

**THE CORPORATION OF THE TOWNSHIP OF ESSA
COMMITTEE OF THE WHOLE MEETING
WEDNESDAY, MAY 18, 2022
6:00 p.m.**

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. As Council has returned to in-person meetings, meetings will no longer be live-streamed.

- 1. OPENING OF MEETING BY THE MAYOR**

- 2. DISCLOSURE OF PECUNIARY INTEREST**

- 3. DELEGATIONS / PRESENTATIONS / PUBLIC MEETINGS**
 - a. Presentation – Youth Honourary Mayors**
re: Sapphira, Bricky, Robert, Logan and Sarah

STAFF REPORTS

- 4. PLANNING AND DEVELOPMENT**
 - p. 1 **a. Staff Report PD014-22 submitted by the Manager of Planning and Development, re: 62 Centre Street – Zoning By-law Amendment Z3-21.**

Recommendation: 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.
 - p. 11 **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.**

Recommendation: 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.
 - p. 16 **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.**

Recommendation: *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.*

5. PARKS AND RECREATION / COMMUNITY SERVICES

6. FIRE AND EMERGENCY SERVICES

7. PUBLIC WORKS

- p. 21 a. **Staff Report PW008-22 submitted by the Manager of Public Works, re: Award of Quotation: Public Works – Asphalt Patching – Curb and Sidewalk Repairs.**

Recommendation: *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.*

- p. 23 b. **Staff Report PW009-22 submitted by the Manager of Public Works, re: Award of Quotation: Line Paint and Traffic Calming Pavement Markings.**

Recommendation: *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

- p. 26 a. **Staff Report C010-22 submitted by the Deputy Clerk, re: Update on Broadband and High-Speed Internet Access.**

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

- p. 28 b. **Staff Report C011-22 submitted by the Deputy Clerk, re: Request for Exemption – 121 Murphy Road, Baxter.**

Recommendation: *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.*

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

- p. 40 a. **Staff Report CAO018- 22 submitted by the Chief Administrative Officer, re: New Position for Administration of Additional Residential Units – Building Inspector.**

Recommendation: *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.*

- p. 48 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.**

Recommendation: *That Staff Report CAO19-22 be received; and That Council 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 to award 2 weeks of vacation on hire and 3 weeks of vacation on the completion of 3 years of service.*

11. OTHER BUSINESS

12. ADJOURNMENT

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



TOWNSHIP OF ESSA STAFF REPORT

STAFF REPORT NO.: PD014-22
DATE: May 18th, 2022
TO: Committee of the Whole
FROM: Aimee Powell, B.URPl., MPA, MCIP, RPP
Manager of Planning and Development
SUBJECT: 62 Centre Street- Zoning By-Law Amendment Z3-21

RECOMMENDATION

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.

BACKGROUND

Proposal

The Township received a *Planning Act* Application for a Zoning By-law Amendment (ZBA) for 62 Centre Street in Angus for the creation of two new semi-detached dwellings (four dwellings will result). Attachment A provides a Context Map of the subject lands.

The submission, originally received by the Township in November 2021, includes an application for a ZBA to facilitate the rezoning of the lands from 'Residential, Low-Density, Detached (R1)' as identified in Schedule 'B' of the Township of Essa's Zoning By-law 2003-50 to 'Residential Low-Density, Semi-Detached (R2-10)' zone to allow two new semi-detached dwellings to be constructed on the property, and provide site-specific or special provisions to allow for the semi-detached dwelling typology.

Relief of the standards in the R2 Zone is also requested for the:

Minimum Lot Area	390 m ² is required however the proposed development offers 373.34 m ² ; and
Minimum Lot Frontage	11 m is required, however the proposed development offers 8.23 m.

The subject lands are in Plan 160A PT LOT 248. They are currently vacant on the south side of Centre Street just east of Auburn Street. The lands are surrounded by residential uses. The subject property is 0.075 hectares in size (0.185 acres), with a relatively flat and even grade and currently vacant with no buildings or structures on the subject lands.

