

**THE CORPORATION OF THE TOWNSHIP OF ESSA
REGULAR COUNCIL MEETING
WEDNESDAY, APRIL 17, 2024
(To follow Committee of the Whole)**

AGENDA

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

- 1. OPENING OF MEETING BY THE MAYOR**
- 2. DISCLOSURE OF PECUNIARY INTEREST**
- 3. ADOPTION OF PREVIOUS MINUTES AND MOTIONS**

*Recommendation: **BE IT RESOLVED THAT** the motions duly passed and approved at the Committee of the Whole meeting of this date be approved; and*
p. 1 ***THAT** the minutes of the Committee of the Whole, Regular Council and Closed Session meetings held on the 3rd day of April, 2024 be adopted as circulated.*

- 4. CONSENT AGENDA**

*Recommendation: **BE IT RESOLVED THAT** the items listed in the Consent Agenda dated April 17, 2024, be received for information.*

- 5. COMMITTEE REPORTS**
- 6. PETITIONS**
- 7. MOTIONS AND NOTICES OF MOTIONS**
- 8. UNFINISHED BUSINESS**

- 9. BY-LAWS**

- p. 13 a. **By-law 2024-23 – A By-law to amend Essa’s Zoning By-law 2003-50.**

Recommendation: Be it resolved that By-laws 2024-23 be read a first, and taken as read a second and third time and finally passed.

- 10. QUESTIONS**

11. CLOSED SESSION

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

- a. **Confidential Staff Report CAO009-24, re: Staffing**
- **Personal Matters About an Identifiable Individual [s.239(2)(b)]**
 - **Labour Relations or Employee Negotiations [s.239(2)(d)]**

Motion to Rise and Report from Closed Session Meeting of April 17, 2024.

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

12. CONFIRMATION BY-LAW

- p. 16 a. **By-law 2024-24**

Recommendation: **BE IT RESOLVED THAT** leave be granted to introduce By-law 2024-24, that being a By-law to confirm the proceedings of the Committee of the Whole, Closed and Council meetings held on this 17th day of April, 2024; and, that said By-law be read a first, and taken as read a second and third time and finally passed.

13. ADJOURNMENT

Recommendation: **BE IT RESOLVED THAT** this meeting of Council of the Township of Essa adjourn at _____ p.m. to meet again on the 1st day of May, 2024 at 6:00 p.m.

THE CORPORATION OF THE TOWNSHIP OF ESSA
COMMITTEE OF THE WHOLE MEETING
WEDNESDAY, APRIL 3, 2024

MINUTES

A Committee of the Whole meeting was held in person on Wednesday April 3, 2024, in the Council Chambers of the Administration Centre, Township of Essa.

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

Staff in attendance: M. Mikael, Manager of Public Works/Interim CAO
C. Rankin, Manager of Parks and Recreation
S. Haniff, Manager of Planning
P. Granes, Chief Building Official
L. Lehr, Manager of Legislative Services

Guests in attendance: Brian Saunderson, MPP Simcoe-Grey

1. OPENING OF MEETING BY THE MAYOR

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

The Township of Essa acknowledges that we are situated on land within the area of Treaty 18, also known as the Lake Simcoe-Nottawasaga Treaty, signed on October 17, 1818 between the Government of Upper Canada and the Anishinaabe Indigenous peoples. The Anishinaabe include the Ojibwe, Odawa and Pottawatomi Nations collectively known as the Three Fires Confederacy. We are dedicated to 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

None.

3. DELEGATIONS / PRESENTATIONS / PUBLIC MEETINGS

- a. **Delegation – Brian Saunderson, MPP Simcoe-Grey**
Re: Provincial Updates for Simcoe-Grey and Essa Township.

Brian Saunderson, MPP Simcoe-Grey was in attendance to provide Council with an overview on the provincial budget, and its impact on municipalities in Ontario. He reviewed the many challenges faced by the province and Ontario municipalities, and provided a breakdown and explanation of the focus areas for the current budget.

