

**THE CORPORATION OF THE TOWNSHIP OF ESSA  
COMMITTEE OF THE WHOLE MEETING  
WEDNESDAY, MARCH 5, 2025  
6:00 p.m.**

**AGENDA**

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

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

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

**2. DISCLOSURE OF PECUNIARY INTEREST**

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

**STAFF REPORTS**

**4. PLANNING AND DEVELOPMENT / BUILDING**

- p. 1 a. **Staff Report PD006-25 submitted by the Manager of Planning, re: Pre-Consultation By-law.**

Recommendation: **BE IT RESOLVED THAT** Staff Report PD006-25 be received; and **THAT** Council repeal By-law 2019-68 and replace it with an updated By-law that reflects recent changes resulting from Bill 185, Cutting Red Tape to Build More Homes Act, 2024.

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

**6. FIRE AND EMERGENCY SERVICES**

**7. PUBLIC WORKS**

**8. FINANCE**

- p. 5 a. **Correspondence from Township Engineer Ainley Group, re: Reduction in Securities – Marshall (Brookfield) Subdivision.**

**BE IT RESOLVED THAT** Council approve a reduction in securities relating to the Marshall (Brookfield) Subdivision, as recommended by Ainley Group as follows:

Current Securities Held by Township of Essa	\$10,523,940.26
Reduction as Recommended by Ainley	\$3,702,604.20
Securities to be Retained by Township of Essa	\$6,821,336.06

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.

9. CLERKS / BY-LAW ENFORCEMENT / IT
10. CHIEF ADMINISTRATIVE OFFICER (C.A.O.)
11. OTHER BUSINESS
12. ADJOURNMENT

Recommendation: **BE IT RESOLVED THAT** this meeting of Committee of the Whole of the Township of Essa adjourn at \_\_\_\_\_pm., to meet again on the 19<sup>h</sup> day of March, 2025 at 6:00 p.m.



## TOWNSHIP OF ESSA STAFF REPORT

STAFF REPORT NO.: PD006-25

DATE: March 5, 2025

TO: Committee of the Whole

FROM: Samuel Haniff, Manager of Planning

SUBJECT: Pre-Consultation By-law

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### RECOMMENDATION

That Staff Report PD006-25 be received; and

That Council consider repealing By-law 2019-68 and replacing it with an updated By-law that reflects recent changes resulting from Bill 185, *Cutting Red Tape to Build More Homes Act, 2024*.

### BACKGROUND

Township of Essa By-law 2019-68 (Pre-Consultation By-law) currently **requires** applicants to consult with the Township prior to submission of a Development Application.

On June 6, 2024, Bill 185, *Cutting Red Tape to Build More Homes Act, 2024* received Royal Assent at the Legislative Assembly of Ontario. This Bill removed authority for a council or planning board to pass a by-law **requiring** consultation before submitting a Planning Act application.

### COMMENTS AND CONSIDERATIONS

Bill 185 amended the Planning Act by replacing 'requiring' with 'permitting' as per the following:

- Section 22 (3.1) (Official Plans)

*The council or planning board shall **permit** applicants to consult with the municipality or planning board, as the case may be, before submitting requests under subsection (1) or (2).*

- Section 34 (10.0.1) (Zoning By-laws)

The council shall **permit** applicants to consult with the municipality before submitting applications to amend by-laws passed under this section.

- Section 41 (3.1) (Site Plan Control Area)

The municipality shall **permit** applicants to consult with the municipality before submitting plans and drawings for approval under subsection (4).

- Section 51 (16.1) (Plan of Subdivision Approvals)

The approval authority shall **permit** applicants to consult with it before submitting applications under subsection (16).

For reference, attached (Attachment 1) is a draft By-law that would repeal and replace By-law 2019-68.

**FINANCIAL IMPACT**

There are no financial impacts at this time.

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

**SUMMARY/OPTIONS**

Council may:

1. **Receive Staff Report PD006-25 and consider repealing Township of Essa By-law 2019-68 and replacing it with an updated By-law that reflects recent changes resulting from Bill 185, Cutting Red Tape to Build More Homes Act, 2024.**
2. Direct staff in another manner.

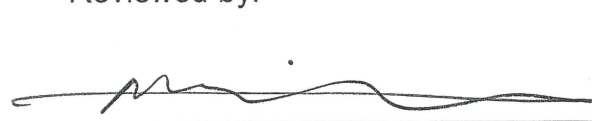
**CONCLUSION**

Option #1 is recommended.

Respectfully submitted by:

Reviewed by:

  
\_\_\_\_\_  
Samuel Haniff, Manager of Planning

  
\_\_\_\_\_  
Michael Mikael, CAO

Attachments:

1. Draft By-law to repeal and replace By-law 2019-68

THE CORPORATION OF THE TOWNSHIP OF ESSA

BY-LAW 2025 – 18

Being a By-law to permit applicants to consult with the Township of Essa prior to submission of a Development Application (Pre-consultation By-law).

