

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

**WEDNESDAY, FEBRUARY 15, 2023
(To follow Committee of the Whole)**

AGENDA

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

1. OPENING OF MEETING BY THE MAYOR

2. DISCLOSURE OF PECUNIARY INTEREST

3. ADOPTION OF PREVIOUS MINUTES AND MOTIONS

- p. 1 Recommendation: *Be it resolved that the motions duly passed and approved at the Committee of the Whole meeting of this date be approved; and That the minutes of the Committee of the Whole and Regular Council meetings held on the 1st day of February, 2023 be adopted as circulated.*

4. CONSENT AGENDA

Recommendation: *Be it resolved that the items listed in the Consent Agenda dated February 15, 2023 be received for information, and that the necessary actions be taken.*

5. COMMITTEE REPORTS

- p. 8 a. **Healthy, Accessible Community and Parks Committee**

Recommendation: *Be it resolved that the minutes from the Healthy, Accessible Community and Parks Committee dated January 26, 2023 be received as circulated.*

6. PETITIONS

7. MOTIONS AND NOTICES OF MOTIONS

- a. **Disaster Mitigation and Adaptation Fund**

Recommendation: *WHEREAS the Disaster Mitigation and Adaption Fund is a national, competitive, and merit-based contribution program intended to support infrastructure projects designed to mitigate current and future climate-related risks and disasters triggered by natural hazards, such as floods, wildland fires, droughts and seismic events; and*

WHEREAS the maximum federal contribution from all sources of total eligible expenditures for a given project, if approved, is based on asset ownership; and

WHEREAS the Township of Essa commenced an Environment Assessment to propose replacement of the 5th Line Bridge due to aging infrastructure, ongoing erosion and sediment deposition in the river at the bridge location resulting in ice and debris jams causing flooding; and

WHEREAS erosion and deposition continues in the river at the bridge location and the frequency and severity of both the erosion and flooding hazard is increasing, with heavy erosion of the riverbanks having caused sediment deposition resulting in a downstream "island" which has resulted in the narrowing of the river, reduced water depth and increased flow velocities, thus exacerbating the erosion problem; and

WHEREAS the Township Engineer has identified the 5th Line Bridge as municipal infrastructure approaching its end of functional life at 71 years old and requires replacement in the very near future; and

WHEREAS the application to be submitted under the Disaster Mitigation and Adaptation Fund has identified eligible replacement costs estimated at \$8.5 million;

NOW THEREFORE BE IT RESOLVED THAT Council of the Corporation of the Township of Essa hereby supports an application being submitted for consideration of approval for funding under the Disaster Mitigation and Adaption Fund.

8. UNFINISHED BUSINESS

9. BY-LAWS

p. 10 a. By-law 2023-09 Livestock Guardian and Herding Dogs

Recommendation: Be it resolved that leave be granted to introduce By-law 2023-09, that being a By-law to exempt Livestock Guardian and Herding Dogs from certain provisions of Essa's Canine Control By-law 2006-18; and, that said By-law be read a first, and taken as read a second and third time, and finally passed.

p. 12 b. By-law 2023-10 Zoning By-law Amendment – 8677 County Road 56

Recommendation: Be it resolved that leave be granted to introduce By-law 2023-10, that being a By-law to amend the Township's Zoning By-law 2003-50 as amended affecting property at Part Lot 30 Con 7, known municipally as 8677 County Road 56, in the Township of Essa, from Commercial Recreational (C4) to Rural (RL) Zone; and, that said By-law be read a first, and taken as read a second and third time, and finally passed.

10. QUESTIONS

11. CLOSED SESSION

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

- *Labour Relations or Employee Negotiations [Municipal Act, s. 239(2)(d)]*
- *Litigation or Potential Litigation [Municipal Act, s. 239(2)(e)]*
- *Advice Subject to Solicitor-Client Privilege [Municipal Act, s. 239(2)(f)]*

Motion to Rise and Report from Closed Session Meeting of February 15, 2023.