Public Meetings

An application for Consent concerning the subject lands was heard at the January 28th, 2022 Committee of Adjustment meeting. Members of the public identified concern on the request for Consent due to lot configuration and size of the building envelope, however the Decision on the request for Consent was deferred as a Zoning-Bylaw Amendment is required to validate the necessity of the Consent. The applicant would then be before the Committee of Adjustment at a future meeting date, depending on the outcome of Council's Decision on this subject application.

A Township Council public meeting was held on March 9th, 2022, to hear comments from the public and no comments were received at the public meeting in this regard.

COMMENTS AND CONSIDERATIONS

In accordance with the interrelationship between provincial, county, and municipal planning policy, in assessing the merits of a proposed amendment to the Township's Zoning By-Law, consideration must be given to the requested amendment's consistency/conformity with the planning priorities of all three levels of government. The following policy documents have been reviewed to provide further analysis on the subject application:

Upper Tier (Provincial & County):

- *Planning Act*,
- Provincial Policy Statement,
- Growth Plan for the Greater Golden Horseshoe,
- County of Simcoe Official Plan.

Lower Tier (Township of Essa):

- Essa Official Plan
- Essa comprehensive Zoning By-law 2003-50.

The following is a review of this application in accordance with the Provincial planning documents, the County and Township Official Plan, and the Township of Essa's Zoning By-law.

Planning Act, R.S.O. 1990

The *Planning Act*, 1990, establishes the framework within which all land use decisions are made within Ontario. The *Act*, establishes the land use planning system in Ontario, ensuring that it is a fair system, led by Provincial Policy.

Section 2 of the *Planning Act* requires that the Council of a municipality have regard for, among other matters, matters of Provincial interest such as, but not limited to, the adequate provision of a full range of housing and the promotion of a built form that is well-designed and accessible.

The proposed ZBA respects provincial interests, as the proposed re-zoning of the subject lands would allow for appropriate and efficient intensification for the long-term within the Settlement Area of Angus. The proposed re-zoning would be compatible with the surrounding context of Centre Street as the lands are in an area of residential and mixed uses. In this regard, the subject application represents good planning in accordance with the *Planning Act*.

Provincial Policy Statement (PPS), 2020

The PPS provides policy direction on matters of Provincial interest related to land use planning and development.

Section 1.1.3.1 of the PPS states that Settlement Areas “shall be the focus of growth and development, and their vitality and regeneration should be promoted”. Section 1.1.3.2 states that land use patterns in Settlement Areas shall be based on densities and a mix of land uses which efficiently use land and resources, including infrastructure and public service facilities which are planned or available. Section 1.1.3.4 states that appropriate development standards should be promoted which facilitate intensification, redevelopment, and compact form.

The proposed infill development falls within the Settlement Area of Angus, introduces growth on a compatible scale and is consistent with existing development patterns. It would facilitate intensification, redevelopment, and compact form, in an accessible location which would more efficiently use land, infrastructure and public service facilities.

Section 1.4.3 of the PPS requires municipalities to provide an appropriate range and mix of housing types and densities to meet the needs of current and future residents.

The proposed development of new semi-detached residential units would contribute to the range and mix of housing types available in the Settlement Area of Angus.

Section 1.6.6.1 promotes development in a manner that optimizes municipal sewage and water services. Section 1.6.6.2 prioritizes the use of municipal water and sewage services for Settlement Areas.

The proposed infill/redevelopment as designed will utilize existing municipal water and sewer infrastructure provided along Centre Street. In this regard, the subject application represents good planning in accordance with the PPS.

Growth Plan for the Greater Golden Horseshoe, 2020

The Growth Plan for the Greater Golden Horseshoe provides a framework for implementing Ontario's vision for building strong, prosperous communities by managing growth.

Section 2.2.1 2. d states that development shall be directed to Settlement Areas, and that growth shall be focused in delineated built up areas (2.2.1 2. c). The subject lands are within the Angus Settlement Area.

The proposed development would conform to these policies of the Growth Plan and would assist in meeting the intensification targets described in Section 2.2.2 by directing development to the Township's built boundary. In this regard, the subject application represents good planning in accordance with the Growth Plan.

County of Simcoe Official Plan (OP) (2016)

The County of Simcoe OP provides a policy context for land use planning conducted across the County's member municipalities. This document is designed to assist with growth management and provides a framework for coordinating planning with adjacent municipalities, agencies, and other levels of government.