STAFF REPORTS**4. PLANNING AND DEVELOPMENT / BUILDING**

- a. **Staff Report PD006-24 submitted by the Manager of Planning and the Development Planner, re: Proposed Zoning By-law Amendment Z1-24 (Housekeeping).**

MOTION DIVIDED:

Resolution No: CW029-2024 Moved by: Smith Seconded by: Kiezebrink

BE IT RESOLVED THAT Staff Report PD006-24 be received; and
THAT Council consider approving an amendment to the Township's Zoning By-law (2003-50) related to the following items:

- 1) *To amend 'Section 3: Definitions' to add a new definition for "Boarding or Rooming House". A Boarding or Rooming House shall mean a dwelling in which lodging is provided for between 5-8 tenants but shall not include a group home, hotel, motel, children's home, or a bed and breakfast establishment, or other similar establishments. The term 'Boarding or Rooming House' will also be removed from two existing definitions and added to the relevant permitted uses sections of the Zoning Bylaw;*
- 2) *To amend 'Section 3: Definitions' to redefine the term "Group Home". A Group Home shall mean a building or buildings licensed or approved under Provincial Statute, in which no fewer than 3 people, but no more than 8 people, not including staff or other family members, live as a single housekeeping unit under responsible supervision consistent with the requirements of its residents;*
- 3) *To amend 'Section 4.38.1b)' to update the number of ARUs permitted on a lot to be in compliance with Planning Act changes (Section 35.1 (1) (2));*
- 4) ***Item voted on separately***
- 5) *To amend 'Section 4.38.1' to add a provision to Section 4.38.1 to make an unobstructed path a general provision. This is in keeping with Emergency width/height requirements;*
- 6) *To amend 'Section 4.38.1g)' to update the provision and to make more explicit that 'Full Municipal Servicing' will mean both municipal water supply and municipal sanitary sewers;*
- 7) *To amend 'Section 4.38.1l)' to state that home occupations shall not be located within ARUs attached to a primary dwelling;*
- 8) *To amend 'Section 4.38.1' to add a provision that states that all provisions of the respective zone are complied with;*
- 9) *To amend Section 4.38.3a) to introduce 'the lessor of 139 square metres or 50% of the gross floor area of the principal dwelling unit in Agricultural and Rural zones';*
- 10) *To amend 'Section 3 – Definitions' to add the term 'Carriage House'. A Carriage House shall mean a building that consists of a garage and an Additional Residential Unit that are separated horizontally between two (2) storeys. The Additional Residential Unit is completely independent of the*

garage and has a separate entrance. Additionally, to amend Section 4.38.3b) on ARU height requirements to include the following: "An Additional Residential Unit may exceed this if it is located within a Carriage House and shall not exceed 7.5 metres in height";

- 11) To amend 'Section 4.38.3' to add a provision to preventing ARUs from being considered 'surplus' to farming operations and/or being severed;
- 12) To amend 'Section 5.3' by removing a maximum size of a lot in which accessory building floor areas are regulated in Agricultural and Rural zones, and to add a provision that the minimum distance from the main building for an accessory building/structure in Agricultural and Rural zones is 3.0 metres; and
- 13) To amend 'Section 11.4.11' to add the provision that a minimum front yard setback of 5.0 meters shall be provided.

----Carried----

The following para from the motion was voted on separately:

- 4) To amend 'Section 4.38.1d)' to update the parking requirements for ARUs to be in compliance with the Planning Act changes (Section 35.1 (1.1));

Resolution No: CW030-2024 Moved by: Smith Seconded by: Sander

BE IT RESOLVED THAT Council's consideration of the amendment contained in para 4 be deferred; and

THAT Staff be directed to provide Council with a further Staff Report for their consideration of the amendment at a future meeting, and that a letter be drafted to the province outlining the serious concerns and impacts resulting from the parking requirements outlined in Section 35.1 (1.1) of the Planning Act that are faced by smaller municipalities with limited or no transit options.

----Carried----

5. PARKS AND RECREATION / COMMUNITY SERVICES

- a. Staff Report PR006-24 submitted by the Manager of Parks and Recreation, re: Award of Tender – Supply and Install Playground Equipment Cunningham Park & Earl Cunningham Park.