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

12. CONFIRMATION BY-LAW

p. 14 **By-law 2023-11**

Recommendation: *Be it resolved that leave be granted to introduce By-law 2023-11, that being a By-law to confirm the proceedings of the Council and Committee of the Whole meetings held on this 15th day of February, 2023; and that said By-law be read a first, and taken as read a second and third time and finally passed.*

13. ADJOURNMENT

Recommendation: *Be it resolved that this meeting of Council of the Township of Essa adjourn at _____ p.m. to meet again on the 1st day of March, 2023 at 6:00 p.m.*

**THE CORPORATION OF THE TOWNSHIP OF ESSA
COMMITTEE OF THE WHOLE MEETING
WEDNESDAY, FEBRUARY 1, 2023**

MINUTES

A Committee of the Whole meeting was held in person on Wednesday February 1, 2023 in the Council Chambers of the Administration Centre, Township of Essa.

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

Staff in attendance: C. Healey-Dowdall, Chief Administrative Officer
J. Coleman, Manager of Parks and Recreation
S. Greene, Parks Administrator - Cemeteries
S. Haniff, Manager of Planning and Development
L. Lehr, Manager of Legislative Services

1. OPENING OF MEETING BY THE MAYOR

Mayor Macdonald opened the meeting at 6:01 p.m.

Mayor Macdonald provided land acknowledgement to the Anishinaabeg people. She acknowledged the enduring presence of First Nations, Métis and Inuit people on the lands of Essa Township and stated that Council is committed to moving forward in the spirit of reconciliation and respect.

2. DISCLOSURE OF PECUNIARY INTEREST

None.

3. DELEGATIONS / PRESENTATIONS / PUBLIC MEETINGS

**a) Presentation –Stephen Greene, Parks Administrator – Cemeteries
re: Cemetery Overview**

Stephen Greene provided Council with an overview of terminology and legislative requirements contained in the Funeral, Burial and Cremation Services Act, and explained the roles of the Bereavement Authority of Ontario (BAO) and the Ontario Association of Cemetery Funeral Professionals (OACFP). He further advised that a new section of the Thornton Union Cemetery would be opening in the spring of 2023 which will allow for plot purchases to commence later in the year.

b) Presentation – Rob Fawcett, Project Manager – Verpreme Corporation
re: Alkaline Hydrolysis

Rob Fawcett, Project Manager – Verpreme Corporation, provided Council with a brief summary of the Alkaline Hydrolysis process which is used to accelerate natural decomposition. He requested that Council consider re-instatement of a previous contract that was cancelled in 2020.

Council requested that the Manager of Public Works provide a Staff Report at a future meeting which outlines findings of the water and sewer servicing capacity for Angus as was outlined in the Infrastructure Master Plan.

STAFF REPORTS

4. PLANNING AND DEVELOPMENT

a. Staff Report PD002-23 submitted by the Planning Technician, re: Activity Report 2022 – Committee of Adjustment.

Resolution No: CW004-2023 Moved by: Sander Seconded by: Kiezebrink

Be it resolved that Staff Report PD002-23 be received.

----Carried-----

b. Staff Report PD003-23 submitted by the Junior Planner, re: Activity Report 2022 – Planning Department.

Resolution No: CW005-2023 Moved by: Maltby Seconded by: Kiezebrink

Be it resolved that Staff Report PD003-23 be received.

----Carried-----

c. Staff Report PD004-23 submitted by the Manager of Planning, re: 8677 County Road 56 – Public Meeting Zoning By-law Amendment (Z6-22)

Resolution No: CW006-2023 Moved by: Sander Seconded by: Maltby

Be it resolved that Staff Report PD004-23 be received; and That Council approve an amendment to the Township's Zoning By-law 2003-50, for lands legally known as CON 7, LOT 30, municipally known as 8677 County Road 56 from Commercial Recreation (C4) to Rural (RL).