The subject lands are designated "Settlement" on Schedule 5.1 of the County OP, and are within the Angus Settlement Area, and are currently vacant, therefore well suited for new residential development in an areas that is serviced and located where growth is meant to occur. In this regard, the subject application represents good planning in accordance with the County of Simcoe OP.

Township of Essa OP, 2001

The Township of Essa OP establishes a policy framework to guide growth and development. Policy guides the physical development of the Municipality while having regard for relevant social, economic, and environmental matters.

The Township OP defines "development" as: "the creation of a new lot, a change in land use, or the construction of buildings and structures, requiring approval under the *Planning Act*", therefore the subject application accurately represents necessary and applicable development in the Township.

Schedule B of the Township of Essa OP designates the property "Residential". Section 8 provides policies related to the Residential designation. Section 8.1 states that higher

density housing types are best directed to the Angus Settlement Area based on its urban servicing characterises. Section 8.2 lists single detached; semi-detached and duplex dwellings as permitted uses in the Residential designation which aims to maintain the low-density residential character of Settlement Areas. Section 8.3.1 classifies semi-detached homes as a low-density residential housing type.

The proposed development of new semi-detached residential units would conform to the permitted uses and vision for growth and development in accordance with Township of Essa's OP.

The Township of Essa Zoning By-law 2003-50

The Township of Essa Zoning By-law 2003-50, as amended, has been established to regulate all property within the Township's boundaries. The lands subject to the proposed ZBA are zoned 'Residential, Low-Density, Detached (R1)' as identified in Schedule 'B' of the Township of Essa's Zoning By-law 2003-50. The lands are proposed to be rezoned 'Residential Low-Density, Semi-Detached (R2-10)' to allow the development of new semi-detached residential dwellings and provide site-specific special provisions to allow for semi-detached housing typologies. Relief of the Minimum Lot Area and Minimum Lot Frontage are being sought in this regard. A draft of the proposed Zoning By-law Amendment Text and Schedule is provided as Attachment B to this Report.

Sections 10, 14 and 17 establish the zoning regulations for properties zoned R2 within the Township. On R2 zoned properties, semi-detached dwellings are permitted.

The result of the ZBA would allow the property to be severed, with the newly created additional lot. The newly created lot will adhere to the following standards of the R2 Zone:

- Minimum Front Yard Setback,
- Minimum Interior Side Yard Setback,
- Minimum Rear Yard Setback,
- Minimum Gross Floor Area,
- Maximum Building Height,
- Maximum Lot Coverage; and
- Minimum Parking Spaces

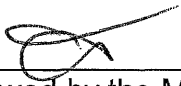
In this regard, the subject application represents good planning in accordance with the Township of Essa Zoning By-law 2003-50.

Staff have completed an analysis of relevant planning policy and reviewed the received public and agency comments relating to this ZBA. Staff have determined that the proposed amendment to the Township of Essa's Zoning By-law described herein is consistent with, and conforms to, relevant Provincial Policy, the Simcoe County OP, the Township of Essa OP, and the Township of Essa Zoning By-law and represents good planning.

The result of the proposed ZBA and required future severance of these lands respects the character and built form of the surrounding Settlement Area. The proposal is compatible with existing and adjacent residential uses. The request for site specific exceptions to the Zoning By-law are reasonable given the housing typologies being proposed.

FINANCIAL IMPACT

All costs associated with the subject development are to be borne by the applicant. Fees have been collected for planning applications.



Reviewed by the Manager of Finance

SUMMARY/OPTIONS

Council may:

1. Take no further action, in effect denying the application with reasons required to be stated as per the *Planning Act*.
2. Pass a ZBA to re-zone 62 Centre Street from 'Residential, Low-Density, Detached (R1)' to 'Residential Low-Density, Semi-Detached (R2-10)' for the development of semi-detached residential dwellings.
3. Direct Staff otherwise.

CONCLUSION

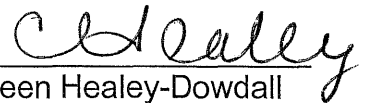
Option #2 is recommended given that the application represents good planning in accordance with legislation, and as well, all comments have been considered.