Resolution No: CW031-2024 Moved by: Sander Seconded by: Maltby

BE IT RESOLVED THAT Staff Report PR006-24 be received; and

THAT the quotation received from **Play Power Canada** be accepted in the amount of **\$225,358.00 (excluding HST)** as per Township specifications, contingent upon WSIB Clearance Certificate and a copy of Insurance being provided to the Municipality.

----Carried----

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- b. **Staff Report PR007-24 submitted by the Manager of Parks and Recreation, re: Emergency Repairs – Thornton Library Roof.**

Resolution No: CW032-2024 Moved by: Kiezebrink Seconded by: Maltby

BE IT RESOLVED THAT Staff Report PR007-24 be received; and **THAT** the quotation received from **Midhurst Roofing Ltd.** be accepted in the amount of **\$35,801.00 (excluding HST)** to proceed with the emergency roof repairs at the Thornton Library as per Township specifications, contingent upon WSIB Clearance Certificate and a copy of Insurance being provided to the Municipality.

----Carried----

6. **FIRE AND EMERGENCY SERVICES**

7. **PUBLIC WORKS**

- a. **Staff Report PW004-24 submitted by the Interim CAO/Manager of Public Works, re: Award of Tender – 2024 Dust Suppressant Application.**

Resolution No: CW033-2024 Moved by: Sander Seconded by: Smith

BE IT RESOLVED THAT Staff Report PW004-24 be received; and **THAT** the quotation as received from **Den-Mar Brines Ltd.** be accepted in the amount of **\$38,070 (excluding HST)**, to supply and place Calcium Chloride Dust Suppressant on the Township's gravel roads, 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 PW005-24 submitted by the Interim CAO/Manager of Public Works, re: Award of Tender – 2024 Street Sweeping.**

Resolution No: CW034-2024 Moved by: Kiezebrink Seconded by: Sander

BE IT RESOLVED THAT Staff Report PW005-24 be received; and **THAT** the quotation as received from **Glen's Sweeping Ltd.** for the 2024 Street Sweeping RFQ be accepted in the amount of **\$50,481.25 (excluding HST)** as per Township specifications, contingent upon WSIB Clearance Certificate and a copy of Insurance being provided to the Municipality; and **THAT** the Roads Supervisor be authorized to arrange for the necessary works to be completed.

----Carried----

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- c. **Staff Report PW006-24 submitted by the Interim CAO/Manager of Public Works, re: Award of Quotation – Line Paint & Traffic Calming Pavement Markings.**

Resolution No: CW035-2024 Moved by: Maltby Seconded by: Kiezebrink

BE IT RESOLVED THAT *Staff Report PW006-24 be received; and That the quotation as received from **Precision Markings Inc.** for Line Paint & Traffic Calming Pavement Markings be accepted in the amount of **\$20,609.00 (excluding HST)** contingent upon a WSIB Clearance Certificate and a copy of Insurance being provided to the Township, to the Township's satisfaction.*

----Carried----

8. **FINANCE**

9. **CLERKS / BY-LAW ENFORCEMENT / IT**

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

- a. **Staff Report CAO006-24 submitted by the Interim CAO/Manager of Public Works, re: Application for Housing-Enabling Water Systems Fund (HEWSF).**

Resolution No: CW036-2024 Moved by: Smith Seconded by: Sander

BE IT RESOLVED THAT *Staff Report CAO006-24 be received; and THAT Council support the submission of the provincial grant application under the **Housing-Enabling Water Systems Fund (HEWSF)** in the amount of **\$11,250,000 (including 25% contingency and 27% Municipal contribution)** to expand and upgrade the Angus water system to unlock development and additional capacity immediately for stalled development since 2022 to support the provincial housing target to build at least 1.5 million homes by 2031; and THAT Council commit to fund 27% (minimum municipal contribution) of the total funding required to complete the **Angus Water System Expansion and Upgrades** in the amount of **\$3,037,500** to unlock growth and allow for near-future attainable housing in Angus; and THAT Council direct Staff to prepare and present to Council a Municipal Housing Pledge to include a Housing Action Plan based on this Report.*

----Carried----

11. **OTHER BUSINESS**

- South Simcoe Streams Network (SSSN) is planning a Tree Planting event on May 25, 2024 at Bob Geddes Park in Angus.
- Seniors Connection – was well attended and greatly appreciated by the community.
- 100th Anniversary of the Royal Canadian Armed Forces – Council requested blue flood lights to light up the Administration Centre for the month of April.

