

THE CORPORATION OF THE TOWNSHIP OF ESSA
REGULAR COUNCIL MEETING

WEDNESDAY, JUNE 1, 2022
(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 18th day of May, 2022 be adopted as circulated.*

4. **CONSENT AGENDA**

Recommendation: *Be it resolved that the items listed in the Consent Agenda dated June 1, 2022 be received for information, and that the necessary actions be taken.*

5. **COMMITTEE REPORTS**
6. **PETITIONS**
7. **MOTIONS AND NOTICES OF MOTIONS**

- a. **Release 51M-1097, Blocks 124-125 (STONEMOUNT DEVELOPMENTS INC.)**

WHEREAS pursuant to a Subdivision Agreement of October, 2016, and registered October 24, 2016, the Township agreed to the development of a residential plan of subdivision on lands in the Township described as Lots 1 through 49 (inclusive) and Blocks 50 through 52 on Plan 51M-1097; and

WHEREAS STONEMOUNT DEVELOPMENTS INC. has met all of the obligations set out in the Subdivision Agreement and the Township has fulfilled its obligations to require STONEMOUNT DEVELOPMENTS INC. to comply with the Subdivision Agreement registered as Instrument No. SC1354567, and all requirements have been completed to date.

NOW THEREFORE BE IT RESOLVED THAT the Township of Essa and its successors release and forever discharge STONEMOUNT DEVELOPMENTS INC., their successors and assigns, and STONEMOUNT DEVELOPMENTS INC., their successors and assigns release and forever discharge The Corporation of the Township of Essa and its successors, from the enforcement of the performance of the terms of a Subdivision Agreement made between The Corporation of the Township of Essa and STONEMOUNT DEVELOPMENTS INC. of October, 2016 and registered in the Land Registry Office for

the Land Titles Division of Simcoe (No. 51) on the 24th day of October, 2016 as Instrument No. SC1354567, and affecting the lands and premises set out above and provide for a Mutual General Full and Final Release of which the Mayor and Clerk are authorized to execute.

b. Release 51M-785, Phase 2 (STONEMOUNT DEVELOPMENTS INC.)

WHEREAS pursuant to a Subdivision Agreement dated 23rd day of July, 2004, and registered August 18, 2004, the Township agreed to the development of a residential plan of subdivision on lands in the Township described as Lots 1 through 79 (inclusive), Blocks 80 through 89, on Plan 51M-785; and

WHEREAS STONEMOUNT DEVELOPMENTS INC. has met all of the obligations set out in the Subdivision Agreement and the Township has fulfilled its obligations to require STONEMOUNT DEVELOPMENTS INC. to comply with the Subdivision Agreement registered as Instrument No. SC252901, and all requirements have been completed to date.

NOW THEREFORE BE IT RESOLVED THAT the Township of Essa and its successors release and forever discharge STONEMOUNT DEVELOPMENTS INC., their successors and assigns, and STONEMOUNT DEVELOPMENTS INC., their successors and assigns release and forever discharge The Corporation of the Township of Essa and its successors, from the enforcement of the performance of the terms of a Subdivision Agreement made between The Corporation of the Township of Essa and STONEMOUNT DEVELOPMENTS INC. dated the 23rd day of July, 2004 and registered in the Land Registry Office for the Land Titles Division of Simcoe (No. 51) on the 18th day of August, 2004 as Instrument No. SC252901, and affecting the lands and premises set out above and provide for a Mutual General Full and Final Release of which the Mayor and Clerk are authorized to execute.

c. Release 51M-732, Phase 1A (STONEMOUNT DEVELOPMENTS INC.)

WHEREAS pursuant to a Subdivision Agreement dated the 3rd day of October, 2002, and registered November 14, 2002, the Township agreed to the development of a residential plan of subdivision on lands in the Township described as Lots 1 through 139 (inclusive), Blocks 140 through 152, on Plan 51M-732; and

WHEREAS STONEMOUNT DEVELOPMENTS INC. has met all of the obligations set out in the Subdivision Agreement and the Township has fulfilled its obligations to require STONEMOUNT DEVELOPMENTS INC. to comply with the Subdivision Agreement registered as Instrument No. SC71735, and all requirements have been completed to date.

NOW THEREFORE BE IT RESOLVED THAT the Township of Essa and its successors release and forever discharge STONEMOUNT DEVELOPMENTS INC., their successors and assigns, and STONEMOUNT DEVELOPMENTS INC., their successors and assigns release and forever discharge The Corporation of the Township of Essa and its successors, from the enforcement of the performance of the terms of a Subdivision Agreement made between The Corporation of the Township of Essa and STONEMOUNT DEVELOPMENTS INC. dated the 3rd day of October, 2002 and registered in the Land Registry Office for the Land Titles Division of Simcoe (No. 51) on the 14th day of November, 2002 as Instrument No. SC71735, and affecting the lands and premises set out above and provide for a Mutual General Full and Final Release of which the Mayor and Clerk are authorized to execute.

d. Release 51M-1102, Brownley Meadows (BROOKVALLEY ANGUS SOUTH INC.)

WHEREAS pursuant to a Subdivision Agreement of December, 2016, and registered December 22, 2016, the Township agreed to the development of a residential plan of subdivision on lands in the Township described as Lots 1 through 150 (inclusive) and Blocks 151 through 162 (inclusive) on Plan 51M-1102; and

WHEREAS BROOKVALLEY ANGUS SOUTH INC. has met all of the obligations set out in the Subdivision Agreement and the Township has fulfilled its obligations to require BROOKVALLEY ANGUS SOUTH INC. to comply with the Subdivision Agreement registered as Instrument No. SC1373944, and all requirements have been completed to date.

NOW THEREFORE BE IT RESOLVED THAT the Township of Essa and its successors release and forever discharge BROOKVALLEY ANGUS SOUTH INC., their successors and assigns, and BROOKVALLEY ANGUS SOUTH INC., their successors and assigns release and forever discharge The Corporation of the Township of Essa and its successors, from the enforcement of the performance of the terms of a Subdivision Agreement made between The Corporation of the Township of Essa and BROOKVALLEY ANGUS SOUTH INC. of December, 2016 and registered in the Land Registry Office for the Land Titles Division of Simcoe (No. 51) on the 22nd day of December, 2016 as Instrument No. SC1373944, and affecting the lands and premises set out above and provide for a Mutual General Full and Final Release of which the Mayor and Clerk are authorized to execute.

e. Proclamation – Yes in My Back Yard (YIMBY) Week – June 13 – 18, 2022

WHEREAS Essa Township is a vibrant community of people who take care of each other; and

WHEREAS Everyone in Essa Township deserves to have a safe, affordable, hopeful place to call home; and

WHEREAS Societies where everyone can afford to participate in and contribute to their community are more stable, resilient, prosperous, happy, and healthy; and

WHEREAS Ending homelessness is a complex problem that can only be solved through collaborative and innovative partnerships, committed leadership, and supportive, engaged citizens.

NOW THEREFORE BE IT RESOLVED that Council of the Township of Essa hereby proclaims the week of June 13- 18, 2022 as “Yes in my Back Yard (YIMBY) Week”.

f. Proclamation – World Elder Abuse Awareness Day – June 15, 2022

WHEREAS the Township of Essa’s older adults deserve to be treated with respect and dignity and valued as contributing members of society, imparting a wealth of experience and wisdom in our communities, and

WHEREAS the International Network for the Prevention of Elder Abuse, in support of the United Nations International Plan of Action, proclaimed this day to recognize the significance of elder abuse as a public health and human rights issue; and

WHEREAS the Township of Essa recognizes the importance of taking action to invest in creating social change, to prioritize the prevention of elder abuse and raise awareness to foster a better understanding of abuse and neglect of older adults and their rights; and

*WHEREAS Elder abuse has a significant impact on the lives of older adults and families; and is not limited to race, gender, culture, or circumstance, and regardless of whether the abuse is physical, emotional, sexual, financial or neglect; and
WHEREAS Ageism and social isolation are major causes of elder abuse in Ontario;
and*

WHEREAS Recognizing that it is up to all of us, as citizens, organizations, communities, and governments, to work collectively to prevent violence and abuse of older adults in their homes and communities; and

WHEREAS Preventing abuse of older adults through improving and maintaining social and health services and systems such as housing, income security, and safety will improve their quality of life and allow them to live independently and contribute to the vibrancy of Ontario; and

WHEREAS Where there is respect for human rights, equality, and justice there can be no abuse; therefore, all Township of Essa residents are urged to join this global movement to promote the Rights of Older Adults and Stop Abuse and Restore Respect.

NOW THEREFORE BE IT RESOLVED that Council of the Township of Essa hereby proclaims June 15, 2022, as World Elder Abuse Awareness Day and encourage all residents to recognize and celebrate seniors and their ongoing contributions to the success and vitality of our province.

- p. 11 **g. Canada Day at Township of Essa’s Community Park - Request from the Edward Macdonald Branch 499 – Royal Canadian Legion to host a Beer Garden**

WHEREAS the Edward Macdonald Branch 499 – Royal Canadian Legion has requested to operate a Beer Garden at Community Park in Angus on July 1st, 2022 between the hours of 11:00 a.m. to 8:00 p.m.; and

WHEREAS the Edward Macdonald Branch 499 – Royal Canadian Legion will be selling and serving alcohol to the public; and

WHEREAS the Edward Macdonald Branch 499 – Royal Canadian Legion will ensure that all servers will be in possession of a Smart Serve Certification and will ensure that alcohol is kept within the beer tent perimeters.

