| Bridges & Culverts | \$9,622 | \$0 | \$0 | \$9,622 | 0.00% |
| Total Expenses: | \$902,051 | \$1,263,446 | \$3,032,270 | -\$361,395 | 29.75% |
| Revenues | -\$52,720 | -\$41,667 | -\$100,000 | -\$11,054 | 52.72% |
| Taxation required: | \$849,331 | \$1,221,779 | \$2,932,270 | -\$372,449 | 28.96% |
| Water Works | | | | | |
| Wages and Salaries | \$15,991 | \$55,938 | \$134,252 | -\$39,948 | 11.91% |
| Admin Operating Expenses | \$447,118 | \$584,347 | \$1,402,432 | -\$137,229 | 31.88% |
| Angus Waterworks Expenses | \$53,262 | \$73,333 | \$176,000 | -\$20,071 | 30.26% |
| Thornton Waterworks Expenses | \$6,970 | \$34,625 | \$83,100 | -\$27,655 | 8.39% |
| Baxter Waterworks Expenses | \$4,126 | \$8,567 | \$20,560 | -\$4,440 | 20.07% |
| Total Expenses: | \$527,466 | \$756,810 | \$1,816,344 | -\$229,344 | 29.04% |
| Revenues | -\$471,985 | -\$756,810 | -\$1,816,344 | \$284,825 | 25.99% |
| Reserve Transfer From/ (To) | \$55,481 | \$0 | \$0 | \$55,481 | |
| Waste Water | | | | | |

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Township of Essa
Summary of Budget Variances by Department
For the Period Ending May 31st, 2021

| | Variance | | | | |
|---------------------------------|------------------|------------------|--------------------|---------------------------|--------------------------|
| | Actuals to Date | Budget to Date | 2021 Budget | Actuals vs Budget to Date | Actuals to Annual Budget |
| Wages and Salaries | \$15,991 | \$19,935 | \$47,844 | -\$3,944 | 33.42% |
| Admin Operating Expenses | \$443,240 | \$641,114 | \$1,538,674 | -\$197,874 | 28.81% |
| Wastewater Operations | \$98,466 | \$110,893 | \$266,143 | -\$12,426 | 37.00% |
| Total Expenses: | \$557,697 | \$771,942 | \$1,852,661 | -\$214,245 | 30.10% |
| Revenues | -\$409,772 | -\$771,942 | -\$1,852,661 | \$362,170 | 22.12% |
| Reserve Transfer From/ (To) | \$147,925 | \$0 | \$0 | \$147,925 | |
| Parks and Recreation | | | | | |
| Angus Arena | | | | | |
| Admin Wages and Salaries | \$13,838 | \$13,266 | \$31,839 | \$571 | 43.46% |
| Arena Wages and Salaries | \$76,496 | \$71,873 | \$172,495 | \$4,623 | 44.35% |
| Operating Expenses | \$50,270 | \$91,505 | \$219,613 | -\$41,236 | 22.89% |
| Total Expenses: | \$140,603 | \$176,644 | \$423,947 | -\$36,042 | 33.17% |
| Revenues | -\$125,879 | -\$135,500 | -\$325,200 | \$9,621 | 38.71% |
| Taxation required: | \$14,723 | \$41,144 | \$98,747 | -\$26,421 | 14.91% |
| Thornton Arena | | | | | |
| Admin Wages and Salaries | \$13,837 | \$13,266 | \$31,839 | \$571 | 43.46% |
| Arena Wages and Salaries | \$39,059 | \$59,364 | \$142,474 | -\$20,305 | 27.41% |
| Operating Expenses | \$23,411 | \$74,042 | \$177,700 | -\$50,631 | 13.17% |
| Total Expenses: | \$76,307 | \$146,672 | \$352,013 | -\$70,365 | 21.68% |
| Revenues | -\$2,100 | -\$36,698 | -\$88,075 | \$34,598 | 2.38% |
| Taxation required: | \$74,207 | \$109,974 | \$263,938 | -\$35,767 | 28.12% |
| Recreation Programming | | | | | |
| Rec Programs Wages and Salaries | \$0 | \$30,552 | \$73,325 | -\$30,552 | 0.00% |
| Day Camp Wages and Salaries | \$0 | \$25,250 | \$60,600 | -\$25,250 | 0.00% |
| Rec Programs Operating Expenses | \$1,029 | \$4,583 | \$11,000 | -\$3,554 | 9.35% |
| Day Camp Operating Expenses | \$240 | \$11,333 | \$27,200 | -\$11,093 | 0.88% |
| Total Expenses: | \$1,269 | \$71,719 | \$172,125 | -\$70,450 | 0.74% |
| Revenues | \$0 | -\$37,917 | -\$91,000 | \$37,917 | 0.00% |
| Taxation required: | \$1,269 | \$33,802 | \$81,125 | -\$32,533 | 1.56% |

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Township of Essa
Summary of Budget Variances by Department
For the Period Ending May 31st, 2021

| | Variance | | | | |
|--|------------------|------------------|--------------------|---------------------------|--------------------------|
| | Actuals to Date | Budget to Date | 2021 Budget | Actuals vs Budget to Date | Actuals to Annual Budget |
| Golf Tournament | | | | | |
| Golf Tournament Expenses | \$0 | \$14,583 | \$35,000 | -\$14,583 | 0.00% |
| Golf tournament Revenues | \$0 | -\$14,583 | -\$35,000 | \$14,583 | 0.00% |
| Surplus/Deficit | \$0 | \$0 | \$0 | \$0 | 0.00% |
| Parks | | | | | |
| Park Operations Wages and Salaries | \$86,089 | \$173,813 | \$417,150 | -\$87,724 | 20.64% |
| Recreation Activities Wages and Salaries | \$35,059 | \$26,684 | \$64,042 | \$8,375 | 54.74% |
| Building Maintenance Wages and Salaries | \$0 | \$0 | \$0 | \$0 | 0.00% |
| Admin Operating Expenses | \$10,750 | \$112,494 | \$269,986 | -\$101,744 | 3.98% |
| Parks Operating Expense | \$65,099 | \$108,073 | \$259,375 | -\$42,974 | 25.10% |
| Recreation Activities Operating Expense | \$241 | \$1,125 | \$2,700 | -\$884 | 8.92% |
| Building Maintenance Operating Expense | \$7,872 | \$14,083 | \$33,800 | -\$6,212 | 23.29% |
| Total Expenses: | \$216,307 | \$437,314 | \$1,049,553 | -\$221,006 | 20.61% |
| Revenues | -\$5,187 | -\$21,917 | -\$52,600 | \$16,730 | 9.86% |
| Taxation required: | \$211,121 | \$415,397 | \$996,953 | -\$204,276 | 21.18% |
| Salmon Derby | | | | | |
| Operating Expenses | \$0 | \$5,042 | \$12,100 | -\$5,042 | 0.00% |
| Revenues | -\$3,240 | -\$3,750 | -\$9,000 | \$510 | 36.00% |
| Surplus/Deficit | -\$3,240 | \$1,292 | \$3,100 | -\$4,532 | (104.52%) |
| Cemetery | | | | | |
| Cemetery Operating Expenses | \$10,986 | \$0 | \$0 | \$10,986 | 0.00% |
| Total Expenses: | \$10,986 | \$0 | \$0 | \$10,986 | 0.00% |
| Revenues | -\$31,735 | \$0 | \$0 | -\$31,735 | 0.00% |
| Taxation required: | -\$20,748 | \$0 | \$0 | -\$20,748 | 0.00% |

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Township of Essa
Summary of Budget Variances by Department
For the Period Ending May 31st, 2021

| | Variance | | | | |
|--|------------------|------------------|------------------|---------------------------|--------------------------|
| | Actuals to Date | Budget to Date | 2021 Budget | Actuals vs Budget to Date | Actuals to Annual Budget |
| Library | | | | | |
| Admin Wages and Salaries | \$227,996 | \$270,950 | \$650,280 | -\$42,954 | 35.06% |
| Subsidized Program & Board Wages | \$0 | \$5,206 | \$12,495 | -\$5,206 | 0.00% |
| Admin Operating Expenses | \$3,691 | \$37,992 | \$91,180 | -\$34,301 | 4.05% |
| Angus Branch Operating Expenses | \$1,743 | \$21,754 | \$52,210 | -\$20,011 | 3.34% |
| Thornton Branch Operating Expenses | \$4,305 | \$5,438 | \$13,050 | -\$1,133 | 32.99% |
| Operations Expenses | \$25,872 | \$38,338 | \$92,010 | -\$12,466 | 28.12% |
| Subsidized Program & Board Operating Expense | \$100 | \$531 | \$1,275 | -\$431 | 7.84% |
| Total Expenses: | \$263,706 | \$380,208 | \$912,500 | -\$116,502 | 28.90% |
| Revenues | -\$53,871 | -\$45,231 | -\$108,555 | -\$8,640 | 49.63% |
| Taxation required: | \$209,836 | \$334,977 | \$803,945 | -\$125,141 | 26.10% |
| BIA | | | | | |
| Operating Expenses | \$5,165 | \$0 | \$0 | \$5,165 | 0.00% |
| Revenues | -\$11,723 | \$0 | \$0 | -\$11,723 | 0.00% |
| Taxation required: | -\$6,558 | \$0 | \$0 | -\$6,558 | 0 |
| NVCA | | | | | |
| Operating Expenses | \$94,907 | \$79,089 | \$189,814 | \$15,818 | 50.00% |
| Revenues | \$0 | \$0 | \$0 | \$0 | 0.00% |
| Taxation required: | \$94,907 | \$79,089 | \$189,814 | \$15,818 | 50.00% |