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- NVCA Agricultural Subcommittee is arranging an event to provide clarity on recent changes made to the *Conservation Act*.
- VIMY Ridge Day falls on April 9, 2024. Mayor Macdonald reminded those attending to be there early for the service.

12. ADJOURNMENT

Resolution No: CW036-2024 Moved by:

Seconded by:

BE IT RESOLVED THAT this meeting of Committee of the Whole of the Township of Essa adjourn at 6:45 pm., to meet again on the 17th day of April, 2024 at 6:00 p.m.

---Carried---

Sandie Macdonald
Mayor

Lisa Lehr
Manager of Legislative Services

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THE CORPORATION OF THE TOWNSHIP OF ESSA
REGULAR COUNCIL MEETING
WEDNESDAY, APRIL 3, 2024

MINUTES

The Regular Meeting of Council was held in person on Wednesday April 3, 2024, following the Committee of the Whole in the Council Chambers of the Administration Centre, Township of Essa.

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

Staff in attendance: M. Mikael, Interim CAO/Manager of Public Works
C. Rankin, Manager of Parks and Recreation
S. Haniff, Manager of Planning
P. Granes, Chief Building Official
L. Lehr, Manager of Legislative Services

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

Mayor Macdonald opened the meeting at 6:45 p.m.

2. **DISCLOSURE OF PECUNIARY INTEREST**

None.

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

Resolution No: CR059-2024 Moved by: Maltby Seconded by: Sander

BE IT RESOLVED THAT the motions duly passed and approved at the Committee of the Whole meeting of this date be approved; and

THAT the minutes of the Public, Committee of the Whole, Regular Council and Closed Session meetings held on the 20th day of March, 2024 be adopted as circulated.

----Carried-----

4. **CONSENT AGENDA**

Resolution No: CR060-2024 Moved by: Smith Seconded by: Maltby

BE IT RESOLVED THAT the items listed in the Consent Agenda dated April 3, 2024, be received for information; and

That Item A7 be moved to section B of consent, for a letter of support to be drafted.

----Carried-----

5. COMMITTEE REPORTS

a. Minutes of the Essa Public Library Board

Resolution No: CR061-2024 Moved by: Smith Seconded by: Maltby

BE IT RESOLVED THAT the Minutes of the Essa Public Library Board from their meeting on February 26, 2024, be received.

----Carried----

6. PETITIONS

7. MOTIONS AND NOTICES OF MOTIONS

a. Proclamation – World Autism Awareness Day

Resolution No: CR062-2024 Moved by: Sander Seconded by: Kiezebrink

WHEREAS World Autism Awareness Day will be recognized on April 2 in Canada, thanks to Liberal Senator Jim Munson’s Bill S-206, An Act Respecting World Autism Awareness Day; and

WHEREAS Autism Spectrum Disorder (ASD) affects more than 135,000 Ontarians, and is now recognized as the most common neurological disorder affecting 1 in every 94 children, as well as their friends, family and community; and

WHEREAS ASD not only manifests itself differently in every individual in whom it appears, but its characteristics will change over the life of each individual as well. A child with ASD will become an adult with ASD; and

WHEREAS Autism Ontario (formerly Autism Society Ontario) is the leading source of information and referral on autism and one of the largest collective voices representing the autism community, and has been providing support, information and opportunities for thousands of families across the Province since 1973; and

WHEREAS Autism Ontario is dedicated to increasing public awareness about autism and the day-to-day issues faced by individuals with autism, their families, and the professionals with whom they interact, as well as sharing between the Association and its Chapters, the common goals of providing information and education, supporting research, and advocating for programs and services for the autism community;

NOW THEREFORE BE IT RESOLVED THAT Council of the Corporation of the Township of Essa hereby proclaims April 2 as World Autism Awareness Day.