----Carried-----

5. PARKS AND RECREATION / COMMUNITY SERVICES

6. FIRE AND EMERGENCY SERVICES

7. PUBLIC WORKS

8. FINANCE

9. CLERKS / BY-LAW ENFORCEMENT / IT

- a. Staff Report C001-23 submitted by the Manager of Legislative Services,
re: Fence-viewers and Livestock Valuers.**

Resolution No: CW007-2023 Moved by: Kiezebrink Seconded by: Maltby

*Be it resolved that Staff Report C001-23 be received; and
That Council appoint staff from the Building Department, Municipal Law Enforcement
Officer(s) and the Planning and Development Department to its Line Fence
Committee, to fulfill the obligatory role as outlined in the Line Fences Act; and
That Council direct staff to implement Line Fence Recovery Fees as outlined in this
Report; and
That Council approve remuneration to Livestock Valuers in the amount of \$50.00 per
application plus mileage; and
That Staff be directed to bring forward a resolution at a future meeting to appoint one
additional Livestock Valuer.*

---Carried---

- b. Staff Report C002-23 submitted by the Manager of Legislative Services,
re: Canine Control By-law - Livestock Guardian Dogs and Herding
Dogs.**

Resolution No: CW008-2023 Moved by: Kiezebrink Seconded by: Maltby

*Be it resolved that Staff Report C002-23 be received; and
That Council approve the proposed amendments to its Canine Control By-law as
outlined in this Report.*

---Carried---

- c. Staff Report C003-23 submitted by the Manager of Legislative Services,
re: 2022 Municipal Election.**

Resolution No: CW009-2023 Moved by: Sander Seconded by: Kiezebrink

Be it resolved that Staff Report C003-23 be received for information.

---Carried---

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

11. OTHER BUSINESS

a. Township of Essa Golf Tournament

Mayor Macdonald informed all in attendance that Essa's Golf Tournament would be taking place at Tangle Creek on May 30, 2023.

b. South Simcoe Streams Network – Tree Planting

Councillor Maltby informed Staff that South Simcoe Streams Network is currently looking for suggestions for tree planting locations in Essa Township.

12. ADJOURNMENT

Resolution No: CW010-2023 Moved by: Maltby Seconded by: Sander

Be it resolved that this meeting of Committee of the Whole of the Township of Essa adjourn at 6:28 p.m., to meet again on the 15th day of February, 2023 at 6:00 p.m.

----Carried-----

Sandie Macdonald, Mayor

Lisa Lehr, Manager of Legislative Services

THE CORPORATION OF THE TOWNSHIP OF ESSA
REGULAR COUNCIL MEETING
WEDNESDAY, FEBRUARY 1, 2023

MINUTES

The Regular Meeting of Council was held in person on Wednesday February 1, 2023, following the Committee of the Whole in the Council Chambers of the Administration Centre, Township of Essa.

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

Staff in attendance: C. Healey-Dowdall, Chief Administrative Officer
J. Coleman, Manager of Parks and Recreation
S. Greene, Parks Administrator - Cemeteries
S. Haniff, Manager of Planning and Development
L. Lehr, Manager of Legislative Services

1. OPENING OF MEETING BY THE MAYOR

Mayor Macdonald opened the meeting at 6:28 p.m.

2. DISCLOSURE OF PECUNIARY INTEREST

None.

3. ADOPTION OF PREVIOUS MINUTES AND MOTIONS

Resolution No: CR011-2023 Moved by: Kiezebrink Seconded by: Sander

*Be it resolved that the motions duly passed and approved at the Committee of the Whole meeting of this date be approved; and
That the minutes of the Committee of the Whole, Regular Council and Closed Session meetings held on the 18th day of January, 2023 be adopted as circulated.*

----Carried----

4. CONSENT AGENDA

Resolution No: CR012-2023 Moved by: Sander Seconded by: Kiezebrink

*Be it resolved that the items listed in the Consent Agenda dated February 1, 2023 be received for information, and that the necessary actions be taken; and
That Item A5 be moved into section B for a motion to be brought forward under section 7 of the Council Agenda.*

----Carried----

5. COMMITTEE REPORTS

a. Nottawasaga Police Services Board

Resolution No: CR013-2023 Moved by: Kiezebrink Seconded by: Maltby

Be it resolved that the minutes from the Nottawasaga Police Services Board dated October 18, 2022 be received as circulated.