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Township of Essa Capital Budget For the 2021 Fiscal Year

| | Project Code | Total Budget | Previously Approved Funding | 2021 Budget Request | Actuals To Date | Variance Actuals to Total Budget |
|-----------------------------------|-----------------|--------------|-----------------------------------|------------------------|--------------------|--|
| Administration | | | | | | |
| | GG2102 | \$25,000 | \$0 | \$25,000 | \$21,421 | 85.68% |
| Total for Administration: | | \$25,000 | \$0 | \$25,000 | \$21,421 | 85.68% |
| Fire Service | | | | | | |
| | FD2104 | \$20,000 | \$0 | \$20,000 | \$20,352 | 101.76% |
| | FD2102 | \$685,000 | \$0 | \$685,000 | | 0.00% |
| | FD2106 P6 | \$25,000 | \$0 | \$25,000 | \$2,315 | 9.26% |
| | FD2103 P3 | \$57,500 | \$0 | \$57,500 | \$30,298 | 52.69% |
| | FD2103 P3 | \$7,000 | \$0 | \$7,000 | \$6,305 | 90.07% |
| | FD2105 P5 | \$20,000 | \$0 | \$20,000 | | 0.00% |
| | FD2107 P4 | \$8,000 | \$0 | \$8,000 | \$8,981 | 112.27% |
| | FD2101 | \$250,000 | \$0 | \$250,000 | \$971 | 0.39% |
| Total for Fire Department: | | \$1,072,500 | \$0 | \$1,072,500 | \$69,222 | 6.45% |

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**Township of Essa
Capital Budget
For the 2021 Fiscal Year**

| | <u>Project Code</u> | <u>Total Budget</u> | <u>Previously Approved Funding</u> | | <u>2021 Budget Request</u> | <u>Actuals To Date</u> | <u>Variance</u> |
|---|---------------------|---------------------|------------------------------------|--|----------------------------|------------------------|--------------------------------|
| | | | | | | | <u>Actuals to Total Budget</u> |
| <u>Parks and Recreation</u> | | | | | | | |
| Canoe/Kayak Boat Launch | RD2001 | \$78,000 | \$7,200 | | \$70,800 | \$8,880 | 11.38% |
| Video Surveillance | RD2103 | \$13,537 | \$0 | | \$13,537 | | 0.00% |
| Mike Hart Basketball Court installation | RD2104 | \$25,072 | \$0 | | \$25,072 | | 0.00% |
| Dump Truck 2020 carry forward | RD2005 | \$80,277 | \$73,550 | | \$6,727 | \$78,410 | 97.67% |
| Pick-up | RD2102 | \$50,000 | \$0 | | \$50,000 | \$41,985 | 83.97% |
| Grass cutting Equipment | RD2105 | \$135,000 | \$0 | | \$135,000 | \$137,143 | 101.59% |
| Outdoor Pads LED Upgrade | RD2106 | \$15,350 | \$0 | | \$15,350 | \$14,399 | 93.80% |
| Baxter Subdivision | | \$850,000 | \$0 | | \$850,000 | | 0.00% |
| Total For Parks and Recreation: | | \$1,247,236 | \$80,750 | | \$1,166,486 | \$280,817 | 22.52% |

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Township of Essa
Capital Budget
For the 2021 Fiscal Year

| | <u>Project Code</u> | <u>Total Budget</u> | <u>Previously Approved Funding</u> | <u>2021 Budget Request</u> | <u>Actuals To Date</u> | <u>Variance Actuals to Total Budget</u> |
|---|---------------------|---------------------|------------------------------------|----------------------------|------------------------|---|
| Roads/Public Works | | | | | | |
| Elizabeth Street Culvert Replacement | TR2007 | \$1,423,252 | \$737,000 | \$686,252 | \$53,947 | 3.79% |
| Margaret Street Urbanization Phase 1 & 2 | TR2008 | \$3,769,474 | \$1,100,000 | \$2,669,474 | \$180,810 | 4.80% |
| 25th Sideroad Repaving (1.5km) | TR2004 | \$784,000 | \$450,000 | \$334,000 | \$10,929 | 1.39% |
| Plow Truck to replace Unit 22 & Water Tank | PW2102 | \$355,000 | \$0 | \$355,000 | | 0.00% |
| Sidewalk Trackless Replacement & Attachment | PW2103 | \$63,000 | \$0 | \$63,000 | \$51,767 | 82.17% |
| Thornton Pedestrian Crossing | TR2005 | \$165,307 | \$115,000 | \$50,307 | \$13,371 | 8.09% |
| Traffic Calming | TR2109 | \$110,000 | \$0 | \$110,000 | \$2,829 | 2.57% |
| RFP Engineering work for 2022 | PW2105 | \$80,000 | \$0 | \$80,000 | | 0.00% |
| Angus Infra-Structure Master Plan | PW2106 | \$200,000 | \$0 | \$200,000 | | 0.00% |
| Bridge OSIM inspection | PW2107 | \$30,000 | \$10,000 | \$20,000 | \$3,716 | 12.39% |
| SWM Pond Maintenance | PW2108 | \$15,000 | \$0 | \$15,000 | \$9,339 | 62.26% |
| Survey equipment & Drones | PW2104 | \$80,000 | \$0 | \$80,000 | \$39,328 | 49.16% |
| Replace 2005 Hot Box | PW2004 | \$55,000 | \$45,000 | \$10,000 | \$32,676 | 59.41% |
| Slurry Seal | TR2101 | \$93,500 | \$0 | \$93,500 | | 0.00% |
| Total for Roads/Public Works: | | \$7,223,533 | \$2,457,000 | \$4,766,533 | \$398,712 | 5.52% |

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Township of Essa Capital Budget For the 2021 Fiscal Year

| | Project Code | Total Budget | Previously | | Variance | | |
|---------------------------|------------------------------|--------------|------------------|---------------------|-----------------|-------------------------|----------|
| | | | Approved Funding | 2021 Budget Request | Actuals To Date | Actuals to Total Budget | |
| Water | | | | | | | |
| | Thornton Standpipe Expansion | WD2001 | 293000 | | \$293,000 | | 0.00% |
| | Disk Filter Integration | SD2101 | 550,000 | 200,000 | 350,000 | \$106,909 | 19.44% |
| Total for Water: | | | \$843,000 | \$200,000 | \$643,000 | \$106,909 | 12.68% # |
| Library | | | | | | | |
| | Angus Branch Debt Repayment | | \$9,000 | \$0 | \$9,000 | | 0.00% |
| | Furniture | LB2101 P9 | \$2,500 | \$0 | \$2,500 | | 0.00% |
| | Equipment | LB2102 P9 | \$2,000 | \$0 | \$2,000 | \$293 | 14.65% |
| | Computer Equipment | LB2103 P9 | \$6,200 | \$0 | \$6,200 | | 0.00% |
| | Books Collection Materials | LB2104 P1 | \$76,165 | \$0 | \$76,165 | \$31,429 | 41.26% |
| Total for Library: | | | \$95,865 | \$0 | \$95,865 | \$31,722 | 33.09% |
| Totals: | | | \$10,507,134 | \$2,737,750 | \$7,769,384 | \$1,785,886 | 17.00% |

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TOWNSHIP OF ESSA STAFF REPORT

9a

STAFF REPORT NO.: C016-21
DATE: June 16, 2021
TO: Committee of the Whole
FROM: Lisa Lehr, Manager of Legislative Services
SUBJECT: Proposed Amendments to Fireworks By-law 2020-59

RECOMMENDATION

That Staff Report C016-21 be received; and

That Council approve the recommended amendments to the Fireworks By-law as outlined in this Report; and

That Council direct staff to present a By-law to amend the Township's Fireworks By-law 2020-59, for Council consideration of passage in its Regular meeting of this date.

BACKGROUND

At its meeting of September 16, 2020, Council passed By-law 2020-59, that being a By-law to regulate the use of Fireworks within the Township of Essa.

In respect to the discharge of Consumer (Family) Fireworks, By-law 2020-59 permits discharge as follows:

- Consumer (Family) Fireworks are permitted to be discharged:
 - On Victoria Day and Canada Day
 - Two calendar days immediately preceding and following the above-noted national holidays
 - Between the hours of dusk to 11:00 p.m.
- Discharge is prohibited on all other days other than those designated above.
- Discharge is prohibited within eight metres of a building, tent, trailer or motor vehicle.
- Not permitted to be discharged in such a manner that might create danger, or constitute a nuisance to any person or property, or to do, allow, or to cause any unsafe act or omission at the time and place of display.
- Not permitted to be discharged on municipally-owned properties.
- Not permitted to be discharged in, on or into any public place including, but not limited to, highways, streets, lanes, squares, parks, fields, playgrounds and school grounds.
- Persons discharging consumer fireworks must be 18 years of age or older.

The recent Victoria Day Holiday marked the first time that Essa's Fireworks By-law had been tested by residents since its passage in 2020.

COMMENTS AND CONSIDERATIONS

This Staff Report has been generated at the request of Council from their meeting of June 2, 2021, as a result of several complaints having been filed directly with members of Council.

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Issues and concerns outlined by residents filing complaints with Council were as follows:

1. Noise triggering health concerns (**triggers symptoms of PTSD, anxiety, stress; causes children, seniors and animals undue stress and anxiety**);
2. Debris from discharge blowing on neighbouring property(ies), structures and buildings and illegal dumping of fireworks debris;
3. Safety issues (sparks directed towards houses; discharge in residential areas is too close to surrounding homes; By-law doesn't include fences; people discharging while under the influence of alcohol);
4. Residents are discharging in areas not authorized (municipal parks; private property; municipal roads).

Recommended Amendments:

Allow fireworks only until 10 pm (as opposed to 11 pm).

Expand the types of structures or features which the 8 metre setback would apply to, including all buildings and structures, recreational vehicles and fences (refer to section 3.5 for existing list).

Note that Council could further consider restricting and/or prohibiting Consumer Fireworks in any urban area; and as well, Council could further limit the days to allow fireworks.