Prepared by:




Silva YOUSIF MPlan, EIT, PMP, MCIP
Sr Planner

Reviewed by:



Colleen Healey-Dowdall
CAO

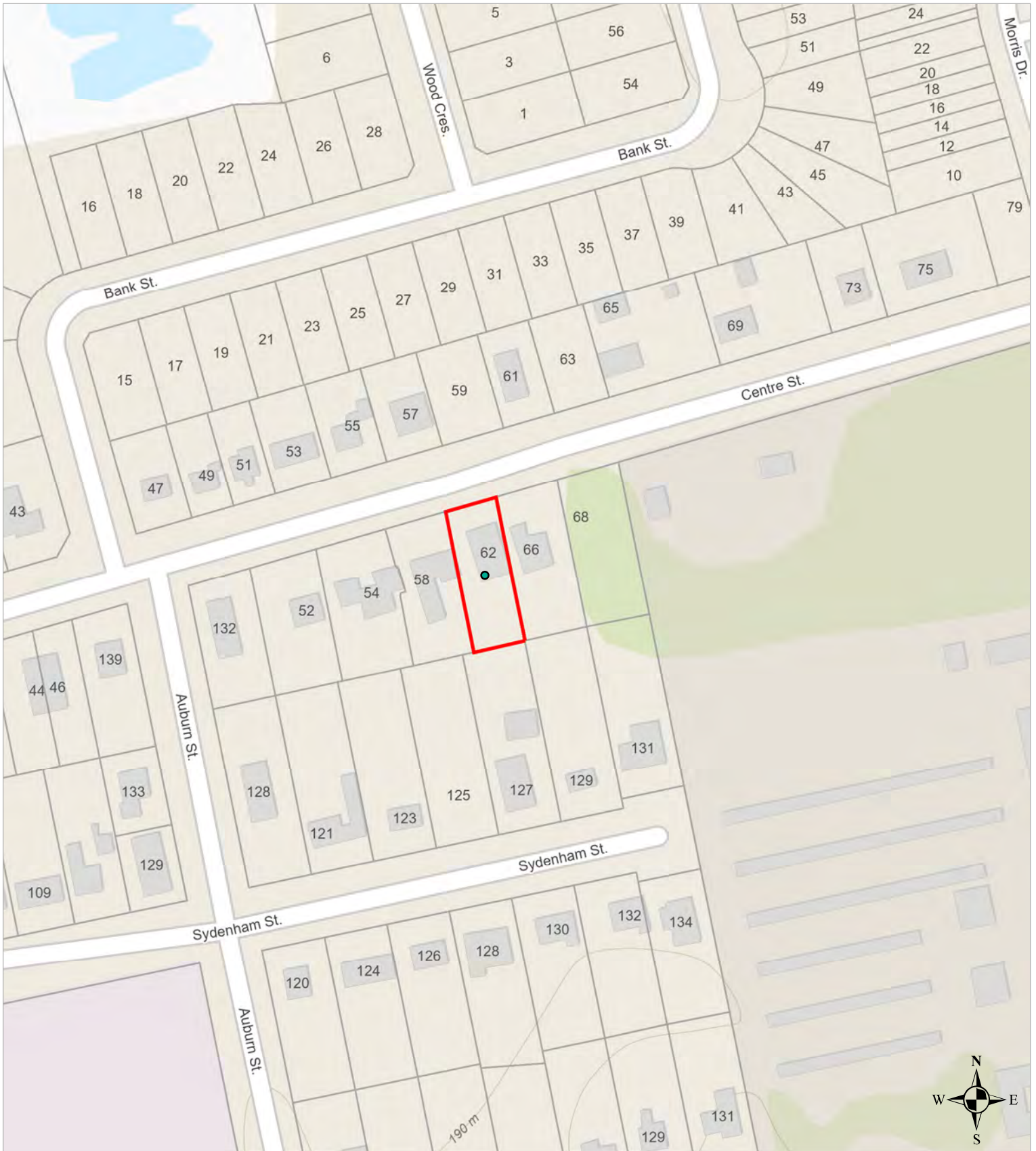


Aimee Powell BURPI, MPA, MCIP, RPP
Manager of Planning &
Development

Attachment A – Context Map

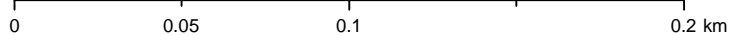
Attachment B – Draft Zoning By-law Text and Schedule