----Carried-----

b. Essa Public Library Board

Resolution No: CR014-2023 Moved by: Maltby Seconded by: Sander

Be it resolved that the minutes from the Essa Public Library Board dated December 19, 2022 be received as circulated.

----Carried-----

6. PETITIONS

7. MOTIONS AND NOTICES OF MOTIONS

a. Funding of the Nottawasaga Police Services Board

Resolution No: CR015-2023 Moved by: Sander Seconded by: Kiezebrink

*Be it resolved that Council of the Township of Essa refer funding of the Nottawasaga Police Services Board to Essa's 2024 Budget; and
That the Police Services Board be requested to look for efficiencies in their budget in addition to alternate funding sources; and
That a letter be sent to the Province to indicate that the Township of Essa strongly opposes the removal of this revenue source and the downloading of costs to municipalities.*

----Carried-----

8. UNFINISHED BUSINESS

9. BY-LAWS

a. By-law 2023-04 Levy and Collection of Interim Tax

Resolution No: CR016-2023 Moved by: Sander Seconded by: Kiezebrink

Be it resolved that leave be granted to introduce By-law 2023-04, that being a By-law to authorize the levy and collection of an interim tax on all properties and property classes, and to establish the date(s) for payment of taxes, and to provide for penalty and interest; and, that said By-law be read a first, and taken as read a second and third time, and finally passed.

----Carried-----

b. By-law 2023-05 Appoint Deputy Treasurer

Resolution No: CR017-2023 Moved by: Sander Seconded by: Maltby

Be it resolved that leave be granted to introduce By-law 2023-05, that being a By-law to appoint Bernice Gauley as Deputy Treasurer for the Township of Essa; and, that said By-law be read a first, and taken as read a second and third time, and finally passed.

----Carried-----

c. By-law 2023-06 Canine Control Agreement with CFB Borden

Resolution No: CR018-2023 Moved by: Sander Seconded by: Maltby

Be it resolved that leave be granted to introduce By-law 2023-06, that being a By-law authorizing the Mayor and the Clerk to execute the renewal of the Agreement with Canadian Forces Base Borden for the provision of Canine Control Services; and, that said By-law be read a first, and taken as read a second and third time, and finally passed.

----Carried-----

10. QUESTIONS

11. CLOSED SESSION

12. CONFIRMATION BY-LAW

By-law 2023-07

Resolution No: CR019-2023 Moved by: Sander Seconded by: Maltby

Be it resolved that leave be granted to introduce By-law 2023-07, that being a By-law to confirm the proceedings of the Council and Committee of the Whole meetings held on this 1st day of February, 2023; and that said By-law be read a first, and taken as read a second and third time and finally passed.

----Carried-----

13. ADJOURNMENT

Resolution No: CR020-2023 Moved by: Sander Seconded by: Maltby

Be it resolved that this meeting of Council of the Township of Essa adjourn at 6:46 p.m. to meet again on the 15th day of February, 2023 at 6:00 p.m.

----Carried-----

Sandie Macdonald, Mayor

7

Lisa Lehr, Manager of Legislative Services



TOWNSHIP OF ESSA
HEALTHY, ACCESSIBLE COMMUNITY AND PARKS COMMITTEE
MINUTES

THURSDAY JANUARY 26, 2023 – 3:00 p.m. - ZOOM

1. OPENING OF THE MEETING

2. APPROVAL OF AGENDA

Resolution No: HACPC01-2023 Moved by: Smith Seconded by: McCann

Recommendation: Be it resolved that the agenda as presented be approved.