Council may also, of course, revisit any by-law at any time.

| Sections of By-law 2020-59 | Provisions contained in current By-law | Recommended Amendments | Notes to Consider |
|---|---|--|--|
| 2.1 – Definitions "Designated Days" | Designated Days shall mean Victoria Day and Canada Day and the two calendar days immediately preceding and following between dusk to 11:00 p.m. | Designated Days shall mean Victoria Day and Canada Day and the two calendar days immediately preceding, between dusk to 10:00 p.m. | Council could further <ul style="list-style-type: none"> • restrict the designated days to only permit discharge one day prior to the holiday, or, • restrict discharge on only the holiday itself, or • prohibit the discharge of family fireworks in urban residential areas in its entirety (thereby only permitting the discharge of Exhibition (Display) Fireworks). |
| 3.5 – Offences "It is an offence for any person to....." | Discharge Family Fireworks within eight (8) metres of a building, tent, trailer, or motor vehicle | Discharge Family Fireworks within eight (8) metres of any building, accessory building or structure, fence, tent, trailer, recreational or motor vehicle. Expand to include "accessory building or structure, fence, and recreational..." | Council could further consider prohibiting the discharge of Consumer (Family) Fireworks in all urban residential areas. |

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| Sections of By-law 2020-59 | Provisions contained in current By-law | Recommended Amendments | Notes to Consider |
|--|--|--|--|
| 3.8 – Offences “It is an offence for any person to....” | Sell or offer for sale any type of fireworks at an outdoor location or from any motor vehicle or vehicle, except with the express written permission of the Fire Chief | Sell or offer for sale any type of fireworks at an outdoor location, or from any motor vehicle or vehicle, outdoor stand, tent, or trailer Expand to include “outdoor stand, tent or trailer” Strike “except with the express written permission of the Fire Chief” | Inquiries were received about selling fireworks from outdoor stands and enclosed trailers Fire Chief requested that the following be removed: “except with the express written permission of the Fire Chief” |
| 5.2.1 “Family Fireworks (Consumer Fireworks)” | Family Fireworks may be discharged on designated days only, those being: (a) Victoria Day (b) Canada Day (c) Two (2) calendar days immediately prior to and following the designated days listed in (a) and (b) | Family Fireworks may be discharged on designated days only, those being: (a) Victoria Day (b) Canada Day (c) Two (2) calendar days immediately prior to the designated days listed in (a) and (b) Strike “and following” | *Note – this should mirror the section 2.1 Definitions - “Designated Days” |
| 5.3 – Family Fireworks (Consumer Fireworks)” | Family Fireworks shall only be set off between the hours of dusk and 11:00 p.m. | Family Fireworks shall only be set off between the hours of dusk and 10:00 p.m. | Council could further restrict the permissible time for discharge |
| 9.1 – Enforcement | This By-law shall be enforced by a Municipal Law Enforcement Officer, Fire Chief and Deputy Fire Chief as duly appointed by the Township of Essa, and Police Officers | This By-law shall be enforced by Municipal Law Enforcement Officers as duly appointed by the Township of Essa, and Police Officers. Strike “Fire Chief and Deputy Fire Chief” | *Note – Deputy Fire Chief advised that Fire Chief and Deputy Fire Chief are not appointed as Provincial Offence Officers under the Provincial Offences Act. Thus, they do not have authority to enforce this By-law. |

Due to the time-sensitivity of these amendments with the July 1st holiday fast approaching, a By-law to amend the Township’s Fireworks By-law 2020-59 has been attached to this Report for Council’s consideration. The amending By-law contains all recommended amendments listed in the chart above. Council may wish to suggest their own amendments.

It should be noted that some of the issues with fireworks, and the subsequent complaints received, are perhaps best to be addressed by enforcement. The By-law attempts to be somewhat restrictive but to offer a compromise to allow for the safe use of fireworks on rare occasion (it has been a family tradition in Canada to enjoy fireworks on special occasions). Staff will be meeting with the OPP to request increased enforcement to help offset the concerns with fireworks.

As well note, set fines will be required to be amended accordingly to reflect any amendments made to the current By-law and will be required to be approved by the Office of the Attorney General.

9a

To Note: Council has also requested that Staff investigate the implementation of a permit system similar to that of Open-Air Burning, whereby any resident discharging Family (Consumer) Fireworks would be required to purchase a permit PRIOR to any such discharge. This would allow for better control and would assist enforcement officials, however due to current time restrictions with Canada Day fast approaching, it is requested that staff be provided further time to investigate and implement a permit system. This issue may be researched by Essa's new Fire Chief. It may be that additional enforcement will be, again, a recommendation.

FINANCIAL IMPACT

None.

SUMMARY/OPTIONS

Council may:

1. Take no further action.
2. Take no further action at this time, however direct staff to provide a further Staff Report to Council following the July 1st holiday, of which is to outline a summary of all complaints received after the close of the first official "season" that permits fireworks, so that Council can make an informed decision on any further amendments.
3. **Approve the recommended amendments as outlined in this Report.**
4. **Direct Staff to present the By-law to amend the Township's Fireworks By-law 2020-59 for Council's consideration of passage in its Regular meeting of this date.**
5. Direct Staff as Council deems appropriate.

CONCLUSION

Staff recommends that Council approve Option No. 3 and 4.

Respectfully submitted:

Lisa Lehr
Manager of Legislative Services

Reviewed by:

Colleen Healey-Dowdall
Chief Administrative Officer

Attachments:

- 1 – Copy of DRAFT By-law to amend the Township's Fireworks By-law 2020-59
- 2 – Copy of Essa's Fireworks By-law 2020-59

THE CORPORATION OF THE TOWNSHIP OF ESSA

BY-LAW 2021 – xx

A By-Law to regulate the use of Fireworks within the Township of Essa, and to amend By-law 2020-59.

WHEREAS subsection 121(1) of the *Municipal Act*, 2001, S.O. 2001 c.25 provides that By-laws may be passed by a local municipality prohibiting and regulating the sale of fireworks and the setting off of fireworks; and

WHEREAS subsection 121(2) of the Act provides that Council may prohibit the activities described in Section 121 (1), above, unless a permit is obtained from the municipality for those activities and may impose conditions for obtaining, continuing to hold and renewing the permit, including requiring submission of plans; and

WHEREAS Council of the Corporation of the Township of Essa deems it necessary and expedient to regulate the sale and setting off of fireworks;

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

1. That the following sections of By-law 2020-59 be and are hereby amended to read as follows:

2.1 "Designated Days" shall mean Victoria Day and Canada Day and the two calendar days immediately preceding, between dusk to 10:00 p.m.

3.5 Discharge Family Fireworks within eight (8) metres of any building, accessory building or structure, tree, fence, tent, trailer, recreational or motor vehicle.

3.8 Sell or offer for sale any type of fireworks at an outdoor location, or from any motor vehicle or vehicle, outdoor stand, tent or trailer.

5.2.1 (c) Two (2) calendar days immediately prior to the designated days listed in (a) and (b).

5.3 Family Fireworks shall only be set off between the hours of dusk and 10:00 p.m.

9.1 This By-law shall be enforced by Municipal Law Enforcement Officers as duly appointed by the Township of Essa, and Police Officers.

2. This By-law shall come into force and take effect upon passing.

READ A FIRST, AND TAKEN AS READ A SECOND AND THIRD TIME AND FINALLY PASSED on this the 16th day of June, 2021.

Sandie Macdonald, Mayor

Lisa Lehr, Clerk

9a

TOWNSHIP OF ESSA
Fireworks By-law 2020 – 59

SCHEDULE B

Part I Provincial Offences Act
Set Fine Schedule

| ITEM | COLUMN 1 Short Form Wording | COLUMN 2 Provision Creating or Defining Offence | COLUMN 3 Set Fine |
|-------------|---|--|------------------------------------|
| 1. | Sell, offer for sale, display or discharge firecrackers. | Section 3.1 | \$200.00 |
| 2. | Discharge fireworks on days not designated. | Section 3.2 (a) | \$200.00 |
| 3. | Discharge fireworks at times not designated. | Section 3.2 (b) | \$200.00 |
| 4. | Discharge fireworks in, on, or onto a building, highway, sidewalk, municipal park or municipal property. | Section 3.3 | \$200.00 |
| 5. | Discharge Exhibition Fireworks without a permit. | Section 3.4 | \$200.00 |
| 6. | Discharge Family Fireworks within eight (8) metres of a building, accessory building or structure, tree, tent, trailer, recreational or motor vehicle. | Section 3.5 | \$200.00 |
| 7. | Display, offer for sale or sell fireworks during undesignated period. | Section 3.6 | \$100.00 |
| 8. | Sell or permit to be sold fireworks to a person less than eighteen (18) years old. | Section 3.7 | \$100.00 |
| 9. | Sell or offer for sale fireworks at an outdoor location, or from any vehicle, outdoor stand, tent or trailer without permit. | Section 3.8 | \$200.00 |
| 10. | Discharge fireworks during a burn ban without permit. | Section 3.9 | \$250.00 |
| 11. | Discharge family fireworks so as to create danger or nuisance to a person or property. | Section 5.6 | \$250.00 |
| 12. | Discharge fireworks by a person under the age of eighteen (18) years. | Section 5.10 | \$100.00 |
| 13. | Discharge Exhibition Fireworks without a permit. | Section 6.1 | \$200.00 |
| 14. | Discharge Exhibition Fireworks within 60 metres of a building, highway or railroad. | Section 6.8 | \$100.00 |
| 15. | Discharge Exhibition Fireworks within 15 metres of a hydro line, tree or overhead obstruction | Section 6.9 | \$100.00 |
| 16. | Obstruct, hinder or interfere with an Officer. | Section 9.5 | \$200.00 |

The penalty provision for the offences indicated above is Section 9.6 of By-law 2020-59, a certified copy of which has been filed and Section 61 of the *Provincial Offences Act*, R.S.O. 1990, c. P. 33.

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THE CORPORATION OF THE TOWNSHIP OF ESSA

BY-LAW 2020 – 59

A By-Law to regulate the use of Fireworks within the Township of Essa.