NOW THEREFORE BE IT RESOLVED THAT Council direct staff to issue a letter of no-objection to the Edward Macdonald Branch 499 – Royal Canadian Legion to accompany their application for a Special Occasion Permit through the AGCO; and THAT Council direct staff to inform the Township’s Insurer of the “municipally – sponsored event” (beer garden) being organized by the Edward Macdonald Branch 499 – Royal Canadian Legion.

8. UNFINISHED BUSINESS

9. BY-LAWS

- p. 13 a. **By-law 2022-31 - Aboveground Works – Nottawasaga Village Subdivision Phase 1A**

Recommendation: *Be it resolved that leave be granted to introduce By-law 2022-31, that being a By-law to authorize the Issuance of the Certificate of Maintenance and Final Acceptance (Aboveground Works) Nottawasaga Village Subdivision (Stonemount Developments Inc., Phase 1A), Registered Plan 51M-732; and, that said By-law be read a first, and taken as read a second and third time and finally passed.*

- p. 15 b. **By-law 2022-32 - Aboveground Works – Nottawasaga Village Subdivision Phase 2**

Recommendation: *Be it resolved that leave be granted to introduce By-law 2022-32, that being a By-law to authorize the Issuance of the Certificate of Maintenance and Final Acceptance (Aboveground Works) Nottawasaga Village Subdivision (Stonemount Developments Inc., Phase 2), Registered Plan 51M-785; and, that said By-law be read a first, and taken as read a second and third time and finally passed.*

- p. 17 c. **By-law 2022-33 - Employment By-law**

Recommendation: *Be it resolved that leave be granted to introduce By-law 2022-33, that being a By-law to establish terms and conditions of employment and employment policies for employees of 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.*

- p. 33 d. **By-law 2022-34 - Tax Rating By-law**

Recommendation: *Be it resolved that leave be granted to introduce By-law 2022-34, that being a By-law to provide for the adoption of tax rates for 2022; 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:*

**ITEM
ADDED**

- *Personal Matters about an Identifiable Individual [Municipal Act, s.239(2)(b)]*
- *Labour Relations or Employee Negotiations [Municipal Act, s.239(2)(d)]*

Note: Livestream does not run during Closed Session Deliberations.

Motion to Rise and Report from Closed Session Meeting of June 1, 2022.

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

12. CONFIRMATION BY-LAW

p. 37 **By-law 2022-35**

Recommendation: *Be it resolved that leave be granted to introduce By-law 2022-35, that being a By-law to confirm the proceedings of the Council and Committee of the Whole meetings held on this 1st day of June, 2022; 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 Committee of the Whole of the Township of Essa adjourn at _____ p.m. to meet again on the 15th day of June, 2022 at 6:00 p.m.*

THE CORPORATION OF THE TOWNSHIP OF ESSA
COMMITTEE OF THE WHOLE MEETING
WEDNESDAY, MAY 18, 2022

MINUTES

A Committee of the Whole meeting was held in person on Wednesday, May 18, 2022 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 Ron Henderson

Staff in attendance: C. Healey-Dowdall, Chief Administrative Officer
M. Mikael, Manager of Public Works
L. Lehr, Manager of Legislative Services

1. OPENING OF MEETING BY THE MAYOR

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

2. DISCLOSURE OF PECUNIARY INTEREST

Deputy Mayor Smith declared an interest on Item 10(b) due to familial relations with a member of staff.

3. DELEGATIONS / PRESENTATIONS / PUBLIC MEETINGS

a. Presentation – Youth Honorary Mayors
re: Sapphira, Bricky, Robert, Logan and Sarah

Mayor Macdonald recognized five youth from the communities of Essa Township who have positively impacted the Township of Essa through their volunteering at community events and for their optimistic influence on community members. She provided staff and the public with a brief overview of the individual contributions for each youth and stated that each of the five youth represent what Council believes to be a special part of being a resident and member of the community.

Council presented each of the youth with a commemorative certificate, an honorary medallion and an individual package of thanks for their contributions, and unanimously declared the five youth as Honorary Mayors for the Township of Essa from May 18 to August 31, 2022. Mayor Macdonald advised that their role as Honorary Youth Mayor would be to attend community events with Council during this timeframe.

STAFF REPORTS

4. PLANNING AND DEVELOPMENT

- a. **Staff Report PD014-22 submitted by the Manager of Planning and Development, re: 62 Centre Street – Zoning By-law Amendment Z3-21.**

Resolution No: CW064-2022 Moved by: Sander Seconded by: Kiezebrink

*Be it resolved that Staff Report PD014-22 be received: and
That Council adopt a Zoning By-law Amendment (ZBA) to re-zone 62 Centre Street from 'Residential, Low-Density, Detached (R1)' Zone to 'Residential Low-Density, Semi-Detached (R2-10)' Zone for the development of two semi-detached residential dwellings; and
That the appropriate By-law be brought forward for passage during the Regular Council meeting of this date.*

----Carried----

- b. **Staff Report PD015-22 submitted by the Manager of Planning and Development, re: 34 Mill Street – Official Plan, Zoning By-law Amendment and Draft Plan of Subdivision.**

Resolution No: CW065-2022 Moved by: Kiezebrink Seconded by: Smith

*Be it resolved that Staff Report PD015-22 be received: and
That Council direct staff to proceed with processing and reviewing the subject applications and the scheduling of a consolidated Public Meeting in due course.*

----Carried----

- c. **Staff Report PD016-22 submitted by the Manager of Planning and Development, re: Part of Lot 31 & 32, Concession 3 – New Subdivision of Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision.**

Resolution No: CW066-2022 Moved by: Smith Seconded by: Henderson

*Be it resolved that Staff Report PD016-22 be received: and
That Council direct staff to proceed with processing and reviewing the subject applications and the scheduling of a consolidated Public Meeting in due course.*

----Carried----

5. PARKS AND RECREATION / COMMUNITY SERVICES

6. FIRE AND EMERGENCY SERVICES

7. PUBLIC WORKS

- a. **Staff Report PW008-22 submitted by the Manager of Public Works, re: Award of Quotation: Public Works – Asphalt Patching – Curb and Sidewalk Repairs.**

Resolution No: CW067-2022 Moved by: Sander Seconded by: Henderson

*Be it resolved that Staff Report PW008-22 be received: and
That the quotation as received from Diamond Earthworks Corp. for the Public Works Asphalt Patching Tender be accepted in the amount of \$17,768.00 (excluding HST), contingent upon a WSIB Clearance Certificate and a copy of Insurance being provided to the Township, to the Township's satisfaction; and
That the quotation as received from Dave Doucette Construction for the Public Works Curb and Sidewalk Repairs Tender be accepted in the amount of \$17,714.00 (excluding HST), contingent upon a WSIB Clearance Certificate and a copy of Insurance being provided to the Township, to the Township's satisfaction.*

----Carried----

- b. **Staff Report PW009-22 submitted by the Manager of Public Works, re: Award of Quotation: Line Paint and Traffic Calming Pavement Markings.**

Resolution No: CW068-2022 Moved by: Kiezebrink Seconded by: Smith

*Be it resolved that Staff Report PW009-22 be received: and
That the quotation as received from Trace Road Services for the Line Paint and Traffic Calming Pavement Markings Tender be accepted in the amount of \$19,430.00 (excluding HST), contingent upon a WSIB Clearance Certificate and a copy of Insurance being provided to the Township, to the Township's satisfaction.*

8. FINANCE

9. CLERKS / BY-LAW ENFORCEMENT / IT

- a. **Staff Report C010-22 submitted by the Deputy Clerk, re: Update on Broadband and High-Speed Internet Access.**

Resolution No: CW069-2022 Moved by: Sander Seconded by: Kiezebrink

Be it resolved that Staff Report C010-22 be received for information.

----Carried----

- b. Staff Report C011-22 submitted by the Deputy Clerk, re: Request for Exemption – 121 Murphy Road, Baxter.**

Resolution No: CW070-2022 Moved by: Smith Seconded by: Henderson

*Be it resolved that Staff Report C011-22 be received: and
That Council approve an exemption to section 4.4 of Schedule 1 of By-law 2011-20, to allow for the operation of a boarding kennel/ dog run on the property located at 121 Murphy Road, Baxter, and an exemption to section 5.1(b) of By-law 2003-50, to recognize the size of the property as less than the standard of the Zoning By-law.*

----Carried----

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

- a. Staff Report CAO018- 22 submitted by the Chief Administrative Officer, re: New Position for Administration of Additional Residential Units – Building Inspector.**

Resolution No: CW071-2022 Moved by: Smith Seconded by: Sander

*That Staff Report CAO18-22 be received; and
That Council approve creating a new contract position for the administration of Additional Residential Units (ARU) with the position to be a “Building Inspector – ARU Official” and reporting to the CBO to be hired immediately with full-time hours for a term of 6 months to start, with remuneration in accordance with Essa’s Pay Administration Policy, and with tasks reflecting the attached job description.*

----Carried----

Deputy Mayor Smith removed himself from Council Chambers for this portion of the meeting as he declared an interest on Item 10(b). He did not participate in any discussion or vote on the following Item.

- b. Staff Report CAO019- 22 submitted by the Chief Administrative Officer, re: Proposed Changes to the Township’s Terms and Conditions of Employment By-law.**

Resolution No: CW072-2022 Moved by: Sander Seconded by: Henderson

*That Staff Report CAO19-22 be received; and
That Council approve adopting an amendment to the Township’s Terms and Conditions of Employment By-law, as proposed, on June 1, 2022, and to develop a further dedicated policy on the Right to Disconnect in the near future; and to begin the award of 2 weeks of vacation on hire temporarily until such time as a future review is conducted.*

----Carried----

Deputy Mayor Smith returned to Council Chambers and resumed his seat for the remainder of the meeting.