----Carried-----

3. ADOPTION OF MINUTES OF PREVIOUS MEETING

Resolution No: HACPC02-2023 Moved by: McCann Seconded by: Foster

Recommendation: Be it resolved that the minutes of the Healthy Community Committee dated October 21, 2021, the Accessibility Advisory Committee meeting dated November 24, 2021 and the Parks and Recreation Committee meeting dated March 30, be received.

----Carried-----

4. BUSINESS ARISING FROM PREVIOUS MEETING / OUTSTANDING ITEMS

5. NEW BUSINESS

5.1 Welcome Committee Members/ Introductions

The committee members introduced themselves and gave a brief description of their backgrounds.

5.2 Selection of Chair

Baileigh White, Recreation Programmer/Booking Clerk was selected as chair for the Committee.

5.3 Create a Workplan

The committee members each provided ideas and visions they see would add value to the Township as a whole and would like to start their focus on the following 3 items:

- Conduct Park Audits of Township Parks to assist in identifying accessibility and health and safety concerns.
- Investigate transportation options available to assist our Seniors ability to get out and about in the community.
- Investigate options available to create or utilize an existing Community Garden.

5.4 Suggestion from Committee member – Audit of Parks in Essa

Members will start to conduct park audits in Spring.

6. CORRESPONDENCE / INFORMATION ITEMS

7. OTHER BUSINESS/ ROUND TABLE

8. ESTABLISH DATE AND TIME OF NEXT MEETING

8.1 Set date for next quarterly meeting.

The next committee meeting is scheduled for Thursday April 20, 2023 at 3:00 p.m. via Zoom.

9. ADJOURNMENT

Resolution No: HACPC03-2023 Moved by: Smith Seconded by: McMeekin

Recommendation: Be it resolved that this meeting of the Healthy, Accessible Community and Parks Committee of the Township of Essa adjourn at 3:33 p.m.

9a

THE CORPORATION OF THE TOWNSHIP OF ESSA

BY-LAW 2023-09

A By-law to exempt Livestock Guardian and Herding Dogs from certain provisions of Essa's Canine Control By-law 2006-18 [amends By-law 2006-18].

WHEREAS Livestock Guardian and Herding Dogs are deemed to be "working dogs" that are actively used in normal farming practices as a means of herding and protecting livestock from predators; and

WHEREAS Section 11 of the Municipal Act, 2001, S.O.2001, c.25, authorizes the Council of a lower-tier municipality to pass By-laws regulating animals; and

WHEREAS Council of the Township of Essa passed By-law 2006-18 at its meeting of March 15, 2006, that being a By-law to provide for the licensing, registration, regulation, impounding and seizing of dogs in Essa; and

WHEREAS Council of the Corporation of the Township of Essa is desirous of providing for exemptions in its Canine Control By-law, specific to Livestock Guardian and Herding Dogs that are actively used in normal farming practices;

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

1. THAT By-law 2006-18 be amended to include the following under Section 1 "Definitions":

"Livestock Guardian Dog (LDG) – means a dog that is specifically trained to work or live with domestic animals (e.g. cattle, sheep, poultry) without causing harm while aggressively repelling predators and is used exclusively for that purpose."

"Herding Dog – means a dog that has been trained to and actively assists its owner(s) with herding in a bona fide farming operation for the purposes of controlling livestock on the farm"

2. THAT By-law 2006-18 be amended to include the following in Section 2 "Licensing and Registration":

"2.1 (a) This By-law shall exempt the owner(s) of livestock guardian and herding dog(s) from obtaining an annual dog tag on properties that are actively engaged in farming operations and where a valid Farm Business Registration Number with Agricorn is held."

2.1 (b) This By-law shall exempt livestock guardian and herding dog(s) that are being used in active farming practices from the requirement for the dog(s) to wear a collar and tag, provided that the owner uses an alternative means of identification such as microchipping."