WHEREAS subsection 121(1) of the *Municipal Act*, 2001, S.O. 2001 c.25 provides that By-laws may be passed by a local municipality prohibiting and regulating the sale of fireworks and the setting off of fireworks; and

WHEREAS subsection 121(2) of the Act provides that Council may prohibit the activities described in Section 121 (1), above, unless a permit is obtained from the municipality for those activities and may impose conditions for obtaining, continuing to hold and renewing the permit, including requiring submission of plans; and

WHEREAS Council of the Corporation of the Township of Essa deems it necessary and expedient to regulate the sale and setting off of fireworks;

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

1. SHORT TITLE

This By-law shall be known as the "Fireworks By-law".

2. DEFINITIONS

- 2.1 "*Designated Days*" shall mean Victoria Day and Canada Day and the 2 calendar days immediately preceding and following, between dusk to 11:00 p.m.
- 2.2 "*Designated Period*" shall mean Victoria Day and Canada Day and the 15 calendar days immediately preceding Victoria Day and Canada Day.
- 2.3 "*Exhibition Fireworks*" shall mean pyrotechnic devices classified under the Explosive Regulations C.R.C., c. 599, as amended, as 7.2.2 fireworks which comprises high hazard fireworks generally used for recreation, such as rockets, serpents, shells, bombshells, tourbillions, maroons, large wheels, bouquets, barrages, bombardos, waterfalls, fountains, batteries, illumination, set pieces, pigeons and firecrackers.
- 2.4 "*Family Fireworks*" shall mean pyrotechnic devices classified under the Explosives Regulations C.R.C., c. 599, as amended, as 7.2.1 fireworks, which comprises low hazard fireworks generally used for recreation, such as fireworks showers, fountains, golden rain, lawn lights, pin wheels, Roman candles, volcanoes, sparklers, and caps for toy guns.
- 2.5 "*Firecracker*" shall mean a class of fireworks which, when ignited, explodes with little or no visual effect, but does not include caps for toy guns or Christmas crackers.
- 2.6 "*Fireworks*" shall mean a pyrotechnics device or a substance that is made, manufactured or used to produce an explosion or detonation and includes

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fireworks composition and manufactured fireworks as defined in the Explosive Regulations made pursuant to the Explosives Act, R.S. c. E-15, s.1 as amended and includes one single item of fireworks.

- 2.7 "Officer" shall mean a Municipal Law Enforcement Officer, Fire Chief, Deputy Fire Chief or a Police Officer.
- 2.8 "Supervisor" shall mean a person who is qualified as a fireworks supervisor in accordance with the Fireworks Manual, Explosives Division Class 7.2.2, energy, Mines and Resources Canada.
- 2.9 "Vehicle" shall mean any motor vehicle, trailer, traction engine, farm tractor, road building machine, bicycle, motorized snow vehicle and any vehicle drawn, propelled or driven by any kind of power including muscular power.

3. OFFENCES

It is an offence for any person to:

- 3.1 Sell, offer for sale, display or discharge *firecrackers* within the limits of the Township.
- 3.2 Discharge *fireworks*:
 - a) On days that are not designated; and
 - b) At times not designated.
- 3.3 Discharge *fireworks* in, on or onto a building, highway, sidewalk, municipal park or municipal property.
- 3.4 Discharge *Exhibition Fireworks* without a permit.
- 3.5 Discharge *Family Fireworks* within eight (8) metres of a building, tent, trailer or motor vehicle.
- 3.6 Display, offer for sale, or sell *fireworks* within the Township of Essa except during the *designated period*.
- 3.7 Sell or permit to be sold *fireworks* to a person who is less than 18 years old.
- 3.8 Sell or offer for sale any type of *fireworks* at an outdoor location or from any motor vehicle or vehicle, except with the express written permission of the Fire Chief.
- 3.9 Discharge fireworks during a burn ban unless express written consent has been obtained from the Fire Chief and/or Deputy Fire Chief.

4. SALE AND POSSESSION OF FIREWORKS

- 4.1 Where *fireworks* are offered for sale by any person, the person who is causing, offering or permitting the sale or distribution of consumer fireworks shall ensure that:
 - 4.1.1 The *fireworks* are included on the most recent list of authorized explosives

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as published from time to time by the Explosives Branch of the Department of Natural Resources (Canada), or its successor;

4.1.2 The *fireworks* are displayed in individual lots that do not exceed 25 kilograms in gross weight;

4.1.3 The *fireworks* are displayed in a sealed package, and locked in a secure cabinet away from any inflammable materials or goods and clearly marked as fireworks; and

4.1.4 The *fireworks* must be displayed in accordance with the *Explosives Act*, R.S.C. 1985 c. E17, wherein the information respecting the manufacturing, storage and use of fireworks is set out.

4.2 *Fireworks* shall not be sold, offered for sale, caused or permitted to be sold, from an outdoor stand, tent, unenclosed trailer, or motor vehicle.

5. FAMILY FIREWORKS (Consumer Fireworks)

5.1 A Fireworks Permit is not required to be obtained for the discharge of *family fireworks* on designated days, in accordance with this By-law.

5.2 No person shall discharge, fire, set off, or cause to be set off any *family fireworks* on any day or days throughout the year except on the *Designated Days* as set forth in this By-law.

5.2.1 Exceptions – Designated Days

Family Fireworks may be discharged on Designated Days only, those being:

- (a) Victoria Day;
- (b) Canada Day
- (c) Two (2) calendar days immediately prior to and following the designated days listed in (a) and (b).

5.3 *Family Fireworks* shall only be set off between the hours of dusk and 11:00 p.m.

5.4 A person eighteen years of age or older may set off family fireworks on any land;

5.4.1 Belonging to him; or

5.4.2 Any other privately owned land where the owner thereof has given permission for the setting off of family fireworks.

5.5 *Family Fireworks* shall only be discharged in accordance with the manufacturer's specifications, and the person discharging or setting off the *Family Fireworks* shall be responsible for reviewing the manufacturer's specifications and instructions prior to such discharge.

5.6 No person shall discharge, fire, set off, or cause *family fireworks* to be set off in such manner that might create danger or constitute a nuisance to any person or property, or to do, allow, or to cause any unsafe act or omission at the time and place of display.

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- 5.7 No person shall discharge, fire, set off, or cause to be set off any *fireworks* inside of or closer than 8 metres to any building, tent, trailer, shelter or motor vehicle.
- 5.8 No person shall discharge, fire, set off or cause to be set off any *fireworks* on municipally owned property.
- 5.9 Notwithstanding the setting off of *Exhibition Fireworks* in accordance with provisions of this By-law, no person shall discharge, fire, set off, or cause to be set off any *fireworks* in, on or into any public place including, but not limited to, highways, streets, lanes, squares, parks, fields, playgrounds and school grounds.
- 5.10 No person under the age of eighteen (18) years shall discharge, fire, set off, or cause to be set off any *family fireworks* unless under the direct supervision and control of a person eighteen years of age or older, and
- 5.11 No person being the parent or guardian of any child under the age of eighteen (18) years shall permit said child to discharge, fire, set off or caused to be set off any *fireworks* except when such parent or guardian or some other responsible person of at least eighteen (18) years of age is in direct supervision and control.

6. EXHIBITION FIREWORKS (Display and Pyrotechnic Fireworks)

- 6.1 No person or group of persons shall set off or discharge *Exhibition Fireworks* without first having obtained a *Fireworks Permit* from the Fire Chief and/or Deputy Fire Chief.
- 6.2 *Exhibition Fireworks* are prohibited to be set off unless under the direct supervision and control of a qualified *Supervisor*, and only during designated days between the hours of dusk and 11:00 p.m.
- 6.3 The application for a fireworks permit must be made on approved Township forms at least three weeks prior to the proposed date of display.
- 6.4 Where an *Exhibition Fireworks* event is proposed on Township property, the applicant shall also provide at the time of application appropriate liability insurance in the amount of Two Million Dollars (\$2,000,000.00) to protect the Township of Essa in respect of any liability for bodily injury, including death, and property damage that may result from or arise out of the holding of the fireworks event, and to indemnify the Township of Essa for damage to and destruction of Township property that may occur as a result of the fireworks event.
- 6.5 Setting off of *Exhibition Fireworks* must be in accordance with recognized safety procedure including, but not limited to:
 - 6.5.1 Keeping spectators at a safe distance;
 - 6.5.2 Protecting private and public property; and
 - 6.5.3 Ensuring suitable fire extinguishing equipment is available at all times.
- 6.6 The person(s) responsible for the setting off of any *Exhibition Fireworks* or classes thereof must ensure that all unused fireworks and debris is removed and safely disposed of immediately following the event.

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- 6.7 No person(s) other than those responsible for holding the event, shall be at a distance closer than 100 metres from the place at which the fireworks are being set off or discharged.
- 6.8 No person(s) shall discharge fire, set off, or cause to be set off any *Exhibition Fireworks* within 60 metres from a building, highway or railroad.
- 6.9 No person(s) shall discharge, fire, set off, or cause to be set off any *Exhibition Fireworks* within 15 metres of any hydro line, tree or overhead obstruction.
- 6.10 No person(s) shall discharge, fire, set off or cause to be set off any *Exhibition Fireworks* within 300 metres of a nursing home, home for aged, public hospital, hospice or clinic or any premises where explosives, gasoline or other highly flammable substances are manufactured, sold or stored.
- 6.11 No person(s) shall discharge, fire, set off or cause to be set off any *Exhibition Fireworks* within 300 metres of a church or a public, separate, secondary or other school unless the consent of the owner, or representative or agent of the owner of such church or school is obtained.
- 6.12 No *Exhibition Fireworks* event is to be held during any windstorm in which the wind reaches a velocity of more than 50 kilometres per hour.