11. OTHER BUSINESS

12. ADJOURNMENT

Resolution No: CW073-2022 Moved by: Smith Seconded by: Kiezebrink

Be it resolved that this meeting of Committee of the Whole of the Township of Essa adjourn at 6:46 p.m., to meet again on the 1st day of June, 2022 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, MAY 18, 2022

MINUTES

The Regular Meeting of Council was held in-person on Wednesday, May 18, 2022 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 Ron Henderson

Staff in attendance: C. Healey-Dowdall, Chief Administrative Officer
M. Mikael, Manager of Public Works
L. Lehr, Manager of Legislative Services

1. OPENING OF MEETING BY THE MAYOR

Mayor Macdonald opened the meeting at 6:46 p.m.

2. DISCLOSURE OF PECUNIARY INTEREST

Based on advice received from the Township’s Integrity Commissioner, Councillor Kiezebrink declared a direct interest on agenda Items 9 (c) and (d). The general nature of the conflict is due to property that he owns in Essa Township that currently has a built-in ARU that is not presently occupied at this time.

3. ADOPTION OF PREVIOUS MINUTES AND MOTIONS

Resolution No: CR093-2022 Moved by: Sander Seconded by: Smith

*Be it resolved that the motions duly passed and approved at the Committee of the Whole meeting of this date be approved; and
That the minutes of the Committee of the Whole and Regular Council meetings held on the 4th day of May, 2022 be adopted as circulated.*

----Carried----

4. CONSENT AGENDA

Resolution No: CR094-2022 Moved by: Smith Seconded by: Kiezebrink

Be it resolved that the items listed in the Consent Agenda dated May 18, 2022 be received for information, and that the necessary actions be taken.

----Carried----

5. COMMITTEE REPORTS

a. Traffic Advisory Committee

Resolution No: CR095-2022 Moved by: Sander Seconded by: Smith

Be it resolved that the minutes of the Traffic Advisory Committee from their meeting of April 5, 2022 be received.

----Carried-----

b. Healthy Community Committee

Resolution No: CR096-2022 Moved by: Smith Seconded by: Sander

Be it resolved that the minutes of Healthy Community Committee from their meeting of April 21, 2022 be received.

----Carried-----

6. PETITIONS

7. MOTIONS AND NOTICES OF MOTIONS

a. National AccessAbility Week – May 29 to June 4, 2022
Flag Raising Ceremony Monday May 30, 2022 – 9:00am at the
Administration Centre.

Resolution No: CR097-2022 Moved by: Smith Seconded by: Henderson

WHEREAS the Accessible Canada Act came into force July 2019, and determined that National AccessAbility Week take place every year beginning on the last Sunday in May; and

WHEREAS National AccessAbility Week brings together all Canadians in recognizing the valuable contributions of Canadians with disabilities and strengthening the collaborative effort needed to create a country that is fully accessible and inclusive; and WHEREAS each year, we look at the gains we have made in removing barriers and improving access for all who live, work and play in the Township of Essa, and look forward to the work that still needs to be done;

NOW THEREFORE BE IT RESOLVED THAT Council of the Corporation of the Township of Essa hereby proclaims the week of May 29 to June 4, 2022 as “National AccessAbility Week” and encourages all residents to support equality of access and opportunity for persons with disabilities.

----Carried-----

b. Seniors Month – June 1 – 30, 2022

Resolution No: CR098-2022 Moved by: Sander Seconded by: Smith

WHEREAS Seniors Month is an annual province-wide celebration; and WHEREAS Seniors have contributed to and continue to contribute immensely to the life and vibrancy of this municipality; and WHEREAS Seniors continue to serve as leaders, mentors, volunteers, and important

*and active members of the community; and
WHEREAS contributions from seniors past and present warrant appreciation and recognition, and their stories deserve to be told; and
WHEREAS the health and well-being of seniors is in the interest of all, and further adds to the health and well-being of the community; and
WHEREAS the knowledge and experience seniors pass on to others continues to benefit us all;
NOW THEREFORE BE IT RESOLVED that Council of the Corporation of the Township of Essa hereby proclaims June 1st to 30th, 2022, as “Seniors Month” and encourages all citizens to recognize and celebrate the accomplishments of our seniors.*

----Carried-----

c. Deaf-blind Awareness Month – June 1 – 30, 2022

Resolution No: CR099-2022 Moved by: Kiezebrink Seconded by: Smith

*WHEREAS Deaf-blindness is a unique disability that incorporates the loss of both sight and hearing; and
WHEREAS Individuals who are deafblind can live full, meaningful lives as independently as possible with the right supports in place, such as intervenor services; and
WHEREAS on December 21, 2000, the Ontario Legislature officially proclaimed the month of June in each year as Deaf-Blind Awareness Month, to recognize that “Deaf-blindness is a unique disability that incorporates the sensory loss of both sight and hearing”, and was created to help recognize that increased public awareness of this disability is crucial to increase opportunities for those who live with it; and
WHEREAS the Canadian Senate passed a motion on May 28, 2015 also recognizing June as Deafblind Awareness Month across Canada; and
WHEREAS June is also the birth month of Helen Keller, an internationally recognized person who was deaf-blind;
NOW THEREFORE BE IT RESOLVED THAT Council of the Corporation of the Township of Essa hereby proclaims June 1 to 30, 2022 as “National Deaf-blind Awareness Month” and encourages all citizens to attend a virtual awareness event in June to recognize and celebrate the contributions that individuals who are deafblind make in their communities with the support of intervenors who serve as a bridge to communications for individuals who are deaf-blind.*

----Carried-----

8. UNFINISHED BUSINESS

9. BY-LAWS

a. By-law 2022-26 Fireworks - Diwali

Resolution No: CR100-2022 Moved by: Smith Seconded by: Sander

Be it resolved that leave be granted to introduce By-law 2022-26, that being a By-law to regulate the use of Fireworks within the Township of Essa, and to amend By-law 2020-59; 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 2022-27 ZBA – 62 Centre Street (Angus)

CH=confirm that there will be 2 outdoor parking spaces for each unit at this property

Resolution No: CR101-2022 Moved by: Smith Seconded by: Kiezebrink

Be it resolved that leave be granted to introduce By-law 2022-27, that being a By-law to amend the Township of Essa Comprehensive Zoning By-law 2003-50; and, that said By-law be read a first, and taken as read a second and third time and finally passed.

----Carried-----

Councillor Kiezebrink removed himself from Council Chambers for this portion of the meeting as he declared an interest on Items 9 (c) and (d). He did not participate in any discussion or vote on the Items.

c. By-law 2022-28 ZBA – ARUs

Resolution No: CR102-2022 Moved by: Sander Seconded by: Smith

Be it resolved that leave be granted to introduce By-law 2022-28, that being a By-law to amend Township of Essa Comprehensive Zoning By-law, as amended; and, that said By-law be read a first, and taken as read a second and third time and finally passed.

----Carried-----

d. By-law 2022-29 Registry – ARUs

Resolution No: CR103-2022 Moved by: Smith Seconded by: Sander

Be it resolved that leave be granted to introduce By-law 2022-29, as amended, that being a By-law to establish a Registry for Additional Residential Unit(s); and, that said By-law be read a first, and taken as read a second and third time and finally passed.

----Carried-----

Councillor Kiezebrink returned to Council Chambers and resumed his seat for the remainder of the meeting.

10. QUESTIONS

11. CLOSED SESSION

Resolution No: CR104-2022 Moved by: Sander Seconded by: Kiezebrink

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

- *Litigation or Potential Litigation [Municipal Act, s.239(2)(e)]*
- *Plans and Instructions for Negotiations [Municipal Act, s.239(2)(k)]*

----Carried-----

Council proceeded into Closed Session Deliberations at 7:06 p.m.

Motion to Rise and Report from Closed Session Meeting of May 18, 2022.

Resolution No: CR105-2022 Moved by: Sander Seconded by: Kiezebrink

Be it resolved that Council rise and report from the Closed Session Meeting at 7:36 p.m.

----Carried-----

- a. **PLANS AND INSTRUCTIONS FOR NEGOTIATIONS [s.239(2)(k)]
POTENTIAL LITIGATION [s.239(2)(e)]
Confidential Staff Report PW007-22 submitted by the Manager of
Public Works, re: Angus Infrastructure and Review of Budgeting
Options and Costing for Future Expansion.**

Resolution No: CR106-2022 Moved by: Sander Seconded by: Smith

*Be it resolved that Confidential Staff Report PW007-22 be received; and
That staff be authorized to proceed with Option No. 1 as identified in this report.*

----Carried-----

12. CONFIRMATION BY-LAW

By-law 2022-30

Resolution No: CR107-2022 Moved by: Henderson Seconded by: Kiezebrink

*Be it resolved that leave be granted to introduce By-law 2022-30, that being a By-law to
confirm the proceedings of the Council and Committee of the Whole meetings held on this
18th day of May, 2022; 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: CR108-2022 Moved by: Smith Seconded by: Henderson

*Be it resolved that this meeting of Committee of the Whole of the Township of Essa
adjourn at 7:38 p.m. to meet again on the 1st day of June, 2022 at 6:00 p.m.*

----Carried-----

Sandie Macdonald, Mayor

Lisa Lehr, Manager of Legislative Services



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The Edward Macdonald Branch 499
Royal Canadian Legion
15 Fraser Street
Angus, ON L0M 1B0

19 May 2022

Re: Letter of No-Objection

Municipal Clerk
Essa Township
5786 County Road 27
Utopia, ON

As part of the Essa Township 2022 Canada Day celebrations, the Edward Macdonald Branch 499 Angus of the Royal Canadian Legion will be operating a bar, including the selling and serving of alcohol beverages, on 01 July 2022. The bar will be operated at the Albert Breau Park located at 6 Huron Street, Angus Ontario.