----Carried----

b. Thornton Hydro Reserve Funds Expenditure

Resolution No: CR063-2024 Moved by: Sander Seconded by: Smith

WHEREAS the municipality contains a reserve fund entitled the Thornton Hydro Reserve, which was originally created for the disbursement of proceeds from the sale of the Thornton Utility; and

WHEREAS Council wishes to disburse \$6,500 for flags and hardware to be installed on Thornton Avenue and Robert Street in Thornton; and

WHEREAS Council wishes to disburse \$3,000 to purchase a shed to store the aforementioned supplies and other items; and

WHEREAS Council has consulted with four citizens of Thornton who were originally involved in suggesting uses for the Thornton Hydro Reserve funds.

NOW THEREFORE BE IT RESOLVED that Council approves the expenditures so named herein, with funds to be disbursed from G/L account 02-80-002-060-3580 in the amount of \$9,500.

----Carried-----

c. Provincial Cemetery Management Support Request

Resolution No: CR064-2024 Moved by: Maltby Seconded by: Kiezebrink

WHEREAS under the Funeral, Burial and Cremation Services Act, 2002 (FBCSA), when a cemetery is declared abandoned by a judge of the Superior Court Justice, the local municipality within whose geographic boundaries the land of the cemetery is located, becomes the owner of the cemetery with all the rights and obligations in respect of the cemetery and the assets, trust funds and trust accounts related to it that the previous owner or operator possessed; and

WHEREAS over the last decade, there has been an increase in the number of churches and local cemetery boards initiating processes to transfer ownership or abandon their owned and operated cemeteries to the local municipality due to such issues as high maintenance costs, inaccuracy of records, lack of financial and human resources to effectively operate and maintain the cemetery, increased regulatory processes regarding training, selling of interment rights, financial operation of the care and maintenance fund, etc.; and

WHEREAS municipalities experience the same issues and pressures that churches and local boards experience with the operation and maintenance of cemeteries within its jurisdiction, and additional transfers of cemetery lands only compound the burden on municipal taxpayers; and

WHEREAS cemeteries are important infrastructure where the reasonable costs for interment rights, burials, monument foundations, corner stones and administration charges do not sufficiently support the general operation of cemeteries; and

WHEREAS the interest earned from the care and maintenance fund(s) of a cemetery do not provide adequate funding to maintain the cemetery with the rising costs of lawn and turf maintenance contracts and monument restoration;

NOW THEREFORE BE IT RESOLVED that Council of the Township of Essa requests that the Province through the Ministry of Public and Business Service Delivery and the Bereavement Authority of Ontario (BAO) consider the following to assist municipalities in this growing concern of cemetery transfers:

- Amending the Funeral, Burial and Cremation Services Act, 2002 (FBCSA), to have the Province, through the BAO, identified as the default owner and operator of a cemetery when it is abandoned;
- Provide annual funding (based on the number of cemeteries a municipality owns and operates) to municipalities to assist with the maintenance of inactive and active cemeteries;
- Provide free training opportunities for municipalities regarding cemetery administration; and,
- Investigate and support the design of universal cemetery software for use by municipal cemetery operators that can be offered at an affordable cost;

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And

That this resolution be circulated to the Honourable Todd McCarthy – Minister of Public and Business Service Delivery, Jim Cassimatis – BAO Interim CEO/Registrar, and Brian Saunderson – MPP Simcoe-Grey, and all Ontario municipalities..

----Carried-----

d. Rideshare Services

Resolution No: CR065-2024 Moved by: Smith Seconded by: Kiezebrink

WHEREAS at its meeting of March 20, 2024, Council of the Township of Essa received correspondence from the Municipality of Brighton, the correspondence of which outlined challenges related to limited access to transportation, and the pressing need for a ride-sharing service to address transportation gaps within rural communities; and **WHEREAS** Rideshare services are increasingly relied upon by seniors, students, visitors and tourists, and residents looking for safe, affordable, convenient, and reliable ways to travel; and

WHEREAS the standardization and consistency of regulations across municipalities, particularly in Ontario, can improve the efficiency and effectiveness of the regulatory framework; and

WHEREAS transferring the responsibility of ride-share regulations and licensing to the provincial level would contribute to a more streamlined and uniform governance structure, while eliminating associated red tape and unnecessary administrative costs; **THEREFORE** Be It Resolved that the Municipality of Essa Council hereby expresses its support for the migration of ride-share regulations and licensing from the municipal level to the provincial level;

BE IT FURTHER RESOLVED that the Municipality of Essa Council formally requests the Government of Ontario to initiate the transfer of responsibilities in the interest of creating a more coherent and standardized regulatory framework for ride-sharing services across the province;

BE IT FURTHER RESOLVED that copies of this motion be distributed to the Honourable Doug Ford – Premier of Ontario, the Honourable Prabmeet Sarkaria – Minister of Transportation, the Honourable Paul Calandra – Minister of Municipal Affairs and Housing, Brian Saunderson – MPP Simcoe-Grey, and, the Association of Municipalities of Ontario (AMO).