7. PERMITS FOR EXHIBITION FIREWORKS DISPLAY

- 7.1 A Fireworks Permit is required to be obtained from the Fire Chief for *Exhibition Fireworks Displays* at a minimum three (3) weeks prior to the event.
- 7.2 The application for a Fireworks Permit is required to be completed and submitted to the Fire Chief together with the application fee paid in full.
- 7.3 Filed with the Fireworks Permit application form shall be current and up to date site plan with dimension showing:
 - 7.3.1 The location of the proposed *Exhibition Fireworks Display*.
 - 7.3.2 The access to be provided for fire and emergency vehicles.
 - 7.3.3 The free zone area of clear distance between the point of launch and an occupied area.
- 7.4 Filed with the Fireworks Permit application form shall be a statement of the safety measures being implemented.
- 7.5 Filed with the Fireworks Permit application form shall be a Certificate of Liability Insurance certifying the application being applied for is insured against general liability and property damage claims, in the minimum amount of Two Million Dollars (\$2,000,000.00) inclusive for any one occurrence. Said policy should name the Corporation of the Township of Essa as an additional insured. Said Policy shall be endorsed to provide that the policy will not be altered, cancelled or allowed to lapse without ten (10) days prior written notice to the Township.
- 7.6 The *Exhibition Fireworks Display* shall only be set off on the day or days specified by the permit.

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- 7.7 The application fee shall be \$35.00 for an *Exhibition Fireworks Display*.
- 7.8 The permit may be suspended or revoked by the Fire Chief or Deputy Fire Chief if conditions of the permit are not being met or it would be unsafe to allow Exhibition Fireworks Display.

8. ENTRY AND INSPECTION

- 8.1 An Officer may at any time enter onto land or in any building for the purpose of determining whether this By-law is being complied with.
- 8.2 Every owner shall permit the Officer to inspect any land or buildings for the purposes of determining compliance with this By-law.
- 8.3 Notwithstanding any provision of this By-law, an Officer shall not enter or remain in any room or place actually being used as a dwelling, unless:
 - a) The consent of the occupier is obtained, the occupier first having been informed that the right of entry may be refused and, if refused, may only be made under the authority of a warrant issued under the Provincial Offences Act, R.S.O. 1990, c.P.33, as amended.
 - b) A warrant issued under the Provincial Offences Act, R.S.O. 1990, c.P.33, as amended, is obtained.

9. ENFORCEMENT AND PENALTIES

- 9.1 This By-law shall be enforced by a Municipal Law Enforcement Officer, Fire Chief and Deputy Fire Chief as duly appointed by the Township of Essa, and Police Officers.
- 9.2 An Officer may order any person believed to be contravening or have contravened any provision of this By-law:
 - 9.2.1 To immediately desist from the activity constituting or contributing to such contravention; or
 - 9.2.2 To immediately remove from the property anything involved in contravention; or
 - 9.2.3 To leave the property immediately.
- 9.3 An Officer may order any person engaging in an activity that requires a Fireworks Permit under this By-law to provide the original copy of the permit for inspection.
- 9.4 Every person shall comply with an Order given by an Officer under the authority of Section 9.2.
- 9.5 No person shall willfully obstruct, hinder or otherwise interfere, nor attempt to obstruct, hinder or interfere with a Municipal Law Enforcement Officer, Fire Chief or Deputy Fire Chief, or the OPP in the performance of their duties or the exercise of their rights, functions, powers or authority under this By-law.

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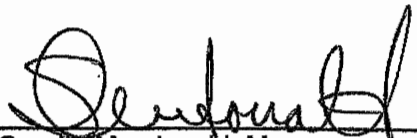
9.6 Every person who contravenes any provision of this By-law is guilty of an offence and upon conviction is liable to a fine and such other penalties as provided for in the *Provincial Offences Act*.

10. EFFECTIVE DATE

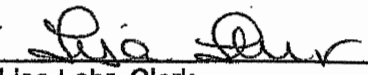
This By-law shall come into force and take effect upon passing.

11. Schedules "A" and "B" as attached form part of this By-law

READ A FIRST, AND TAKEN AS READ A SECOND AND THIRD TIME AND FINALLY PASSED on this the 16th day of September, 2020.



Sandie Macdonald, Mayor



Lisa Lehr, Clerk

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BY-LAW 2020-59

SCHEDULE A

5786 Simcoe County Rd. #21
Utopia, Essa Township, ON
L0M 1T0



Telephone: (705) 424-9770
Fax: (705) 424-2367
Web: www.essatownship.on.ca

EXHIBITION FIREWORKS DISPLAY EVENT

Permit Application

Date of Display: _____

Time of Display: _____

| Name and Address of Responsible Parties: | Telephone Number |
|--|------------------|
| 1. _____ | _____ |
| 2. _____ | _____ |
| 3. _____ | _____ |
| 4. _____ | _____ |

Location of Display: _____

Written Permission Attached: _____

Type and Kind of Fireworks: _____

Method of Fireworks Disposal: _____

Fireworks Supervisor Contact: _____

Card # of Supervisor: _____

Liability Insurance Company: _____

Policy No.: _____

Copy of Certificate attached: _____

The following safety precautions must be observed during the Fireworks event:

- a) Display to be held at least 100 metres away from audience (area to be roped off);
- b) Display to be held at least 60 metres from nearest buildings, highway and railroad;
- c) Display to be at least 15 metres away from hydro line, tree or overhead obstruction;
- d) No fireworks event is to be held during any windstorm in which the wind reaches a velocity of more than 50 km/hr; and
- e) Other than listed above: _____

The applicant acknowledges having read the Fireworks By-law and agrees that the Corporation of the Township of Essa assumes no responsibility for loss of property or personal damage resulting from the aforementioned Fireworks event and hereby agrees to indemnify and hold harmless the Township from any and all claims whatsoever arising therefrom.

Date: _____

Signature of Person Requesting Permit: _____

Date: _____

Approved By: _____

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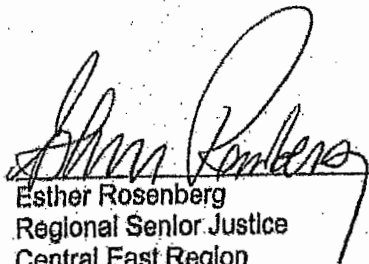
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PROVINCIAL OFFENCES ACT

Part I

IT IS ORDERED pursuant to the provisions of the *Provincial Offences Act* and the rules for the Ontario Court of Justice that the amount set opposite each of the offences in the attached schedule of offences under the Provincial Statutes and Regulations thereunder and Municipal By Law 2020-59, for the Township of Essa, attached hereto is the set fine for that offence. This Order is to take effect September 17, 2020

DATED at Newmarket this 17th
day of September, 2020



Esther Rosenberg
Regional Senior Justice
Central East Region

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THE HONOURABLE ESTHER ROSENBERG
REGIONAL SENIOR JUSTICE
ONTARIO COURT OF JUSTICE
CENTRAL EAST REGION

50 EAGLE STREET WEST
NEWMARKET, ONTARIO L3Y 6B1



L'HONORABLE ESTHER ROSENBERG
JUGE PRINCIPAL RÉGIONAL
COUR DE JUSTICE DE L'ONTARIO
RÉGION DU CENTRE-EST

50, RUE EAGLE OUEST
NEWMARKET (ONTARIO) L3Y 6B1
TELEPHONE/TÉLÉPHONE (905) 853-4890
FAX/TÉLÉCOPIEUR (905) 853-4891

Sept 17, 2020

Ms. Krista Pascoe
Clerk
5786 County Road 21
Utopia, Ontario
L0M 1T0

Dear Ms. Pascoe,

Re: Set Fines for the Township of Essa

Enclosed herewith please find the Order and the schedule of set fines.

The setting of the fines does not constitute my approval of the short form of the wording used to describe the offences.

I have forwarded copies of the Orders and the Schedules of the set fines to the POA Court in Barrie.

Yours truly,

A handwritten signature in black ink, appearing to read "Esther Rosenberg".

Esther Rosenberg
Regional Senior Justice
Central East Region

/brw
Enclosures

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TOWNSHIP OF ESSA
Fireworks By-law 2020 – 59

SCHEDULE B

Part I Provincial Offences Act
Set Fine Schedule

| ITEM | COLUMN 1 Short Form Wording | COLUMN 2 Provision Creating or Defining Offence | COLUMN 3 Set Fine |
|------|--|---|----------------------|
| 1. | Sell, offer for sale, display or discharge firecrackers. | Section 3.1 | \$200.00 |
| 2. | Discharge fireworks on days not designated. | Section 3.2 (a) | \$200.00 |
| 3. | Discharge fireworks at times not designated. | Section 3.2 (b) | \$200.00 |
| 4. | Discharge fireworks in, on, or onto a building, highway, sidewalk, municipal park or municipal property. | Section 3.3 | \$200.00 |
| 5. | Discharge Exhibition Fireworks without a permit. | Section 3.4 | \$200.00 |
| 6. | Discharge Family Fireworks within eight (8) metres of a building, tent, trailer or motor vehicle. | Section 3.5 | \$200.00 |
| 7. | Display, offer for sale or sell fireworks during undesignated period. | Section 3.6 | \$100.00 |
| 8. | Sell or permit to be sold fireworks to a person less than eighteen (18) years old. | Section 3.7 | \$100.00 |
| 9. | Sell or offer for sale fireworks at an outdoor location or vehicle without permit. | Section 3.8 | \$200.00 |
| 10. | Discharge fireworks during a burn ban without permit. | Section 3.9 | \$200.00 |
| 11. | Discharge family fireworks so as to create danger or nuisance to a person or property. | Section 5.8 | \$100.00 |
| 12. | Discharge fireworks by a person under the age of eighteen (18) years. | Section 5.10 | \$100.00 |
| 13. | Discharge Exhibition Fireworks without a permit. | Section 6.1 | \$200.00 |
| 14. | Discharge Exhibition Fireworks within 60 metres of a building, highway or railroad. | Section 6.8 | \$100.00 |
| 15. | Discharge Exhibition Fireworks within 16 metres of a hydro line, tree or overhead obstruction | Section 6.9 | \$100.00 |
| 16. | Obstruct, hinder or interfere with an Officer. | Section 9.5 | \$200.00 |

The penalty provision for the offences indicated above is Section 9.6 of By-law 2020-59, a certified copy of which has been filed and Section 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.: C017-21
DATE: June 2, 2021
TO: Committee of the Whole
FROM: Lisa Lehr, Manager of Legislative Services
SUBJECT: DRAFT Council Vacancy Policy

RECOMMENDATION

*That Staff Report C017-21 be received; and
That Council approve a Draft Council Vacancy Policy.*

BACKGROUND

At its meeting of June 2, 2021, Council directed Staff to amend the Draft Council Vacancy Policy.