Community.

The sale and serving of alcohol will be available to the general public and commence at 11:00 AM and cease at 8:00 PM. The bar will be operated by members of the Edward MacDonald Branch 499 Angus and all servers will be in possession of a Smart Serve qualification issued by the Province of Ontario.

The Royal Canadian Legion Branch 499 will be requesting a Special Occasion Permit (SOP) from the Alcohol and Gaming Commission of Ontario (AGCO). The SOP will be an extension to the alcohol license currently issued to Branch 499 Angus.

The temporary licenced area will be located on the east side of the park approximately 20 meters south of the music pavilion and will be surrounded with temporary fencing having a minimum 36" height. The entrance to the temporary area will be monitored for security and safety by Royal Canadian Legion Branch 499 members.

A sketch of the proposed area is attached for your reference.

The Edward MacDonald Branch 499 hereby requests a Non-Objection Letter from the Township of Essa stating that there is **"No objection to the proposed licensed area"**.

Sincerely,

Rex Hipwell
President, RCL Branch 499, Angus
705.424.5711
Angus499@rogers.com

TEMPORARY LICENSED AREA



THE CORPORATION OF THE TOWNSHIP OF ESSA

BY-LAW NO. 2022 - 31

A By-law to Authorize the Issuance of the Certificate of Maintenance and Final Acceptance (Aboveground Works) Nottawasaga Village Subdivision (Stonemount Developments Inc., Phase 1A), Registered Plan 51M-732

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

WHEREAS Council for the Corporation of the Township of Essa entered into a Subdivision Agreement with Stonemount Developments Inc. on October 3, 2002 to construct a residential development; and

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

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

1. That the Certificate of Maintenance and Final Acceptance (Aboveground Works) for Nottawasaga Village Subdivision – Phase 1A, Registered Plan 51M-732, may now be issued by the Township Engineers (AECOM) in compliance with the Subdivision Agreement between the Corporation of the Township of Essa and Stonemount Developments Inc.
2. That the attached Schedule “A”, Certificate of Maintenance and Final Acceptance (Aboveground Works) shall form part of this By-law.
3. This By-law comes into force and effect on the day it is finally passed.

READ A FIRST, AND TAKEN AS READ A SECOND AND THIRD TIME AND FINALLY PASSED on this the 1st day of June, 2022.

Sandie Macdonald, Mayor

Lisa Lehr, Manager of Legislative Services

9a



SCHEDULE 'A'

AECOM
10 Checkley Street
Barrie, ON, Canada L4N 1W1
www.aecom.com

705 721 9222 tel
705 734 0764 fax

TOWNSHIP ENGINEERS

CERTIFICATE OF MAINTENANCE AND FINAL ACCEPTANCE
(ABOVEGROUND WORKS)

MUNICIPALITY Township of Essa

PROJECT Nottawasaga Village – Phase 1A
Plan 51M – 732

DEVELOPER Stonemount Development Inc.

FILE NO. 16-93039-50 (60118287) [MMA 43T-91011]

Description of the Works:

Roadways in the Nottawasaga Village – Phase 1A Subdivision consisting of:

- Gold Park Gate from 5th Line Essa to Maplewood Drive; a distance of 402 metres (1,319 feet).
- Brookside Gate from Gold Park Gate to Truax Crescent; a distance of 88 metres (289 feet).
- Truax Crescent from Maplewood Drive to Maplewood Drive; a distance of 742 metres (2,434 feet).
- Maplewood Drive from Gold Park Gate to Greenwood Drive; a distance of 523 metres (1,716 feet).

We, AECOM, notify the Municipality that the above mentioned works were inspected on November 9, 2010, and to the best of our knowledge and judgement are complete in accordance with the Subdivision Agreement, except for the deficiencies below:

- NIL

We, AECOM, notify the Municipality that to the best of our knowledge and judgment:

1. The Developer named herein has completed the required maintenance work, has rectified known deficiencies and has fulfilled the other terms of the Subdivision Agreement.
2. The period of maintenance of this Subdivision Agreement expires on the issuance of this Certificate.

Date: Jan. 13, 2011

Signature: 

THE CORPORATION OF THE TOWNSHIP OF ESSA

BY-LAW NO. 2022 - 32

A By-law to Authorize the Issuance of the Certificate of Maintenance and Final Acceptance (Aboveground Works) Nottawasaga Village Subdivision (Stonemount Developments Inc., Phase 2), Registered Plan 51M-785

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

WHEREAS Council for the Corporation of the Township of Essa entered into a Subdivision Agreement with Stonemount Developments Inc. on July 23, 2004 to construct a residential development; and

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

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

1. That the Certificate of Maintenance and Final Acceptance (Aboveground Works) for Nottawasaga Village Subdivision – Phase 2, Registered Plan 51M-785, may now be issued by the Township Engineers (AECOM) in compliance with the Subdivision Agreement between the Corporation of the Township of Essa and Stonemount Developments Inc.
2. That the attached Schedule “A”, Certificate of Maintenance and Final Acceptance (Aboveground Works) shall form part of this By-law.
3. This By-law comes into force and effect on the day it is finally passed.

READ A FIRST, AND TAKEN AS READ A SECOND AND THIRD TIME AND FINALLY PASSED on this the 1st day of June, 2022.

Sandie Macdonald, Mayor

Lisa Lehr, Manager of Legislative Services

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SCHEDULE 'A'



AECOM
10 Checkley Street
Barrie, ON, Canada L4N 1W1
www.aecom.com

705 721 9222 tel
705 734 0764 fax

TOWNSHIP ENGINEERS

CERTIFICATE OF MAINTENANCE AND FINAL ACCEPTANCE
(ABOVEGROUND WORKS)

MUNICIPALITY Township of Essa

PROJECT Nottawasaga Village – Phase 2
Plan 51M – 785

DEVELOPER Stonemount Development Inc.

FILE NO. 16-93039-50 (60118287) [MMA 43T-91011]

Description of the Works:

Roadways in the Nottawasaga Village – Phase 2 Subdivision consisting of:

- Lookout Street from Gold Park Gate to Base Street; a distance of 300 metres (984 feet).
- Stonemount Crescent from Lookout Street to Base Street; a distance of 486 metres (1,594 feet).
- Base Street from Lookout Street to Stonemount Crescent; a distance of 114 metres (374 feet).

We, AECOM, notify the Municipality that the above mentioned works were inspected on November 9, 2010, and to the best of our knowledge and judgement are complete in accordance with the Subdivision Agreement, except for the deficiencies below:

- NIL

We, AECOM, notify the Municipality that to the best of our knowledge and judgment:

1. The Developer named herein has completed the required maintenance work, has rectified known deficiencies and has fulfilled the other terms of the Subdivision Agreement.
2. The period of maintenance of this Subdivision Agreement expires on the issuance of this Certificate.

Date: Jan. 13, 2011

Signature: 

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THE CORPORATION OF THE TOWNSHIP OF ESSA

BY-LAW NO. 2022 – 33

A By-law to establish terms and conditions of employment and employment policies for employees of the Corporation of the Township of Essa.

WHEREAS the *Municipal Act*, S. O. 2001, c. 25, as amended, provides that Municipalities may pass By-laws to establish terms and conditions of employment; and

WHEREAS the *Employment Standards Act* S.O 2000, c. 41, as amended, provides the minimum standards for most employees working in Ontario, and sets out the rights and responsibilities of employees and employers in most Ontario workplaces; and

WHEREAS it is deemed expedient in the interest of efficient administration of the Township's affairs, to regulate the terms of employment of its various employees;

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

PART 1 **DEFINITIONS**

- 1.1 (a) "Employee" means any salaried officer, clerk, work person, servant or other person in the employ of the Township but does not include any person in the employ of any local board.
- (b) "Leave" means authorized absence from duty by an employee during his or her regular or normal hours of work.
- (c) "Local Board" means any local board as defined in the *Municipal Act*, R.S.O. 1990, Chapter M45 as amended.
- (d) "Permanent Employee" means an employee engaged for an indefinite period of time and working in a position for which the regular work week is not less than 35 hours, has satisfactorily completed their probationary period of employment, and whose permanent placement on staff has been approved by Council.
- (e) "Personal Emergency Leave" means leave taken for any of the reasons set out in s. 50 of the Ontario *Employment Standards Act*, which include: personal illness, injury or medical emergency; the death, illness or injury of a close family member; or other emergency situations involving one of the family members listed in the legislation.
- (f) (i) "Probationary employee" shall mean an employee hired by the Corporation to a position of permanent employment, but who has not completed six (6) months of service from the date of employment.
- (ii) Notwithstanding Subsection (f)(i), the probationary period for all Department Heads as defined in Section 1.2(a) – (g) of this By-law, shall

be one (1) year from the time they are hired for, or promoted to, such a position

- (g) "Scheduled Regular Day" shall mean:
- (i) a regular day of work for which an employee is normally expected to work; or
 - (ii) a regular day of work which an employee has taken as part of their annual vacation; or
 - (iii) a regular day of work which an employee is sick and qualifies for sick pay under Section 5.6; or
 - (iv) a regular day of work which an employee is on bereavement leave and qualifies for pay under Section 10.1; or
 - (v) a regular day of work which an employee is on jury duty and qualifies for pay under Section 9.2.
- (h) "Temporary or Part-Time Employee" means all employees other than permanent employees.

1.2 "Department Head", for the purposes of this By-law means;

- (a) In the case of Parks and Recreation Departments, the Manager of Parks and Recreation;
- (b) In the case of employees of the Township Roads Department, the Manager of Public Works;
- (c) In the case of the Finance Department Employees, the Manager of Finance;
- (d) In the case of the Fire Department Employees, the Fire Chief;
- (e) In the case of the Clerk's Department Employees, the Clerk;
- (f) In the case of the Planning and Development Department Employees, the Manager of Planning and Development;
- (g) In the case of the Clerk, the Manager of Finance, the Manager of Planning and Development, the Manager of Public Works, the Manager of Parks and Recreation, and the Fire Chief, the CAO;
- (h) In the case of the CAO, Council.