Attachment A 62 Centre Street Context Map



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May 17, 2022



ATTACHMENT B

THE CORPORATION OF THE TOWNSHIP OF ESSA

BY-LAW NUMBER 2022-

A BY-LAW TO AMEND TOWNSHIP OF ESSA COMPREHENSIVE ZONING BY-LAW NO. 2003-50, AS AMENDED

WHEREAS, pursuant to Section 34 of the *Planning Act*, R.S.O., 1990, c.P.13, as amended, the Council of the Township of Essa has passed a comprehensive Zoning By-Law No. 2003-50 for the Township of Essa,

AND WHEREAS, an application to amend By-Law No. 2003-50 has been received with respect to lands known legally as Plan 160A PT LOT 248, also described as 62 Centre Street, Township of Essa, County of Simcoe;

AND WHEREAS the provisions of this By-law conform to the Official Plan of the Township of Essa;

AND WHEREAS, Council deems it advisable and expedient to amend Zoning By-Law No. 2003-50;

NOW THEREFORE, the Council of The Corporation of the Township of Essa HEREBY ENACTS as follows:

1) THAT Zoning By-Law No. 2003-50, as amended, is hereby amended as follows:

- a) That Schedule "B", as amended, is hereby further amended by changing the zoning of a portion of the subject property from the "Residential, Low Density, Detached (R1)" to 'Residential Low-Density, Semi-Detached (R2-10)', as depicted on Schedule 1 attached hereto, forming part of this By-Law.
- b) That Section 10: Residential, Low Density, Semi-Detached (R2), as amended, is hereby further amended:
 - i) by the addition of a new subsection 10.4.10 entitled, "R2-10: Plan 160A PT LOT 248, 62 Centre Street (2022- ____)",
 - ii) by numbering the existing R2-10.4 special zoning provision as subsection 10.4.10, and
 - iii) by the addition of a new subsection 10.4.10 as follows
R2-10: : Plan 160A PT LOT 248, 62 Centre Street (2022- ____)",

Notwithstanding any provisions of this Zoning By-Law No. 2003-50 to the contrary on those lands zoned "R2-10" on Schedule "A" of this By-law,

residential uses on lands zoned "Residential, Low Density, Semi-Detached Exception (R2-10)" shall be permitted subject to the following provisions:

- Minimum Lot Area with Full Municipal Services: 370 m²
 - Minimum Lot Frontage with Full Municipal Services: 8 m
- 2) THAT all other respective provisions of the Zoning By-law 2003-50, as amended, shall apply.
- 3) THAT this By-law shall come into force and take effect on the date of passing thereof, subject to the provisions of Section 34 of the *Planning Act*, R.S.O., 1990, c.P.13 as amended.

**READ A FIRST, SECOND AND THIS TIME AND FINALLY PASSED THIS _____
DAY OF _____, 2022.**

Mayor – Sandie Macdonald

Manager of Legislative Services – Lisa Lehr

THE CORPORATION OF THE TOWNSHIP OF ESSA

Schedule "A" to By-law 2022-____
Zoning By-law Amendment
To the Township of Essa Zoning By-law 2003-50



— Lands to be rezoned from "Residential, Low Density, Detached (R1)" to "Residential, Low Density, Semi-Detached Exception (R2-10)"



TOWNSHIP OF ESSA STAFF REPORT

STAFF REPORT NO.: PD015-22

DATE: May 18th, 2022

TO: Committee of the Whole

FROM: Aimee Powell, BURPI., MPA, MCIP, RPP
Manager of Planning & Development

SUBJECT: 34 Mill Street - Official Plan, Zoning By-law Amendment
and Draft Plan of Subdivision.

RECOMMENDATION

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.