----Carried-----

8. UNFINISHED BUSINESS

9. BY-LAWS

- a. **By-law 2024-20 – A By-law to amend Essa’s Property Standards By-law.**
- b. **By-law 2024-21 – A By-law to Appoint Michael Mikael as CAO**

Resolution No: CR066-2024 Moved by: Smith Seconded by: Sander

Be it resolved that By-laws 2024-20 and 2024-21 be read a first, and taken as read a second and third time and finally passed.

----Carried-----

10. **QUESTIONS**

11. **CLOSED SESSION**

Resolution No: CR067-2024 Moved by: Kiezebrink Seconded by: Maltby

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

- a. Confidential Staff Report CAO007-24, re: Land Acquisition
- Acquisition or Disposition of Land [s.239(2)(c)]
 - Plans and Instructions for Negotiation [s.239(2)(k)]

----Carried-----

Council proceeded into Closed Session deliberations at 6:57 p.m.

Motion to Rise and Report from Closed Session Meeting of April 3, 2024.

Resolution No: CR068-2024 Moved by: Maltby Seconded by: Smith

BE IT RESOLVED THAT Council rise and report from the Closed Session Meeting at 7:08 p.m.

----Carried-----

Council passed the following:

- a. **ACQUISITION OR DISPOSITION OF LAND [s.239(2)(c)]
PLANS AND INSTRUCTIONS FOR NEGOTIATION [s.239(2)(k)]
Confidential Staff Report CAO007-24 submitted by Interim CAO,
re: Land Acquisition.**

Resolution No: CR069-2024 Moved by: Maltby Seconded by: Kiezebrink

BE IT RESOLVED THAT Confidential Staff Report CAO007-24 be received.

----Carried-----

12. **CONFIRMATION BY-LAW**

- a. **By-law 2024-22**

Resolution No: CR070-2024 Moved by: Smith Seconded by: Sander

BE IT RESOLVED THAT leave be granted to introduce By-law 2024-22, that being a By-law to confirm the proceedings of the Committee of the Whole, Closed and Council meetings held on this 3rd day of April, 2024; and, that said By-law be read a first, and taken as read a second and third time and finally passed.

----Carried-----

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13. **ADJOURNMENT**

Resolution No: CR071-2024 Moved by: Smith Seconded by: Maltby

BE IT RESOLVED THAT this meeting of Council of the Township of Essa adjourn at 7:10 p.m. to meet again on the 17th day of April, 2024 at 6:00 p.m.

----Carried----

Sandie Macdonald
Mayor

Lisa Lehr
Manager of Legislative Services

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9a

THE CORPORATION OF THE TOWNSHIP OF ESSA

BY-LAW 2024 – 23

Being a By-law to amend the Township's Zoning By-law, By-law 2003-50, as amended, affecting all lands throughout the Municipality.

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

WHEREAS the Council of the Corporation of the Township of Essa may pass by-laws pursuant to Section 34 of the *Planning Act*, R.S.O 1990, as amended; and

WHEREAS the Council of the Corporation of the Township of Essa has determined a need to clarify various matters contained within the Zoning By-law such as some definitions.

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

1. THAT 'Section 3: Definitions' of By-law No. 2003-50, is amended by adding the following:

"Bed and Breakfast"

means a dwelling in which lodging with or without meals is supplied for gain, up to four bedrooms but does not mean or include a motel, hotel, hospital or similar commercial or institutional use, or apartment building.

"Boarding or Rooming House"

means a dwelling in which lodging is provided for between 5-8 tenants but shall not include a group home, hotel, motel, children's home, or a bed and breakfast establishment, or other similar establishments.