PART 2 APPLICATION

- 2.1 Unless otherwise provided, this By-law applies only to permanent employees of the Corporation. For the purpose of this By-law and notwithstanding paragraph (a) and (c) of Section 1.1, persons in the employ of the Township of Essa Public Library Board, are deemed employees of this Library Board pursuant to the *Public Libraries Act*.
- 2.2 Unless otherwise provided, the employment policies, terms and conditions for temporary and part-time employees and probationary employees shall be as enacted in the *Employment Standards Act R.S.O., 1990, Chapter E14* as amended (ESA), and other employment legislation in the Province of Ontario as amended from time to time.

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- 2.3 Unless otherwise provided, employment policies, terms and conditions for permanent employees, including hours of work, minimum wage, overtime pay, pregnancy and parental leave, other forms of statutory leave and termination of employment, which are not prescribed in this By-law shall be as enacted in the *ESA*, as amended, the *Workplace Safety and Insurance Act (WSIA)*, and other relevant Provincial Statutes, and other By-laws and resolutions of the Corporation as enacted from time to time.
- 2.4 In the case of conflict between this By-law and Provincial Statutes, the latter shall prevail.

PART 3 PUBLIC AND DESIGNATED HOLIDAYS

- 3.1 (a) The following days are Public Holidays, as defined and administered according to the *ESA*:

| | | |
|----------------|---------------|------------------|
| New Year's Day | Victoria Day | Thanksgiving Day |
| Family Day | Canada Day | Good Friday |
| Labour Day | Christmas Day | Boxing Day |

- (b) The following days shall be Designated as Holidays:

Easter Monday Civic Holiday ½ Day December 24th ½ Day December 31st

- 3.2 Subject to Sections 3.3, 3.4 and 3.6 - All permanent and probationary employees with three months service shall be given time off with pay on Public or Designated holidays.
- 3.3 Section 3.2 does not apply if,
- (a) the employee fails to work their scheduled regular day of work preceding, or their scheduled regular day of work following, the Public or Designated holiday, or
- (b) the employee has agreed to work on the Public or Designated holiday and without reasonable cause fails to report for and perform the work.
- 3.4 Where a Public or Designated holiday falls upon a working day for an employee, the Township through the Department Head, may agree with the employee that the employee shall work on the Public or Designated holiday and substitute another working day for the Public or Designated holiday, which day shall be not later than the next annual vacation of the employee, and the employee shall be entitled to said day off with pay.
- 3.5 Where an employee works on a Public or Designated holiday, they shall be paid at a rate of one and one-half (1 ½) times their regular rate and, unless another day is substituted pursuant to Section 3.4, their regular wages in addition thereto.

In the case of a Roads Department employee, they shall be paid at a rate of two (2) times their regular rate for work performed on Christmas Day, Boxing Day, and New Year's Day, and one and a half (1 ½) times their regular rate on all other Public or Designated holidays, and, unless another day is substituted pursuant to Section 3.4,

their regular wages in addition thereto.

- 3.6 When a Public or Designated holiday falls during the annual vacation of an employee, the Township shall:
- (a) with the agreement of the employee pay the employee their regular wages for the Public or Designated holiday, or,
 - (b) substitute a working day that is not later than the next annual vacation of the employee and the employee shall be entitled to said day off with pay.
- 3.7 When a Public or Designated holiday falls on a Saturday or Sunday, the next regular day of work shall be deemed to be the Public or Designated holiday.
- 3.8 This part shall apply to any other day proclaimed as a public holiday by the Governments of Ontario or Canada but shall not apply to Remembrance Day.

PART 4 ANNUAL VACATION

- 4.1 (a) All eligible employees shall receive annual vacation leave with pay as follows:
- (i) On hire, two (2) weeks
 - (ii) On the completion of one (1) year of service - two (2) weeks annually
 - (iii) On the completion of five (5) years of service - three (3) weeks annually
 - (iv) On the completion of ten (10) years of service - four (4) weeks annually
 - (v) On the completion of seventeen (17) years of service - five (5) weeks annually
- (b) 1 week of vacation time earned shall equal 35 hours for a 35 hour a week employee and 1 week of vacation earned shall equal 40 hours for a 40 hour a week employee. (Part 11 – Hours of Work)
- 4.2 Time of service shall include the period for which an employee was a probationary employee.
- 4.3 The vacation year shall be the anniversary year of each individual employee.
- 4.4 Subject to Section 4.6, annual vacation leave shall be taken within the applicable vacation year, corresponding with the allotment outlined in Section 4.2 (a).
- 4.5 Although carry-over of annual vacation leave is discouraged, an employee may apply to their Department Head to carry-over part of their annual vacation leave, provided no employee is permitted to take less than two (2) weeks in any vacation year after one year of service, unless authorized by the CAO.
- 4.6 Although employees may request a particular period or periods to take annual vacation leave, the taking of such leave at requested times is subject to the discretion of the Department Head.
- 4.7 Subject to the discretion of the Department Head, in the event two or more employees wish to take annual vacation leave for the same period, seniority shall govern provided

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the employee claiming seniority has requested such leave prior to February 1 of the year in which the leave is to be taken. After February 1, vacation time shall be at the discretion of the Department Head on a first come, first served basis.

- 4.8 Annual vacation pay shall be at an employee's regular rate of pay.
- 4.9 An employee whose employment is terminated shall receive:
 - (a) annual vacation pay for any unused annual vacation leave to which they are entitled for completed years of service; and in addition,
 - (b) vacation pay for the time served during the incomplete vacation year in proportion to the annual vacation leave they would have been entitled to on completing said vacation year.
- 4.10 Subject to Section 4.1 the employee is not permitted to take cash-in-lieu of vacation unless so authorized pursuant to the *ESA*.
- 4.11 Department Heads' vacation shall be submitted to the CAO with reasonable advance notice.

PART 5 **SICK LEAVE AND PERSONAL EMERGENCY LEAVE**

- 5.1 For the purpose of this part, sickness means a physical or mental condition or disability (and does not include pregnancy), which renders the employee unable to fulfil, reasonably or capably, the requirements of their job.
- 5.2 An employee shall be entitled for every month of regular attendance, to a sick leave credit at a rate of one-half day per month equal to 3.5 hours for a 35 hour a week employee and 4 hours for a 40 hour a week employee. The compensation for sick time used shall accurately reflect and correspond to the actual time taken.
- 5.3 Regular attendance shall include annual vacation leave, bereavement leave and jury duty leave but shall not include pregnancy and/or parental leave or any month in which any sick leave without pay is taken.
- 5.4 The sick leave credits of an employee shall be accumulative but at no time shall they exceed six (6) days total per employee which may be equal to 42 hours for a 35 hour a week employee and 48 hours for a 40 hour a week employee. (Part 11 – Hours of Work)
- 5.5 A probationary employee shall not accumulate sick leave credits, but upon becoming a permanent employee they shall be credited with three (3) days but only upon the completion of six (6) months of continuous service.
- 5.6 Subject to section 5.10(c), any employee who is absent because of sickness shall be paid sick leave during absence to the extent of their accumulated sick leave credits.
- 5.7 No employee shall receive sick leave pay if their sick leave credits have been exhausted.
- 5.8 The time absent for sickness shall be deducted from any existing sick leave credits.

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- 5.9 Sick leave pay shall be at the same rate as annual vacation pay.
- 5.10 Sick leave pay will only be paid:
- (a) In the event of illness, and not accident or hospitalization. In the event of the illness of a child, spouse/partner, or parent, at the discretion of the Department Head, the production by the employee of reasonable evidence to substantiate the use of sick leave may be requested by the Township. In appropriate cases, this may include a request that the employee produce a medical certificate.
 - (b) If an employee is unable to attend at work as scheduled and they have notified the Immediate Supervisor or designate, failing that the CAO, or designate, not later than the employees scheduled starting time, providing details of the reasons for their absence from work and of the expected duration of the absence. (The employee may subsequently offer evidence of extenuating circumstances that explains the failure to provide notice as above.)
 - (c) In any event, no payments shall be made from sick leave credits for more than three (3) consecutive days at any one time.
 - (d) If the employee is not employed for gain by any person during their absence.
- 5.11 If an employee is required to be absent from work for one of the reasons for which “personal emergency leave” may be taken under s. 50 of the ESA, at a time when they could not yet have accumulated 2 days of sick leave credits (e.g., during their probationary period or during the first 4 months of a new calendar year), the employee will, nevertheless, be granted up to two days off with pay as per s. 50 of the ESA. Any paid time granted under this section will subsequently be deducted from the employee’s sick leave credits once they are earned. In no case will an employee be entitled to more than 6 paid days of combined personal emergency leave under this section and sick leave in a calendar year.
- 5.12 Section 5.11 will not apply if the reason for which the employee requires leave entitles them to paid bereavement leave under Part 10 of this by-law.
- 5.13 Any additional personal emergency leave days that an employee requires beyond those provided for under section 5.11, for which neither paid sick leave nor paid bereavement leave is available, will be granted as days of leave without pay. Employees are entitled to take a maximum of 10 days of combined personal emergency (paid and unpaid), sick and bereavement leave in a calendar year.
- 5.14 An employee is entitled to benefits under this by-law for an absence which falls on a Public or Designated holiday recognized by the Township. They shall not be entitled to, nor be paid for, both sick leave benefits and the Public or Designated holiday, on the day in question.
- 5.15 Time off during normal working hours may be paid from accrued sick leave credits for medical or dental appointments upon the approval of the Department Head. The employee must produce proof of appointment and a signed certificate following the appointment, to the Department Head, if requested.