COMMENTS AND CONSIDERATIONS

In response to Council's direction at their meeting of June 2, 2021, a Draft Council Vacancy Policy (Attachment No. 1) is being presented to Council for consideration of approval.

FINANCIAL IMPACT

There are no financial considerations regarding this matter.

SUMMARY/OPTIONS

Council may:

1. Take no further action.
2. **Approve the Draft Council Vacancy Policy as attached.**
3. Further amend the Draft Council Vacancy Policy as Council deems appropriate.
4. Direct staff in some other manner.

CONCLUSION

It is recommended that Council proceed with Option No. 2, as put forward in this Report.

Respectfully submitted:



Lisa Lehr
Manager of Legislative Services

Reviewed by:



Colleen Healey-Dowdall
Chief Administrative Officer

Attachments:

1 – DRAFT Council Vacancy Policy

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Township of Essa "Council Vacancy – Policy and Procedure"

| | | |
|------------------------------------|-------------------------------|-----------------------|
| SUBJECT: COUNCIL VACANCY | Effective Date: TBD | Resolution No: |
| SCOPE: COUNCIL | Revised: n/a | DRAFT |

1. PURPOSE:

The purpose of this procedure is to provide for a clear, accountable and transparent process for the filling of council vacancies which occur during a term of Council.

2. POLICY PRINCIPLES

In accordance with the *Municipal Act*, S.O. 2001, c.25, as amended, when the seat of a member of Council becomes vacant during the term of office, Council may fill a vacancy by appointing a person who has consented to accept the office if appointed, or by requiring that a by-election be held to fill a vacancy in accordance with the *Municipal Elections Act*, S.O. 1996, c.32.

This Policy will provide for a clear, accountable and transparent process for filling vacancies on Council.

3. SCOPE

This procedure applies to any vacancy on Council which occurs during the term of office.

4. DEFINITIONS

In this Procedure, the following terms have the meanings as set out below:

"Appointment" means the appointment of a qualified individual, by majority vote of Council, to fill a vacancy on Council for the remainder of the current term of Council.

"Appointment by Open Call for Applications" refers to the process for eligible individuals to submit an application to fill a council vacancy, once declared.

"Appointment by Direct Nomination" refers to the process used by Council to appoint an eligible by directly nominating:

- a) an existing member of Council to fill the vacant seat of Mayor or Deputy Mayor; or
- b) a qualified individual to fill the vacant seat of Mayor or Deputy Mayor.

"By-election" means an election (other than a regular election) held to fill a vacancy on Council and that is conducted in accordance with Section 65 of the *Municipal Elections Act*, 1996, as amended.

"Candidate" means any individual qualified to be elected to hold office as a member of Council in accordance with the *Municipal Elections Act*.

"Clerk" means the Clerk of the Township of Essa or his/her designate.

"Council" means the Council of the Township of Essa.

"Regular Election Year" means the year established for a regular municipal election in accordance with the Municipal Elections Act, 1996, as amended.

"Term of Office" means the period of time a member is elected to hold office for which he/she is elected in accordance with the Municipal Elections Act, as amended.

"Vacancy" means when a seat on Council has become vacant in a manner described in Section 259 of the Municipal Act, S.O. 2001, c.25, as amended.

5. GENERAL

The Township Clerk or designate in consultation with the Chief Administrative Officer shall be responsible for interpreting, and where appropriate, administering the Council Vacancy Policy. The Clerk or designate has the authority to make minor technical amendments to this Procedure as may be required from time to time to ensure compliance with legislation.

5.1 DECLARING A SEAT TO BE VACANT

Council shall declare the seat to be vacant in accordance with the Municipal Act.

Within 60 days after the day a Declaration of Vacancy is made by Council, Council shall:

- Pass a By-law to call for a By-election; or
- Fill the council vacancy by appointment in accordance with section 263 of the Municipal Act.

In making its determination, Council will consider the costs and timelines and other factors associated with filling a vacancy by appointment or by by-election.

5.2 ELIGIBILITY REQUIREMENTS

Any individual filling a vacancy must meet the eligibility requirements of office as outlined in the Municipal Act and the Municipal Elections Act, 1996, as noted below:

- 18 years of age or older;
- A Canadian Citizen;
- A resident of the Township of Essa, or an owner or tenant of land in the Township or the spouse of such an owner or tenant; and
- Not prohibited from voting under any other Act or from holding municipal office.

5.3 CANDIDATE REQUIREMENTS

5.3.1 All individuals wishing to be considered for appointment to the vacancy shall submit to the Clerk prior to the deadline as established by the Clerk:

- Council Vacancy Application Form
- Declaration of Qualification Form
- Personal identification as deemed acceptable in accordance with the *Municipal Elections Act*.

5.3.2 Failure to file the required documents by the deadline established by the Clerk shall result in the application being void.

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5.3.3 If the Clerk determines that the individual is not eligible to be an elector within the Township of Essa, the application shall be rejected and the applicant advised in writing as soon as possible.

6. METHODS FOR FILLING COUNCIL VACANCY

Council will determine which method to use when filling a vacancy and will follow the process for the selected method as outlined in the applicable Schedules attached to this Policy and Procedure.

6.1 BY BY-ELECTION

Should Council decide to fill the vacancy by calling a by-election, it is required that a By-law be enacted within 60 days of the seat being declared vacant. When using this method to fill the vacancy, the *Municipal Elections Act* stipulates that the by-election is to be conducted as far as possible in the same manner as a regular election.

If a vacancy is to be filled utilizing this method, the by-election shall be held in accordance with the *Municipal Elections Act*, 1996, as amended.

6.2 BY APPOINTMENT

Section 263 of the *Municipal Act*, 2001, provides that Council may, within sixty (60) days after declaring the seat vacant, fill the vacancy by appointing a person who has consented to accept the appointment.

As confirmed with Senior Policy Advisors, the Ministry of Municipal Affairs and Housing advise that section 239 of the *Municipal Act* does not provide for any provisions for Council to move into Closed Session when filling a vacancy. As such, all deliberations and discussions shall be held in the public forum in accordance with the *Municipal Act*, 2001.

The *Municipal Act*, 2001 does not prescribe a process to be followed in filling a vacancy by appointment. As such, a written process has been developed and is attached as Schedules 1 and 2 to assist with a clear and transparent process, should Council decide to fill a vacancy through appointment. The following is a brief summary of the processes that can be used when filling a council vacancy by appointment.

6.2.1 APPOINTMENT BY DIRECT NOMINATION

If a vacancy in the office of Mayor or Deputy Mayor has been declared, Council can proceed in filling this seat by appointment through direct nomination within 60 days of the seat having been declared to be vacant.

If a vacancy in the Office of Mayor or Deputy Mayor is to be filled by direct nomination, Council may choose to directly nominate:

- a) A current member of Council; or
- b) Any qualified individual as outlined in Section 256 of the *Municipal Elections Act*.

Refer to Schedule "1" for the procedure to be followed when using this method.

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6.2.2 APPOINTMENT BY OPEN CALL FOR APPLICATIONS

If a vacancy in the office of Mayor, Deputy Mayor or Ward Councillor has been declared, Council can proceed in filling this seat through appointment by an open call for applications. Council would be required to fill this seat by appointment within 60 days of the seat having been declared. This method would require eligible individuals to submit an application to the Clerk.

Refer to Schedule "2" for the procedure to be followed when using this method.

7. ACCESSIBILITY

The municipality shall provide this document in an alternative format, upon request.

The municipality shall make every reasonable effort to assist persons requiring accommodation throughout the process outlined in this Policy and Procedure, upon request.

8. SCHEDULES ATTACHED TO POLICY

- 1 – Procedure for Appointment by Direct Nomination
- 2 – Procedure for Appointment by Open Call for Applications

9. APPENDICES

- 1 – Council Vacancy Application Form
- 2 – Declaration of Qualification Form

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Council Vacancy Procedure - Schedule 1

Procedure for Appointment by Direct Nomination

This method may be used to fill a vacancy for the seat of Mayor or Deputy Mayor.

1. GENERAL

- 1.1 Once a seat on Council has been declared to be vacant, the Clerk shall post a Council Vacancy Notice in the local newspaper, on the Township's website and on social media outlets. The Notice shall indicate the following:
- The seat which has been declared to be vacant (ie: Deputy Mayor or Mayor)
 - The method to be used by Council in filling the vacancy (Open Call for Applications or by Direct Nomination)
 - The date for the Special Meeting of Council to be held for the consideration of Council in filling the vacancy.

The Notice will also steer interested applicants to refer to this written process.

- 1.2 During an open meeting of Council, members shall directly nominate:
- (a) an existing member of Council, or
 - (b) any qualified individual as outlined in Section 256 of the Municipal Elections Act.

to consider for appointment in filling the vacant seat of Mayor or Deputy Mayor.

If Council does not select to nominate any one individual directly to fill the seat of Mayor or Deputy Mayor, then the Clerk shall proceed to use the Open Call for Applications method in filling the vacancy.