WHEREAS Sections 22(3.1), 34(10.0.1), 41(3.1), and 51(16.1) of the Planning Act, R.S.O 1991, c. P. 13, as amended provides that a municipality may, by by-law, permit applicants to consult with the municipality prior to submission of development applications;

WHEREAS the Council for the Corporation of the Township of Essa deems it appropriate to permit applicants to consult with the municipality before submitting development applications;

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

- 1. That the Manager of Planning and his or her designate(s) are authorized to:
  - a. Conduct Pre-consultations; and
  - b. Identify the information and materials necessary for processing each application
    - I. Prior to the submission and acceptance of development applications, as items necessary for the application to be deemed complete under the *Planning Act* and the Township of Essa Official Plan; and
    - II. During the processing of development applications in cases where such information and materials cannot reasonably be provided at the time of submission of the application.
- 2. That applicants be permitted to Consult with municipal staff prior to submission of a development application through a Pre-consultation application in order to identify the information and materials necessary for the processing of an application.
- 3. That this By-law may be referred to as the "Pre-Consultation By-law"
- 4. That By-law No. 2019-68 and any amendments made thereto are hereby repealed as of the date this by-law comes into force and effect.

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

**READ A FIRST AND TAKEN AS READ A SECOND AND THIRD TIME AND FINALLY PASSED on this the 5th day of March 2025.**

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

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

DRAFT



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**AINLEY & ASSOCIATES LIMITED**

550 Welham Road, Barrie, ON L4N 8Z7  
Tel: (705) 726-3371 • www.ainleygroup.com

VIA EMAIL

February 14, 2025

File No. 217143

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

**Attn: John Kolb, Manager of Public Works**

**Re: Marshall (Brookfield) Subdivision  
Review of Development Securities**

Dear John:

Further to the request for a security reduction received from the Developer's Engineer for the Marshall (Brookfield) Subdivision, we have reviewed the information and provide this recommendation for an adjustment in the development securities currently held by the Township.

The table below summarizes the securities to be retained. A detailed breakdown for each phase is included in the attached documentation from the Developer's Engineer.

PHASE OF DEVELOPMENT	LC #	SECURITIES TO BE RETAINED
A. Earthworks – Phase 1	S205385	\$15,291.20
B. Earthworks – Phase 2	S100948	\$125,898.61
C. Subdivision Agreement:	S103074	\$3,731,016.83
<i>External Stage 1 &amp; 2 Works</i>		\$1,377,419.49
<i>Phase 1 Internal Site Works (Servicing, Roads, S/L, Landscaping)</i>		\$2,241,558.90
<i>SCDSB Sanitary Forcemain</i>		\$112,038.44
D. WWTP	S106613	\$2,949,129.42
<b>TOTAL SECURITIES REQUIRED</b>		<b>\$6,821,336.06</b>

As noted above, securities in the amount of \$6,821,336.06 are required to be held for incomplete and/or deficient work as well as maintenance and security holdbacks, in accordance with the executed Subdivision Agreement.

We understand that the Township currently holds \$10,523,940.<sup>26</sup>~~59~~ in securities for this work, which is more than what is required. Therefore, we recommend that securities be reduced from the current \$10,523,940.~~59~~<sup>26</sup> for a total security reduction of \$3,702,604.~~53~~<sup>20</sup> to be returned to the

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Developer via the Letters of Credit as identified in the table below, provided that the Developer is in good financial standing with the Township.

PHASE OF DEVELOPMENT	LC #	SECURITIES TO BE RELEASED
A. Earthworks – Phase 1	S205385	\$0.00
B. Earthworks – Phase 2	S100948	\$81,547.96
C. Subdivision Agreement:	S103074	\$859,755.993
<i>External Stage 1 &amp; 2 Works</i>		\$338,414.45
<i>Phase 1 Internal Site Works (Servicing, Roads, S/L, Landscaping)</i>		\$185,226.233
<i>SCDSB Sanitary Forcemain</i>		\$336,115.31
D. WWTP	S106613	\$2,761,300.58
<b>TOTAL SECURITIES TO BE RELEASED</b>		<b>\$3,702,604.53</b>

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We trust that this is satisfactory; however, if you have any questions or would like to discuss further, please do not hesitate to contact the undersigned.

Yours truly,

**AINLEY & ASSOCIATES LIMITED**

T. Kalimootoo, P. Eng., PMP  
Vice-President & Branch Manager

Encl.

Cc: Aidan Dekkema & Edward Kallikorm – Brookfield Properties  
John Vanos & David Oliveira– SCS Consulting Group Ltd.