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- 5.16 The Municipality shall not contribute to the payment of premiums for the Group Benefit package with an Insurance Provider, or other insurer as the case may be, when an employee is on lay-off, unauthorized or authorized leave of absence without pay for one (1) week or longer, long term disability, or unless otherwise approved by the CAO or designate. However, excepting when an employee is on lay-off, or an unauthorized leave of absence, said employee may continue to receive the employee benefits provided for in this By-law provided the employee pays one hundred percent (100%) of the required payment upfront and in advance of the service rendered.

Where an employee is on pregnancy and/or parental leave or Workers Compensation, the Municipality's contribution to benefits will be in accordance with the *ESA*, and any subsequent amendments and *WSIA*, and any subsequent amendments.

PART 6 PREGNANCY AND PARENTAL LEAVE

- 6.1 Pregnancy and Parental Leave shall be in accordance with the *ESA*, and any subsequent amendments.

PART 7 CANADA PENSION PLAN AND O.M.E.R.S.

- 7.1 In addition to the Canada Pension Plan, every employee, shall join the basic Ontario Municipal Employees Retirement System, (O.M.E.R.S.) Pension Plan, effective the date of commencement of employment unless they are already a contributing or retired member through another organization.
- 7.2 The Municipality and the employee shall make contributions to these plans in accordance with the Provincial Legislation and regulations thereto.

PART 8 HEALTH TAX

- 8.1 The Municipality shall pay an Employment Health Tax as per Provincial Legislation.

PART 9 JURY DUTY LEAVE

- 9.1 Employees who are required to serve as candidates for jury duty, jurors or subpoenaed witnesses shall be granted leave of absence for that purpose and shall be required to produce proof of such service. The employee shall notify their Supervisor or designate immediately of such call to jury duty.
- 9.2 If an employee is required to be on jury duty or a subpoenaed witness that is in relation to another place of employment or contract services that the employee is involved with, at the discretion of the Department Head, such jury duty and witness leave may not be paid to the employee.
- 9.3 An employee granted leave of absence pursuant to Section 9.1 or 9.2 shall be paid their regular rate of pay for such absence, provided,

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- (a) The employee reports for work when not actually required for the Court day, or if the employee is dismissed from Court they shall report for work if more than 2 hours remain in the employee's normal work day.
- (b) The employee deposits with the Township's Manager of Finance, the total amount received for serving as a juror or subpoenaed witness not including any allowance for expenses (including mileage).
- (c) The employee, on returning to duty, presents a certificate showing the period of such "service" and the amount of compensation received.

PART 10 **BEREAVEMENT LEAVE**

- 10.1 An employee shall be eligible for up to four (4) days leave of absence with pay, provided that such day consecutively follows regular workdays, to attend the funeral of a member of their immediate family, subject to approval by their immediate supervisor or designate.
- 10.2 Immediate family shall mean the employee's parent, spouse, common-law, same sex partner, child, brother, sister, mother-in-law, father-in-law, brother-in-law, sister-in-law, grandparent, grandparent-in-law, and grandchild; or a person to whom the employee is in loco parentis.
- 10.3 A paid leave of absence for up to one (1) working day will be granted for the purpose of attending the funeral of a member of the employee's family who is not considered "Immediate Family" or for a close friend, subject to approval by their immediate supervisor or designate.
- 10.4 The rate of pay for Section 10.1 and 10.3 shall be the same as the employee's regular rate of pay.
- 10.5 The Township shall be entitled to proof of death and relationship before bereavement leave is granted and payment is made.

PART 11 **HOURS OF WORK AND OVERTIME**

Roads Department Staff

- 11.1 The normal work period for all outside Roads Department employees, will be 40 hours, with the daily workday being from 7:00 a.m. to 3:30 p.m., Monday through Friday, with one 30 minute lunch break. During the summer season but not exceeding May 1st to October 1st, the Manager of Public Works may alter this normal daily work period to provide for four (4) – ten (10) hour days totalling 40 hours per week, or such other schedule deemed appropriate by the Manager of Public Works and pay and compensation shall be reflective of the length of the established and approved work day.
- 11.2 Permanent hourly paid employees shall be paid an overtime rate of one and one half (1 ½) times their regular rate for time worked in excess of a forty (40) hour work week, except Sundays, for which an overtime rate of two (2) times their regular rate will be paid, and, except when such overtime occurs on a Public or Designated holiday, which

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rate shall be set out under Section 3.5 in this By-law.

- 11.3 Subject to Section 11.5, all Roads Department employees will accept reasonable requests for after hour emergency work required to ensure the continued delivery of essential public services, as determined by the Roads Supervisor and/or their designate, with overtime to be paid on eligible hours worked.
- 11.4 The Township, at the discretion of the Roads Supervisor and/or their designate, will have the right to send any or all employees home after they have worked an eight (8) hour day. This eight (8) hour period could include hours prior to 7:00 a.m.
- 11.5 Instead of being paid overtime, an employee may, with the consent of the employer, choose to take time off equivalent to 1 ½ times the regular rate, which is earned. The time off will be taken at a time mutually convenient for the Corporation and the employee concerned. It is understood that lieu time is capped at sixty (60) hours annually.
- 11.6 The Township, at the discretion of the Manager of Public Works and/or designate, will have the right to schedule the hours of work, including but not limited to, rotating shifts for Roads Department staff, a winter patrol person and weekend stand-by staff during summer.
- 11.7 The Roads Department employees will be required to perform on-call and/or stand-by duty on a weekly basis, in accordance with Department needs and other employment policies such as the Stand-by Policy.
- 11.8 Prior to an employee's shift, employees designated for on-call duty who are unable to perform such duties because of illness, shall notify their Supervisor or designate immediately.
- 11.9 Employees on-call shall be allowed to secure additional help in order to service an emergency call-out if the job requires more than one (1) employee.
- 11.10 Subject to Section 11.5, noted above, employees designated for on-call duty, will be paid when called out at the rate of one and one-half (1 ½) times their current hourly rate of pay when in excess of forty (40) hours per week. In addition, the employee may be allowed to take home a Township vehicle, to be used for Township purposes only.
- 11.11 When an employee is called in for emergency overtime work outside of their normal working hours, they shall be provided with a minimum payment of three (3) hours at the appropriate premium rate or the actual time worked at the appropriate premium rate, whichever is greater. No additional payment will be made for more than one (1) call-out during the three (3) hour period. When the employee has completed their call-out work, they will be allowed to return to their home, provided they have checked to ensure that additional calls have not been received.
- 11.12 Call-out provisions shall not apply when overtime is a direct extension of a working day.

Parks Staff

- 11.13 The normal work period will be forty (40) hours with the daily workday being from eight (8) hours, with one 30 minute lunch break, or as scheduled by the Supervisor. The

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Manager of Parks and Recreation ultimately sets and approves the work schedule each pay period and will require that all days be covered by staff.

- 11.14 Notwithstanding Section 11.13, a Parks employee's hours may be adjusted by the Manager of Parks and Recreation or designate as required based on Department needs and/or weather conditions.

Should a ten (10) hour workday schedule be established by the Manager of Parks and Recreation or designate for the operation and maintenance of Township parks and facilities, an employee may be required to work up to eight (8) ten (10) hour days in a row with two (2) ten (10) hour days off during the two week pay period, or another schedule as deemed appropriate. The Parks & Recreation Department employee's hours of work may be averaged over a period of not more than four weeks for the purpose of determining the employee's entitlement, if any, to overtime pay.

- 11.15 Parks staff may be assigned to duties with the Roads Department from time to time at the discretion of the Manager of Parks and Recreation or designate.
- 11.16 Parks employees will accept requests for after hour emergency work that is necessary to ensure the continued delivery of essential public services, as determined by the Manager of Parks and Recreation or designate, with overtime to be taken as time off at a rate of one and one half (1 ½) hours for each hour worked. Such time off shall be taken as approved by the Manager of Parks and Recreation or designate.
- 11.17 Section 11.11 and 11.12 shall apply to Parks employees when an employee is called in for emergency overtime work outside of their normal working hours, they shall be provided with a minimum payment of three (3) hours at the appropriate premium rate or the actual time worked at the appropriate premium rate, whichever is greater. No additional payment will be made for more than one (1) call-out during the three (3) hour period. When the employee has completed their call-out work, they will be allowed to return to their home, provided they have checked to ensure that additional calls have not been received. However, call-out provisions shall not apply when overtime is a direct extension of a working day.

Recreation Centre Staff

- 11.18 The regular work week for employees at the Essa Recreation Centres in Angus and Thornton will consist of forty (40) hours exclusive of one half (½) hour for lunch during each shift, subject to the requirements of the Department. Said working hours may be scheduled as a day or evening shift Monday through Sunday with two (2) consecutive days off per week and at least one (1) complete weekend off in four (4) or as otherwise determined by the Supervisor and/or the Manager of Parks and Recreation.

Should a ten (10) hour workday schedule be established by the Manager of Parks and Recreation, an employee may be required to work up to five (5) ten hour days in a row with three (3) ten hour days off during the two week rotating shift pay period or another schedule as determined as appropriate by the Manager of Parks and Recreation. The Parks and Recreation Department employee's hours of work may be averaged over a period of not more than four weeks for the purpose of determining the employee's entitlement, if any, to overtime pay.