"Group Home"

means a building or buildings licensed or approved under Provincial Statute, in which no fewer than 3 people, but no more than 8 people, not including staff or other family members, live as a single housekeeping unit under responsible supervision consistent with the requirements of its residents; and

"Carriage House"

means a building that consists of a garage and an Additional Residential Unit that are separated horizontally between two (2) storeys. The Additional Residential unit is completely independent of the garage and has a separate entrance.

"Short-Term Accommodation"

means a place of temporary residence, lodging or occupancy by way of concession, permit lease, rental agreement or similar commercial arrangement for any period equal to or less than thirty (30) consecutive calendar days. This includes "Bed and Breakfast" but excludes hotels, motels, and accommodations where there is no exchange for remuneration.

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2. THAT 'Section 4.38.1b)' of By-law No. 2003-50, is amended as follows:

"A maximum of two Additional Residential Units shall be permitted on a lot, one within a primary residence and/or one located in a detached accessory building/structure to the primary residence in the specified zones. Two Additional Residential Units may be permitted in the primary dwelling where no residential units exists in a detached accessory building on the same lot. An Additional Residential Unit shall only be considered once the maximum number of primary residential units has been met."

3. THAT 'Section 4.38.1' of By-law No. 2003-50, is amended by adding the:

"An unobstructed path of travel of 1.2 metres in width and 3.0 metres in height must be provided to the main entrance of the Additional Residential Unit from the main access of the property.";

"An Additional Residential Unit shall be connected to both municipal water supply and municipal sanitary sewers (Full Municipal Services), where available, and the Township confirms there is sufficient capacity to service the Additional Residential Unit.";

*"Home occupations shall only be permitted in the primary dwelling and shall not be located within an Additional Residential Unit attached to a primary dwelling.";*and

"All other provisions of the respective zone are complied with."

4. THAT 'Section 4.38.3' of By-law No. 2003-50, is amended by adding the following:

"The maximum gross floor area of an Additional Residential unit in a Detached Accessory Structure shall be the lessor of 139 square metres or 50% of the gross floor area of the principal dwelling unit in Agricultural and Rural zones; and 102 square metres or 50% of the gross floor area of the principal dwelling unit in all other zones.";

"The maximum building height of an Additional Residential Unit is one (1) storey and shall not exceed the height of 4.5 metres. An Additional Residential unit may exceed this if it is located with a Carriage House and shall not exceed 7.5 metres in height."; and

"No Additional Residential Unit is permitted to be severed from the lot that contains its associated primary building. An Additional Residential Unit shall not be considered a residence surplus to a farming operation."

5. THAT 'Section 5.3' of By-law No. 2003-50, is amended by adding the following:

"No accessory building or structure shall occupy more than 8% or 93.0m² of floor area, whichever is the lesser, of the area of a lot, nor exceed 6.0 m in height on any lot, which is less than 1.0 ha in size; and

No accessory building or structure shall occupy more than 8% or 139.0m² of floor area, whichever is the lesser, of the area of a lot, nor exceed 6.0 m in height on any lot, which is greater than or equal to 1.0 ha in size."; and

"The minimum distance from a main building shall be 3.0 metres."

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6. 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 17th day of April 2024.

Sandie Macdonald, Mayor

Lisa Lehr, Manager of Legislative Services

THE CORPORATION OF THE TOWNSHIP OF ESSA

BY-LAW 2024 - 24

Being a By-law to confirm the proceedings of the Council meeting held on the 17th day of April, 2024.

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

THAT the action of the Council at its meeting held on the 17th day of April, 2024 and, in respect of each recommendation contained in the Minutes of the Regular Council meeting held on the 3rd day of April, 2024, the Minutes of the Committee of the Whole meeting held on the 3rd day of April, 2024, and, in respect of each motion, resolution and other action passed and taken by Council at the said meetings, is, except where prior approval of the Ontario Municipal Board is required, hereby adopted, ratified and confirmed.

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

READ A FIRST, AND TAKEN AS READ A SECOND AND THIRD TIME AND
FINALLY PASSED on this the 17th day of April 2024.

Sandie Macdonald, Mayor

Lisa Lehr, Manager of Legislative Services