- 1.3 Each nomination is required to be moved and seconded and voted on by Council (majority required for each individual nominated). A resolution shall be passed to confirm the individual(s) nominated for consideration in filling the vacancy.

i. If only one individual is directly nominated by a member of Council to fill the vacancy of Mayor or Deputy Mayor, however a majority vote to support the nomination is not obtained, then the Clerk shall automatically default to the Procedure for Appointment by Open Call for Applications in filling the council vacancy.

ii. If only one individual is directly nominated by a member of Council and receives a majority vote of Council thereby confirming support of the nomination, then the Clerk shall declare that person to be the successful candidate in filling the position of Mayor or Deputy Mayor immediately, only upon the nominated candidate having consented to fill the vacancy. A By-law would be required to be enacted to confirm the appointment.

iii. If Council nominates more than one individual to fill the vacancy for the seat of Mayor or Deputy Mayor, and a majority vote has been cast to support each nomination, then the Procedure in Section 2 shall be followed.

- 1.4 Following the meeting where direct nominations are made by Council and are supported by a majority vote (resolution is passed), the Clerk shall contact the nominees and have them complete a Council Vacancy Application Form and

Declaration of Qualification Form. Individuals whom are nominated by Council shall provide personal identification showing their name and qualifying address within the Township of Essa.

- 1.5 The Clerk shall review and certify that the nominees are eligible for consideration by Council by appointment.
- 1.6 In accordance with section 4 of the *Municipal Conflict of Interest Act*, members of Council being considered for appointment are not required to declare a pecuniary interest when the item is being considered and voted upon.
- 1.7 Any member being considered for appointment to fill the vacant seat on Council shall not chair any meeting(s) where the matter is being considered and voted upon.

2. Council Meeting to Consider Appointment of Nominees to Fill Vacancy

- 2.1 A vote to fill the vacancy of Mayor or Deputy Mayor shall occur at an open meeting of Council. The meeting may be a regular Council meeting (if only one candidate has been nominated at a previous meeting of Council), or a Special Council meeting of Council that is called for that purpose (if more than one candidate has been nominated at a previous meeting of Council).
- 2.2 If more than one nominee is to be considered for the vacancy, the names shall be displayed in the room where the meeting is taking place. The Clerk shall read out the names of all nominees in alphabetical order by surname. The Clerk shall place the names of all nominees in a container and draw the names randomly by lot to decide the order of speaking.
- 2.3 In an effort to provide for an even playing field, all nominees shall be sequestered until such time as the Clerk or designate calls upon the speaker to enter the meeting room.
- 2.4 Nominees will be permitted a maximum of five (5) minutes each to speak with no extension, prior to Council voting to fill the vacancy.
- 2.5 Each member of Council will be permitted to pose one question to each nominee. All questions of Council will be deemed to be confidential and will be pre-determined. All questions of Council shall be the same for each candidate and shall be asked immediately following the speaker's presentation to Council.
Each speaker shall be allotted a maximum two-minute timeframe (per question) to answer each question of Council. Speakers shall be cut off immediately at two minutes.
- 2.6 Once each candidate has finished answering the questions of Council, they shall be moved to a room separate from candidates that have not been interviewed, until such time as all speakers have finished being interviewed by Council.
- 2.7 After all interviews have concluded, the Chair may provide an opportunity for members of Council to discuss the outcome of the interviews in the public forum prior to voting.
- 2.8 If the slate of candidates includes more than one qualified individual, voting will be conducted in accordance with Section 3 below.

3. Voting Procedure – Direct Appointment by Council Nomination

- 3.1 Each member of Council is entitled to **one (1) vote only**.
- 3.2 Council members shall cast their vote by ballot.
- 3.3 Any member of Council that abstains from voting foregoes their vote.
- 3.4 The Clerk or designate shall tabulate the results. The results shall be disclosed and the winner declared.
- 3.5 If a tie has resulted after members of Council have cast their votes, the Chair will proceed in asking one (1) additional question which will be directed ONLY to the candidates that have tied. (The question will be confidential and pre-determined and shall be the same question for the tied candidates. Candidates will be provided a two-minute timeframe to provide an answer and shall be cut off promptly at two minutes.)
- 3.6 The order of speakers shall be in accordance with section 2.2 of Schedule 1.
- 3.7 Speakers shall be sequestered until such time as the Clerk or designate calls upon the speaker to enter the meeting.
- 3.8 After each speaker has answered the question, Council members shall once again cast their vote.
- 3.9 The Clerk or designate shall tabulate the results. The results shall be disclosed, and the winner declared.
- 3.10 If the voting results in another tie, then the Clerk or designate will break the tie by placing the names of both candidates into a container and randomly draw the name of the successful candidate.
- 3.11 Upon conclusion of voting, the Clerk will announce the successful candidate having received the greatest number of votes cast by voting members of Council, or the candidate selected through 3.10.

Council shall pass the following motion appointing the successful candidate as follows:

"Be it resolved that (Candidate) _____ be appointed to the Office of (Name of Office) _____ for the Township of Essa, for the remainder of the (Term of Office) _____ Term of Council."

- 3.12 The Clerk will administer the Declaration of Office required by subsection 232(1) of the Municipal Act, 2001, after the winner has been declared in the meeting.
- 3.13 The By-law confirming the appointment of the successful candidate to fill the vacant seat of Mayor or Deputy Mayor will be made in the same meeting following the Declaration of Office.



Council Vacancy Procedure - Schedule 2

Procedure for Appointment by Open Call for Applications

This method shall be used to fill a vacancy for the seat of a Ward Councillor.

(This method may be used to fill a vacancy for the seat of Mayor or Deputy Mayor ONLY if the method for Direct Nominations is not being used.)

1. General

- 1.1 Once a seat on Council has been declared to be vacant, the Clerk shall post a Council Vacancy Notice in the local newspaper, on the Township's website and on social media outlets. The Notice shall indicate the following:
 - The seat which has been declared to be vacant (e. Ward Councillor, Deputy Mayor or Mayor)
 - The method to be used by Council in filling the vacancy (Open Call for Applications or by Direct Nomination)
 - The date for the Special Meeting of Council to be held for the consideration of Council in filling the vacancyThe Notice will also steer interested applicants to refer to this written process.
- 1.2 Interested persons shall complete a Council Vacancy Application Form and a Declaration of Qualification Form and submit the completed forms to the Clerk or designate. In addition, the applicant is required to provide a personal statement detailing their background information and personal qualifications as well as personal identification showing their name and qualifying address within the Township of Essa.
- 1.3 The intake period for applications to be submitted for consideration in filling the vacancy shall be twenty-one (21) days. The intake period shall commence within the first thirty (30) days from the date that the seat was declared to be vacant.
- 1.4 The Clerk shall review and certify that the candidates are eligible for consideration by Council by appointment upon the close of the intake period and shall post the certified candidate names on the website with the accompanying Council Vacancy Application Form and the Declaration of Office Form.
 - * *If no individuals have submitted an application for Council's consideration to fill the vacancy after the close of the initial intake period, then the Clerk or designate shall re-advertise.*
 - ** *If no applications have been received after the Notice has been advertised a second time, then Council shall proceed to nominate an individual to fill the vacancy.*
- 1.5 A candidate who wishes to withdraw their application may do so in person (in writing) to the Clerk. The deadline for any withdrawal shall be any time up to 10:00 a.m. on the Friday before the date of the Special Council meeting to fill the vacancy.

1.6 A Special Meeting of Council shall be called within 30 days of the close of the intake period, but not longer than 60 days from when the seat was declared to be vacant. The purpose of the Special Meeting of Council will be for Council to consider the certified applicants to fill the vacancy. The appointment of the successful candidate will take place following the vote by members of Council at the Special Meeting.

Please Note: If only one individual has submitted an application for appointment through the Open Call for Applications, then a Special Meeting of Council might not be required (see section 2.2).

1.7 Short-listing

1.7.1 Should the municipality be in receipt of more than six (6) applications after the close of the intake period, Council may short-list the candidates.

Short-listing will take place at the start of the same Special Meeting scheduled to fill the Council vacancy, prior to any final interviews taking place. However, dependent upon the number of applications received, Council may schedule an additional Special Meeting to consider the applicants to short-list.

1.7.2 Council may short-list the candidates by way of the following:

- Reviewing all Council Vacancy Applications and personal statements submitted to the Clerk's Office; and
- Extending one (1) question from Council to each applicant, of which is confidential and pre-determined and is the same for each applicant.

Candidates shall be provided two (2) minutes to provide Council with their response.

1.7.3 Candidates will be selected based on various factors, including their contributions to the municipality. All decisions of Council are considered as final.

1.7.4 A resolution shall be passed in said Special Meeting of which will confirm the names of the candidates that will proceed to the final interview.

2. Council Meeting to Consider Candidates to Fill Vacancy

2.1 A vote to fill a vacancy on Council shall occur at an open meeting of Council. The meeting may be a Regular Council meeting (if only one qualified candidate has submitted the necessary applications), or a Special Meeting of Council that is called specifically for the purpose of providing a platform to the qualified candidates to speak, and for the purpose of voting on the candidates (if more than one qualified candidate has submitted the necessary applications).

2.2 If only one qualified candidate has filed the necessary forms prior to the deadline, Council may:

- appoint that individual to fill the vacancy, or
- vote to hold a second shortened intake period in order to determine if there is any additional interest.

2.3 Candidate names shall be displayed in the room where the meeting is taking place. The Clerk shall read out the names of all candidates in alphabetical order

by surname. The Clerk shall place the names of all nominees in a container and draw the names randomly by lot to decide the order of speaking.

- 2.4 In an effort to provide for an even playing field, all candidates shall be sequestered until such time as the Clerk or designate calls upon the speaker to enter the meeting room.
- 2.5 Candidates will be permitted a **maximum of five (5) minutes each to speak** to Council with no extension, prior to Council voting to fill the vacancy.
- 2.6 Each member of Council will be permitted to pose one question to each candidate. All questions of Council will be deemed to be confidential and will be pre-determined. All questions of Council shall be the same for each candidate and shall be asked immediately following the speaker's presentation to Council.