- 11.19 There may be two (2) paid break periods allowed each shift, one in the first half and one in the second half of the shift, subject to the understanding that such break periods will not unduly interfere with the efficient operation of the Corporation, or as required by the ESA.
- 11.20 Instead of being paid overtime, an employee may, with the consent of the employer, choose to take time off equivalent to 1 ½ times the regular rate, which is earned. The time off will be taken at a time mutually convenient for the Corporation and the employee concerned. It is understood that lieu time is capped at sixty (60) hours annually.
- 11.21 Notwithstanding Section 11.18, during the period that there is no ice surface, Recreation Centre employees may be required to work at parks and road operations, and as such will be subject to the hours set out in other Departments.
- 11.22 Where an employee is called in to work overtime outside their normal working hours, Sections 11.11, 11.12 and 11.20 shall apply.

Administrative Centre Staff and Other Staff

- 11.23 The normal work period will be a thirty-five (35) hour week with the daily workday being 8:30 a.m. to 4:30 p.m., Monday through Friday, or as agreed to or scheduled by their supervisor provided that each Administrative employee works seventy (70) hours within a pay period.
- 11.24 Overtime for non-management employees shall be one and one half (1½) hours off for each hour worked in excess of regular hours or as specified in the job description, in lieu of financial remuneration.
- 11.25 All overtime for non-management must be approved by the Department Head and/or the CAO, prior to the commencement of overtime. Time off, in lieu of overtime, shall be arranged between the employee and their Department Head, at a time suitable to the Department Head.
- 11.26 Management positions shall, in lieu of receiving monetary remuneration for overtime, receive five (5) working days off in lieu of overtime worked in each anniversary year, equal to 35 hours for a 35 hour a week employee and equal to 40 hours for a 40 hour a week employee, subject to the approval of the CAO.
- 11.27 Two (2) extra floater days, equal to 14 hours for a 35 hour a week employee and equal to 16 hours for a 40 hour a week employee, may be given in lieu of overtime to Department Heads for attending Council and Budget Meetings, and that they must attend, at the least, 75% of the meetings, subject to CAO approval.

PART 12 RIGHT TO DISCONNECT

- 12.1 Definition of Right to Disconnect
Employees have the right to disconnect from their job and any work-related tasks or communication outside of working hours, without fear of reprisal. Employees can and should stop performing their job duties and work-related tasks when they are not expected to work, this includes management, supervisors and all staff except when on

duty or on an on-call shift.

12.2 Provisions

The Township understands that an employee's time outside working hours is meant for employees to recharge and spend time as they wish.

Managers, staff, and co-workers must be respectful of other's right to disconnect and should not expect employees/co-workers to respond, communicate or complete work when not working.

Employees are required to work in accordance with the hours set out in this by-law which may be further specified in an employment contract and the job description. The Township understand that employees may want or need to work outside of their normal hours to meet a time-sensitive deadline, to attend to an urgent matter, or due to unforeseen circumstances, however, employees should not regularly or frequently work outside their scheduled hours to complete or catch up on work.

All staff must understand that they:

- (a) can and should stop performing their job duties and work-related tasks when they are not expected to work;
- (b) are not required to take work home with them to complete outside of regular working hours;
- (c) are not expected or required to respond to work-related communication outside their regular working hours; and
- (d) will not be penalized for not communicating outside of regular working hours.

All staff has a responsibility to:

- (a) Meet with and speak to their supervisor/manager to evaluate the current workload, priorities and due dates at least on an annual basis or sooner if they cannot manage their workload.
- (b) Not feel obligated to send or respond to messages when not working (unless an emergency).
- (c) Not expect a response to emails or messages when an employee is away from work.
- (d) Activate out of office messaging to inform others of their absence. (i.e., set status to away/out of office/do not disturb/offline when not working)
- (e) Utilize employee-shared workplace calendars so that others know of absences.
- (f) Avoid using work email for un-related communication so as to avoid having to log on to work email/devices when scheduled to be off/away from work.
- (g) Utilize and follow an on-call work schedule so that all employees are able to take a turn to fully disconnect from their work so as to avoid stress and other mental health issues.

12.3 Enforcement

Failure to comply with these policies or any part of this overall Employee By-law will result in discipline in accordance with the municipality's Disciplinary Procedures: Performance and Behaviour Improvement Policy, based on a progressive approach to discipline.

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PART 13 **REST PERIODS**

- 13.1 All employees will be allowed two (2) paid fifteen (15) minute rest periods per day as required by the *ESA*, as scheduled by their supervisor.
- 13.2 All employees, except those noted in Sections 11.1, 11.14 and 11.19, shall be given a sixty (60) minute unpaid meal period which, except under emergency conditions, shall be continuous and uninterrupted, as scheduled by their Supervisor.
- 13.3 Employees as noted in Section 11.1, 11.14 and 11.19 shall be given a thirty (30) minute, unpaid meal period which, except under emergency conditions, shall be continuous and uninterrupted, as scheduled by their Supervisor.
- 13.4 Roads and Parks employees are required to take their lunch breaks and fifteen (15) minute rest periods at the workplace or worksites unless alternate arrangements have been authorized by the Supervisor or designate.

PART 14 **MISCELLANEOUS**

Continuing Education

- 14.1 All permanent employees are encouraged to take courses of instruction or training directly related to the employee's job.
- 14.2 An employee may enrol in a course of training providing that:
 - (a) The Township's gross cost involves only tuition and/or registration, examination, books and/or course materials, transportation, accommodation and meals.
 - (b) If time off is necessary to attend said course, it must be approved by the employee's Department Head and the CAO and necessary funding is included in the approved operating budget.
 - (c) Overtime compensation shall not apply when an employee attends a conference, seminar or training session paid by the Corporation.
- 14.3 The eligible employee shall be reimbursed on the following basis:
 - (a) Tuition and/or registration upon supplying the Township's CAO with satisfactory proof of successfully completing the course. In courses where no examinations are held, upon the eligible employee supplying the Township's CAO with satisfactory proof that they attended at least 80% of the total lectures;
 - (b) Examination fees and other similar fees, upon presentation of receipts to the Township's CAO;
 - (c) Books and course materials, upon presentation of receipts to the Township's CAO;
 - (d) Transportation, accommodation and meals, upon presentation of receipts to the Township's CAO.
- 14.4 When an eligible employee attends an education or training course of which the gross Township cost, excluding salary, exceeds \$250.00, the employee shall agree to remain an employee of the Township for a period of one (1) year following the completion of the

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course, or the employee shall reimburse the Township at the rate of ten percent (10%) of the total Township costs for each month of the year for which the requirement was not fulfilled to a maximum of the total gross Township costs.

Related Associations

14.5 Department Heads are encouraged to join and participate in an Association directly related to their position upon receiving budget approval, and approval of the Department Head and the CAO.

Department Heads will be permitted to attend regularly scheduled meetings of the Association without Council's permission, providing the meetings are not held more often than once bi-monthly. Subject to CAO approval.

Attendance Record

14.6 As soon as reasonable in each calendar year, the Township will provide an employee with a written statement of attendance.

Leave of Absence

14.7 Leave of absence other than as provided in this By-law is discouraged, but the CAO retains the discretion to grant a leave of absence without pay for any period, for any justifiable reason, upon written request from a Corporation employee.

14.8 Unless otherwise provided, all requests for leave, shall be in writing and shall be approved by the Department Head and submitted to the CAO's office. All requests for leave shall be made as soon as reasonably possible.

14.9 Leave of absence other than pursuant to this By-law may result in disciplinary action that may or may not be limited to dismissal or suspension or forfeiture of pay.

Mileage

14.10 Employees using privately owned vehicles on Township business shall be paid at a rate established by Council from time to time subject to approval of use of their vehicle by their Supervisor.

Benefits where a premium is paid

14.11 Benefits for which a premium is paid for by the Corporation shall be included under a separate By-law.

Notice of Resignation

14.12 (a) All employees, save and except Department Heads, shall submit in writing to their Department Heads, a notice of resignation of employment at least ten (10) working days prior to the last working day.

(b) Department Heads shall submit in writing to the CAO, a notice of resignation of employment twenty (20) working days prior to the last working day.

Emergency Closing of Administration Centre or other Municipal Buildings

14.13 If an emergency condition affecting the Administration Centre or other Municipal Buildings occurs during normal office hours, the CAO has the authority to send employees home and take whatever other action they feel necessary to rectify the emergency, including assigning such employees to work at other facilities.

Retirement Gift

14.14 A permanent employee who meets the Ontario Municipal Employees Retirement System criteria for early retirement shall be entitled to receive a gift valued at \$10.00 for every year of service to a maximum of \$200.00.

Retirement Allowance for Extended Health Care – Drug

14.15 Premiums for extended health care coverage shall be continued to be paid for employees who meet the Ontario Municipal Employees Retirement System criteria for early retirement to a maximum of five (5) years or to age sixty-five, whichever comes first, based on years of service as follows:

- Five (5) years of service – one (1) year paid benefits
- Ten (10) years of service – two (2) years paid benefits
- Fifteen (15) years of service – three (3) years paid benefits
- Twenty (20) years of service – four (4) years paid benefits
- Twenty-five (25) years of service – five (5) years paid benefits

Purchase of Extended Health Care – Drug until Age 65

14.16 Notwithstanding Section 14.15 above, employees of the Township of Essa (and those employees who retired after January 1, 2015), with 20 or more years of service may purchase premiums for extended health care – drug once the Retirement Allowance for Extended Health Care – Drug (Section 14.15) has expired and the employee has not reached the age of 65. The cost to purchase these benefits will be borne 100% by the employee.