3. That By-law 2006-18 be amended to include the following in Section 4 “Dogs Running at Large”:

“4 (g) Livestock Guardian and Herding Dogs are exempt from Section 4 of this By-law only when found on abutting or adjacent rural properties during the course of carrying out their duties. Such dogs are exempt only when the owner(s) can demonstrate that they are active livestock producers/farmers.”

4. That By-law 2006-18 be amended to include the following in Section 8 “Dog Owner Responsibilities”:

“8.1 (b) (i) Livestock Guardian and Herding Dogs are exempt from barking and nuisance complaints while they are actively engaged in their work. Such dogs are exempt only when the owner(s) can demonstrate that they are active livestock producers/farmers.”

5. THAT this By-law shall come into force and take effect upon the day it is finally passed.

READ A FIRST, AND TAKEN AS READ A SECOND AND THIRD TIME AND FINALLY PASSED on this the 15th day of February, 2023.

Sandie Macdonald, Mayor

Lisa Lehr, Manager of Legislative Services

THE CORPORATION OF THE TOWNSHIP OF ESSA

BY-LAW 2023-10

Being a By-law to amend the Township's Zoning By-law, By-law No. 2003-50, as amended, affecting property at Part Lot 30 Con 7, known municipally as 8677 County Road 56, in the Township of Essa, from 'Commercial Recreational (C4)' to 'Rural (RL)' Zone."

WHEREAS the Planning Act, R.S.O 1990, Chapter P.13, as amended, Section 34, provides for adoption of Zoning By-laws and amendments thereto; and

WHEREAS the Council of the Corporation of the Township of Essa has determined a need to rezone a parcel of land known municipally as 8677 County Road 56; and

WHEREAS the Council of the Corporation of the Township of Essa deems the said application to be in conformity with the Official Plan of the Township of Essa, as amended, and deems it advisable to amend By-law 2003-50.

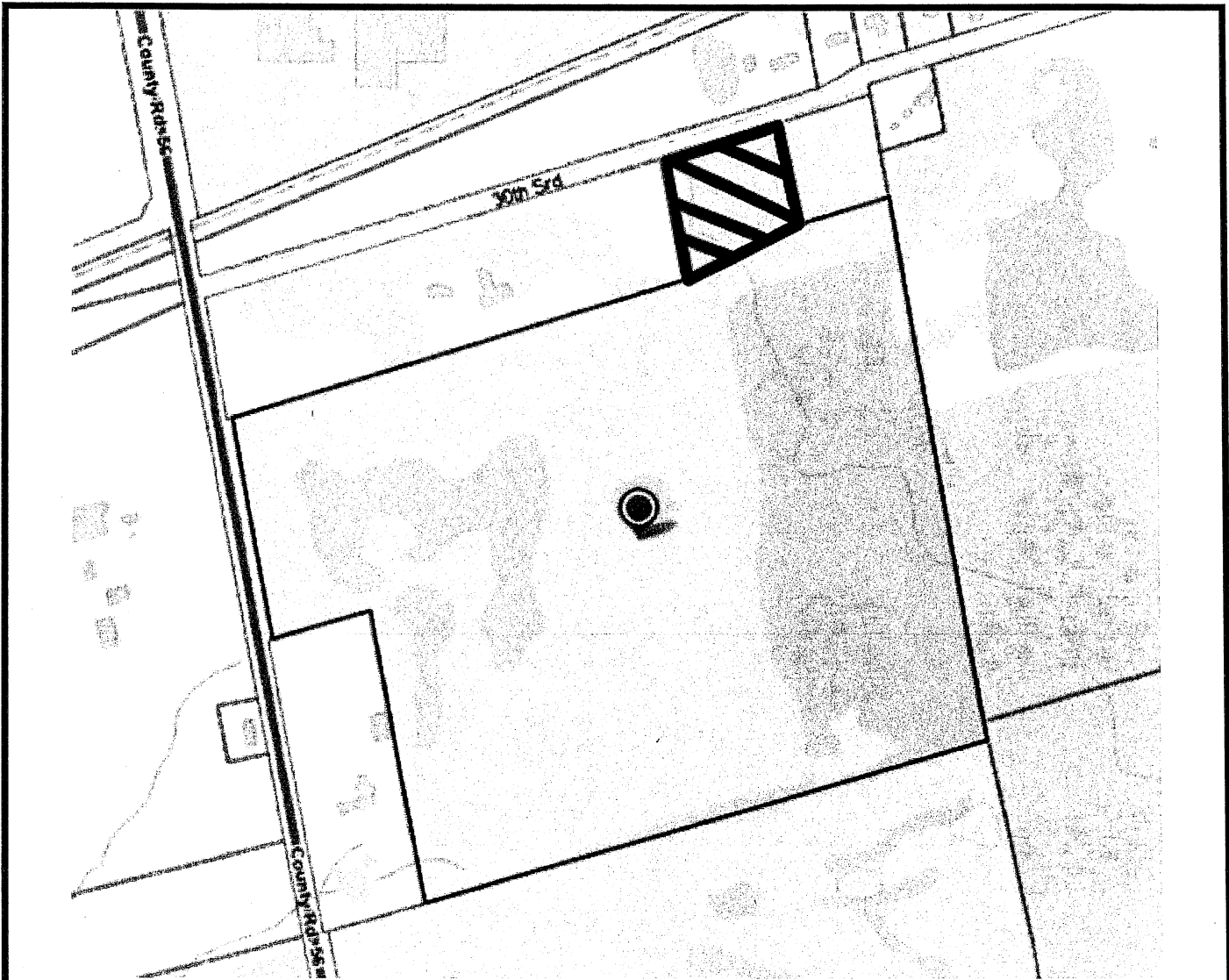
NOW THEREFORE the Council of the Corporation of the Township of Essa hereby enacts as follows:

- 1. THAT the Zoning By-Law Map, is hereby further amended by rezoning those lands described as Part Lot 30 Con 7, in the Township of Essa, Simcoe County, known municipally as 8677 County Road 56, from 'Commercial Recreational (C4)' to 'Rural (RL)', as shown in Schedule "A" attached hereto, and Schedule "A" attached hereto forms part of By-Law 2003-50 as amended;
- 2. THAT this by-law shall take effect as of the date of passing, subject to the provisions of the Planning Act, R.S.O. 1990, Chap. P.13 as amended.

READ A FIRST, AND TAKEN AS READ A SECOND AND THIRD TIME AND FINALLY PASSED on this the 15th day of February 2023.

Sandie Macdonald, Mayor

Lisa Lehr, Manager of Legislative Services



Subject lands



Lands to be rezoned from 'Commercial Recreational (C4)' to 'Rural (RL)' Zone

Schedule 'A'
Zoning By-law Amendment
PART LOT 30, CON 7
TOWNSHIP OF ESSA

Scale NTS

P/N 3372

NOV 2022

SBA Skelton Brumwell
& Associates Inc.

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THE CORPORATION OF THE TOWNSHIP OF ESSA

BY-LAW 2023 – 11

Being a By-law to confirm the proceedings of the Council meeting held on the 15th day of February, 2023.

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

THAT the action of the Council at its meeting held on the 15th day of February, 2023 and, in respect of each recommendation contained in the Regular Council meeting held on the 1st day of February, 2023, and the Committee of the Whole meeting held on the 1st day of February, 2023, and, in respect of each motion, resolution and other action passed and taken by Council at the said meetings, is, except where prior approval of the Ontario Municipal Board is required, hereby adopted, ratified and confirmed.

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

READ A FIRST, AND TAKEN AS READ A SECOND AND THIRD TIME AND FINALLY PASSED on this the 15th day of February, 2023.

Sandie Macdonald, Mayor

Lisa Lehr, Manager of Legislative Services