Each speaker shall be allotted a **maximum two-minute timeframe (per question) to answer each question** of Council. Speakers shall be cut off at two minutes.
- 2.7 Once each candidate has finished answering the questions of Council, they shall be moved to a room separate from candidates that have not been interviewed, until such time as all speakers have finished being interviewed by Council.
- 2.8 Once the candidate has finished answering the question of Council, they may remain in the meeting.
- 2.9 The Chair may provide an opportunity for members of Council to discuss the outcome of the interviews in the public forum prior to proceeding to the vote.
- 2.10 If the slate of candidates includes more than one qualified individual, voting will be conducted in accordance with Section 3 below.

3. Voting Procedure – Appointment by Open Call for Applications

- 3.1 Each member of Council is entitled to **one (1) vote only**.
- 3.2 Council members shall cast their vote by ballot.
- 3.3 Any member of Council that abstains from voting foregoes their vote.
- 3.4 The Clerk or designate shall tabulate the results. The results shall be announced and the winner declared.
- 3.5 If a tie has resulted after members of Council have cast their votes, the Chair will proceed in asking one (1) additional question which will be directed **ONLY** to the candidates that have tied. (The question will be confidential and pre-determined and shall be the same question for the tied candidates. Candidates will be provided a two-minute timeframe to provide an answer and shall be cut off promptly at two minutes.)
- 3.6 The order of speakers shall be in accordance with section 2.3 of Schedule 2.
- 3.7 Speakers shall be sequestered until such time as the Clerk or designate calls upon the speaker to enter the meeting.
- 3.8 After each speaker has answered the question, Council members shall once again cast their vote.

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- 3.9 The Clerk or designate shall tabulate the results. The results shall be announced, and the winner declared.
- 3.10 If the voting results in another tie, then the Clerk or designate will break the tie by placing the names of both candidates into a container and randomly draw the name of the successful candidate.
- 3.11 Upon conclusion of voting, the Clerk will announce the successful candidate having received the greatest number of votes cast by voting members of Council, or the candidate selected through 3.10.

Council shall pass the following motion appointing the successful candidate as follows:

"Be it resolved that (Candidate) _____ be appointed to the Office of (Name of Office) _____ for the Township of Essa, for the remainder of the (Term of Office) _____ Term of Council."

- 3.12 The Clerk will administer the Declaration of Office required by subsection 232(1) of the Municipal Act, 2001, after the winner has been declared in the meeting.
- 3.13 The By-law confirming the appointment of the successful candidate to fill the vacant seat of Ward Councillor, Mayor or Deputy Mayor will be made in the same meeting following the Declaration of Office.

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TOWNSHIP OF ESSA

Appendix 1
COUNCIL VACANCY APPLICATION FORM

Please complete this form in its entirety and submit in person with identification to:

Township of Essa
Attention: Clerk / Deputy Clerk
5786 County Road 21
Utopia, On L0M 1B0

To make an appointment to submit your completed forms, please call the Township of Essa at 705-424-9917

Clerk – Extension 117
Deputy Clerk – Extension 116

Forms that are faxed or emailed will not be accepted.

Application to Fill Seat of

(Ward Councillor, Deputy Mayor, Mayor)

APPLICANT NAME

Last Name

Given Name(s)

QUALIFYING ADDRESS WITHIN MUNICIPALITY

Suite/ Unit No.

Street No.

Street Name

City/Town

Province

Postal Code

MAILING ADDRESS

SAME AS QUALIFYING ADDRESS ABOVE

Suite/ Unit No.

Street No.

Street Name

City/Town

Province

Postal Code

CONTACT INFORMATION

Telephone No. (including area code)

Business

Home/Cell

Email Address

Eligibility Requirements

Yes

No

Canadian Citizen

Minimum 18 years of age

Eligible Elector in the Township of Essa (owner or tenant or spouse of such owner or tenant)

Not prohibited from voting otherwise by law

Explain why you would like to serve on Council (if extra space required, please attach additional pages)

CONSENT

Yes

No

If appointed, will you accept the appointment to fill the vacancy?

Signature of Applicant

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| DECLARATION OF QUALIFICATION | |
|--|--|
| <p>I _____, the applicant mentioned in this application form, declare that I am presently legally qualified, or would be presently legal qualified if I were not a member of the Legislative Assembly of Ontario or the Senate or House of Commons of Canada, to be appointed and to hold the office to which I have applied for appointment, and I make this solemn declaration conscientiously believing it to be true and knowing it is of the same force and effect as if made under oath.</p> | |
| <p>DECLARED before me at the Township of Essa, in the County of Simcoe, this _____ day of _____, 20____.</p> | |

Signature of Applicant

Signature of Clerk or Commissioner

Identification Verified
Copy Attached? Y / N

Received by:

Date:

To be completed by Clerk or Deputy Clerk after the close of Call to Fill Vacancy

CERTIFICATE

I, the undersigned Clerk of this municipality do hereby certify that I have examined the application form of the aforesaid applicant filed with me and am satisfied that the individual is qualified for appointment to municipal office

Signature of Clerk or Designate

Date of Certification

Personal information collected on the Council Vacancy Form and the Declaration of Qualification Form is pursuant to the Municipal Act and is collected in accordance with the Municipal Freedom of Information and Protection of Privacy Act and will be used for the purpose of determining a nominee's eligibility for appointment to municipal office. These two forms will be attached to a Special Meeting Agenda where Council will consider the appointment of nominees to fill a vacancy and will be posted on the Township's website. Questions can be directed to the Clerk or Deputy Clerk.



TOWNSHIP OF ESSA STAFF REPORT

STAFF REPORT NO.: CAO029-21

DATE: June 16, 2021

TO: Committee of the Whole

FROM: Colleen Healey-Dowdall, Chief Administrative Officer

SUBJECT: Proposal for Public Transit for Seniors

RECOMMENDATION

That Staff Report CAO029-21 be received; and

That Council direct staff to enter into an agreement with Driverseat, on a trial basis, for 24 weeks beginning July 13, 2021, to provide seniors in Essa with transportation to points also within Essa on Tuesday's and Thursday's at a cost of \$18,480 to come from the Public Works budget.

BACKGROUND

Council has directed staff to explore options for public transportation (specifically for seniors). The attached Driverseat proposal is an economical solution which would suit seniors and/or possibly those with disabilities (note reference to "WAV" which stands for their accessible vehicles).

COMMENTS AND CONSIDERATIONS

Traditional public transit is falling out of favour where ridership numbers are low to moderate and the pandemic is not helping. Municipalities across Ontario are starting to explore the on-demand model which seems better-suited to small and mid-sized municipalities such as Essa. This model of public transportation is a more effective style for Essa and still meets the goals of Council (staff was instructed that seniors are the target population). This proposed solution does not focus on Angus alone but rather on all seniors in Essa. (A reminder to Council that staff previously investigated Uber but it was concluded to not be the best solution for Essa). Driverseat rides can be booked over the phone and are guaranteed.

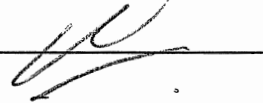
Council may wish to note that for the recent vaccination clinic for Essa residents wherein the municipality offered free rides for Essa seniors using Driverseat, no one requested a ride. If Council opted for this form of public transit, which staff supports, then it is also

recommended that communications on the matter be pushed, to get the word of the service out, so that the service doesn't go unused.

FINANCIAL IMPACT

\$18,480 +HST to come from the Public Works budget where savings have been realized already in 2021.

Manager of Finance or Deputy Treasurer Approval: _____



SUMMARY/OPTIONS

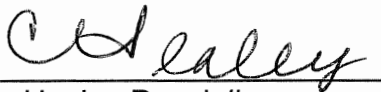
Council may:

1. Take no further action.
2. Enter into the proposed arrangement on a trial basis with Driverseat, for the remainder of 2021 at a cost of \$18,480 +HST.
3. Direct staff to negotiate another arrangement with Driverseat per the instructions of Council.

CONCLUSION

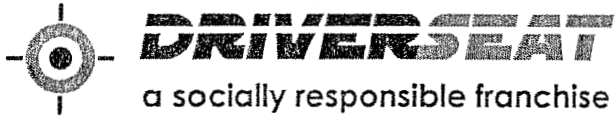
Option #2 is recommended.

Respectfully submitted:



Colleen Healey-Dowdall
CAO

Attachments:
Driverseat Proposal



Proposal to Provide Transportation Services

Date: May 31st, 2021

Proposal for: Colleen Healey-Dowdall, Essa Township Council

Company Name: Essa Township

Email: chealey@essatownship.on.ca



Location Name: Driverseat Barrie



Contact: 705-302-0008



Email: barrie.north@driverseatinc.com

Visit our website: driverseatinc.com

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Dear Colleen and Essa Township,

Thanks again for considering Driverseat as your partner for your transportation needs to help ensure the senior population has the means to get out for essential items such as groceries, pharmacies, doctor visits, and other essential services. The proposal is for a pilot program lasting a total of 24 weeks, with 48 scheduled days of service from 9am-4pm.

We specialize in custom solutions for all transportation needs, and have the experience needed to ensure residents get to the places they need to be, safely and efficiently.

We are excited to provide you with the following proposal:

Details:

Request For Senior Transportation

To provide you with transportation for senior residents between points in Essa Township.

Assumed Schedule: 2 days (Tuesday and Thursday)

Commencing July 13th and running for 24 weeks concluding on December 23rd. Services will be available from 9am - 4pm each day, and must be booked 24hrs in advance by calling Driverseat offices. This also allows flexibility to offer our WAV when applicable.

Payment Terms:

Invoiced: Monthly
Terms: 30 days
Payment Method(s): Cheque or Credit

Contract Value¹:

\$18,480

¹ All pricing is subject to appropriate taxes

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The contract value can vary slightly pending the final details and logistics. Should you need to make changes to the schedule, we will always make every effort to accommodate.

As we discussed, we are a custom solution provider, perfect for this type of application. We will partner with you, and make sure you have what you need to get residents where they need to go, on time and safely. As a result, we can be flexible and responsive to your needs, as well as those of your residents, as things are bound to shift from time to time.

Thanks again, and I look forward to hearing back from you!

Regards,

Matt Stovold

Matt Stovold
Franchise Owner
Driverseat Barrie