Extension of Benefits at Age 65

14.17 Premiums for extended health and dental care coverage (excluding life insurance and long-term disability coverage) shall be continued to be paid for employees working full time who choose to work past sixty-five (65) years of age, on the understanding that the Ontario Drug Benefit (ODB) for Senior Citizens plan is the first payer for all eligible drug claims. The Township of Essa's Health Care Coverage Provider shall not pay for the costs of services or supplies payable or available under any government-sponsored plan or program, except as described under *Integration with Government Programs*. Extended Health and Dental benefits shall terminate at the maximum age of seventy-five (75). The Township of Essa reserves the right to change or terminate the coverage at any time.

Probationary Period

14.18 In order to give the Township time to determine whether the working environment is satisfactory, and for the Township to determine suitability for the job, a probationary period as set forth in Part 1, Section 1.1, (f) (i) and (ii), has been established, within which either the Township or the Probationary Employee may terminate the employment without cause, by giving two (2) week's notice in writing or pay in lieu of notice, in accordance with the *ESA*.

Notwithstanding the foregoing, the Township may extend the probation period with notice, or terminate the employment at any time during the probationary period without notice, or payment in lieu of notice, where cause exists.

Layoffs

14.19 Provided the employee has the necessary qualifications and ability, layoff shall be in the reverse order of seniority.

Recall Procedure

14.20 Employees shall be recalled in the order of their seniority, provided they have the qualifications and ability to perform the work.

Should any Section, subsection, clause, paragraph or provision of this By-law be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the By-law as a whole or any part thereof, other than the provisions so declared to be invalid.

15. That By-law No. 2020-30 is hereby repealed.

16. That this By-law shall come into force and take effect on the day of final passing thereof.

READ A FIRST, AND TAKEN AS READ A SECOND AND THIRD TIME AND FINALLY PASSED on this the 1st day of June, 2022.

Sandie Macdonald, Mayor

Lisa Lehr, Clerk

THE CORPORATION OF THE TOWNSHIP OF ESSA

BY-LAW 2022-34

Being a By-law to provide for the adoption of tax rates for 2022.

WHEREAS the *Municipal Act*, S.O. 2001, Chapter 25 provides that the Council of the local Municipality shall in each year prepare and adopt estimates of all sums required during the year on all rateable property in the local municipality; and

WHEREAS the *Municipal Act*, S.O. 2001, Chapter 25 provides that the Council of the local Municipality shall in each year pass a by-law levying a separate tax rate, as specified in the by-law, on the assessment in each property class in the local municipality rateable for local municipality purposes; and

WHEREAS The *Municipal Act*, S.O. 2001, Chapter 25 Sections 308(2)(5), provides that a set of tax ratios shall be established for every municipality and that the County of Simcoe By-law No. 6952 passed on April 12, 2022, established these tax ratios; and

WHEREAS the *Assessment Act*, R.S.O. 1990, Chapter A.31, as amended, establishes the classes of real property and methods of assessment, as well as provides for alterations to the Collector's Roll; and

WHEREAS the Council of the Township of Essa has reviewed the estimates required for all purposes for the year 2021 and has held special meetings for budget discussions on December 1, 2021 and December 15, 2021, as advertised to the public, pursuant to section 291 of the *Municipal Act*, S.O. 2001;

WHEREAS the *Municipal Act*, S.O. 2001, Chapter 25, Section 329, as amended, contains the rules governing the mandatory 5% (five percent) limit on CVA-related tax increases for commercial, industrial and multi-residential properties; and

WHEREAS the *Municipal Act*, S.O. 2001, Chapter 25, Section 329.1 as amended, may modify the provisions and limits set out in Section 329 and within the meaning of Section 331 of the Act, as established and approved by the Upper Tier to govern all Lower Tier municipalities and that the County of Simcoe By-law No.6952 passed on April 12,2022, establishes these limits; and

WHEREAS the *Municipal Act*, S.O. 2001, Chapter 25, Section 391 as amended, permits the imposition of fees or charges on persons for services provided or done by or on behalf of any other municipality; and

WHEREAS the *Municipal Act*, S.O. 2001, Chapter 25, Section 398(1) (2) as amended, permits that fees or charges constitute a debt of the person to the municipality and that such amount owing can be added to the Tax Roll and collected in same manner as municipal taxes; and

WHEREAS County of Simcoe By-law No. 6952 passed on April 12, 2022, established tax rates for County purposes for the year 2022; and

WHEREAS Section 257.12.1(b) of the *Education Act*, R.S.O. 1990, c.E.2 as amended, provides for the Minister of Finance to make regulations prescribing tax rates for school purposes, as established in Ontario Regulations;

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

1. The 2022 levy for Township purposes, levy is hereby set at \$8,389,825.00
2. The 2022 estimate for Simcoe County purposes, including Simcoe County Waste Management costs, is hereby set at \$9,865,194.00
3. The 2022 estimate for Education purposes is hereby set at \$6,035,529.00
4. The following tax rates expressed as a percentage are hereby adopted to be applied against the whole of the assessment for real property for municipal purposes:

| <u>TAX CLASS</u> | <u>TAX RATE</u> |
|-----------------------|-----------------|
| Residential | 0.237304% |
| Multi-Residential | 0.237304% |
| Commercial - occupied | 0.290056% |
| - vacant | 0.290056% |
| Small Scale On-Farm | 0.072514% |
| Pipelines | 0.307688% |
| Farm | 0.059326% |
| Managed Forests | 0.059326% |
| Industrial - occupied | 0.282985% |
| - vacant | 0.282985% |
| Small Scale On-Farm | 0.072514% |

5. The following tax rates expressed as a percentage are hereby adopted to be applied against the whole of the assessment for real property for Simcoe County purposes, including Simcoe County Waste Management:

| <u>TAX CLASS</u> | <u>TAX RATE</u> |
|-----------------------|-----------------|
| Residential | 0.279034% |
| Multi-Residential | 0.279034% |
| Commercial - occupied | 0.341063% |
| - vacant | 0.341063% |
| Small Scale On-Farm | 0.085266% |
| Pipelines | 0.361795% |
| Farm | 0.069759% |
| Managed Forests | 0.069759% |
| Industrial - occupied | 0.332748% |
| - vacant | 0.332748% |
| Small Scale On-Farm | 0.085266% |

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6. The following tax rates expressed as a percentage are hereby adopted to be applied against the whole of the assessment for real property for School purposes:

| <u>TAX CLASS</u> | <u>TAX RATE</u> |
|-----------------------|-----------------|
| Residential | 0.153000% |
| Multi-Residential | 0.153000% |
| Commercial - occupied | 0.880000% |
| - vacant | 0.880000% |
| Small Scale On-Farm | 0.220000% |
| Pipelines | 0.880000% |
| Farm | 0.038250% |
| Managed Forests | 0.038250% |
| Industrial - occupied | 0.880000% |
| - vacant | 0.880000% |
| Small Scale On-Farm | 0.220000% |

7. The taxes on railway rights of way (ROW) for 2021 is due to the Township in accordance with the prescribed rates as established by the Minister of Finance pursuant to section 315 of the *Municipal Act*, S.O. 2001, as amended, and the ROW taxes due shall be based on the assessment roll and the tax rates for the year.
8. The collector shall mail or cause the same to be mailed, not later than 21 days prior to the date the first instalment is due, to the residence or place of business of such person indicated on the last revised assessment roll, a written or printed notice specifying the amount of taxes payable, the date by which it is to be paid and the penalty charge imposed for late payment.
9. The date(s) for payment of taxes levied under the authority of this By-law shall be as follows:
- Due date of First Final Instalment
Three banking days before the last banking day of September
- Due date of Second Final Instalment
Three banking days before the last banking day of November
10. That the taxes shall be payable to the Corporation on or before the due date and shall be payable at the Municipal Office, or at the Banks of Nova Scotia in Angus and Alliston, or at the Royal Bank of Canada in Cookstown, or at the Toronto-Dominion Bank in Alliston. Payments made at the above Bank branches shall be deemed to be paid to the Corporation on the date the Township receives the payment. The resident (or presenter of the bill) will be responsible to pay any applicable service charge to the financial institution accepting the payment. Electronic Fund Transfers (EFT) are available through a Pre-Authorized Payment Plan with the Township and Telephone EFT with various Financial Institutions. In addition, payment can be left after hours at the Municipal Office drop box on the lower level, side entrance.

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11. That the Treasurer of the Corporation shall add to the amount of all taxes due and unpaid and levied under the authority of this By-law, a penalty charge equal to one and one-quarter (1.25%) per cent of such amount on the first day of the calendar month following the due date, and on the first day of each calendar month thereafter in which default continues. After the end of the year in which the taxes are levied and are unpaid, statutory interest of one and one-quarter (1.25%) per cent per month will apply.
12. That the Treasurer and/or designate, are hereby authorized to accept part payment from time to time on account of any such taxes that are due and to give a receipt for such part payment, provided that acceptance of any such part payment shall not affect the collection of any penalty charges imposed and collectable in respect of non-payment of the taxes or any installment thereof, and that such part-payment is applied first against the principal taxes owing.
13. That there be imposed a handling fee of \$30.00 for any returned cheques.
14. This By-law shall come into force and take effect on the date it is finally passed.

READ A FIRST, AND TAKEN AS READ A SECOND AND THIRD TIME AND FINALLY PASSED on this the 1st day of June 2022.

Sandie Macdonald, Mayor

Lisa Lehr, Manager of Legislative Services

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THE CORPORATION OF THE TOWNSHIP OF ESSA

BY-LAW 2022 – 35

Being a By-law to confirm the proceedings of the Council meeting held on the 1st day of June, 2022.

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 18th day of May, 2022 and, in respect of each recommendation contained in the Minutes of the Regular Council meeting held on the 18th day of May, 2022 and the Committee of the Whole meeting held on the 18th day of May, 2022; 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 1st day of June, 2022.

Sandie Macdonald, Mayor

Lisa Lehr, Manager of Legislative Services