BACKGROUND

On behalf of 34 Mill Street Inc., Innovative Planning Solutions has applied for an Official Plan Amendment, Zoning By-law Amendment and Plan of Subdivision on the subject property legally described as Part of Lot 29, Concession 3, municipally known as 34 Mill Street (see Attachment A to this report for the Context Map) in order to construct 148 townhouses of varying size.

COMMENTS AND CONSIDERATIONS

The subject lands are in the 'Settlement Area' of Angus in both the Township of Essa's and the County of Simcoe's Official Plans (OP). Land Use Schedule "B" in the Township of Essa's Official Plan designates the subject lands as 'Residential'.

Schedule "B" of the Township of Essa's Zoning By-law 2003-50, identifies the subject lands as 'Residential - Low Density, Detached' (R1). The Applicant will have to satisfy any requirements of the required planning approvals, including but not limited to the County of Simcoe on the matters of a former waste site, traffic and stormwater management.

The proposed Official Plan Amendment is to re-designate the subject lands from the 'Residential' to the 'Residential - Multiple' designation, in order to permit multi-unit residential housing types.

The proposed Zoning By-law Amendment (ZBLA) is to allow for the development of 148 residential townhouse units in a variety of different heights and sizes. The proposal will require further site-specific provisions related to development standards (ie setbacks and lot coverage).

A Pre-Consultation application was submitted in June 2021. The following supporting documents and studies were received by the Township in March 2022, deemed a complete application and circulated to staff and agencies through a formal first submission:

1. Owner Authorization Letter
2. Complete OPA & ZBA Application Forms
3. Complete Subdivision and Condominium Questionnaire
4. Planning Justification Report
5. Draft Plan of Subdivision Plan
6. Formal Site Plan
7. Parking Plan
8. Elevation Drawings are included within the Planning Justification Report
9. Site Plan Design Brief is included within the Planning Justification Report
10. Draft Official Plan and Zoning Bylaw Amendments and Schedules
11. Active Transportation Plan is included within the Planning Justification Report
12. Residential Impact and Affordable Housing Study is included within the Planning Justification Report
13. Landscape Concept Plan
14. Boundary and Topographic Survey
15. Stage 1 and 2 Archaeological Impact Assessment
16. Functional Servicing and Stormwater Management Report (FSR)
17. Lot grading and Site Servicing Plans are included within the FSR
18. Sediment and Erosion Control Study is included within the FSR
19. Mitigation of Construction Impact to Neighboring Properties is included within the FSR
20. Traffic Impact Study (TIS)
21. Landfill Assessment (MOE D4) Study and clearance letter from the County of Simcoe
22. Tree Inventory and Preservation Plan
23. Groundwater Level Assessment and Hydrogeological Assessment
24. Heritage Impact Assessment

FINANCIAL IMPACT

Staff collected \$5,000 in ZBLA application fees. In support of the OPA application, \$5,000 was also collected, as well as Subdivision application fees of \$7,000.

Reviewed by Finance Department: _____ 

SUMMARY/OPTIONS

Council may:

1. Take no further action, in effect denying the application for reasons to be outlined by Council.
2. Receive the Report for information and direct Staff to proceed with processing and reviewing the subject applications and the scheduling of a consolidated Public Meeting in due course.
3. Direct Staff in another manner Council deems appropriate.

CONCLUSION

Option #2 is recommended.

Prepared by:

SY

Silva Yousif MPlan, EIT, PMP
Sr Planner

Respectfully submitted by:

Aimee Powell

Aimee Powell BURPI, MPA, MCIP, RPP
Manager of Planning &
Development

Reviewed by:

C Healey

Colleen Healey-Dowdall
CAO

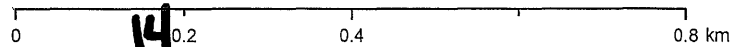
Attachment "A" Context Map - 34 Mill Street
Attachment "B" Concept Layout

Attachment A: 34 Mill Street Context Map



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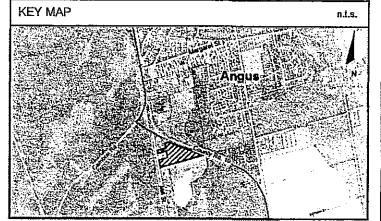
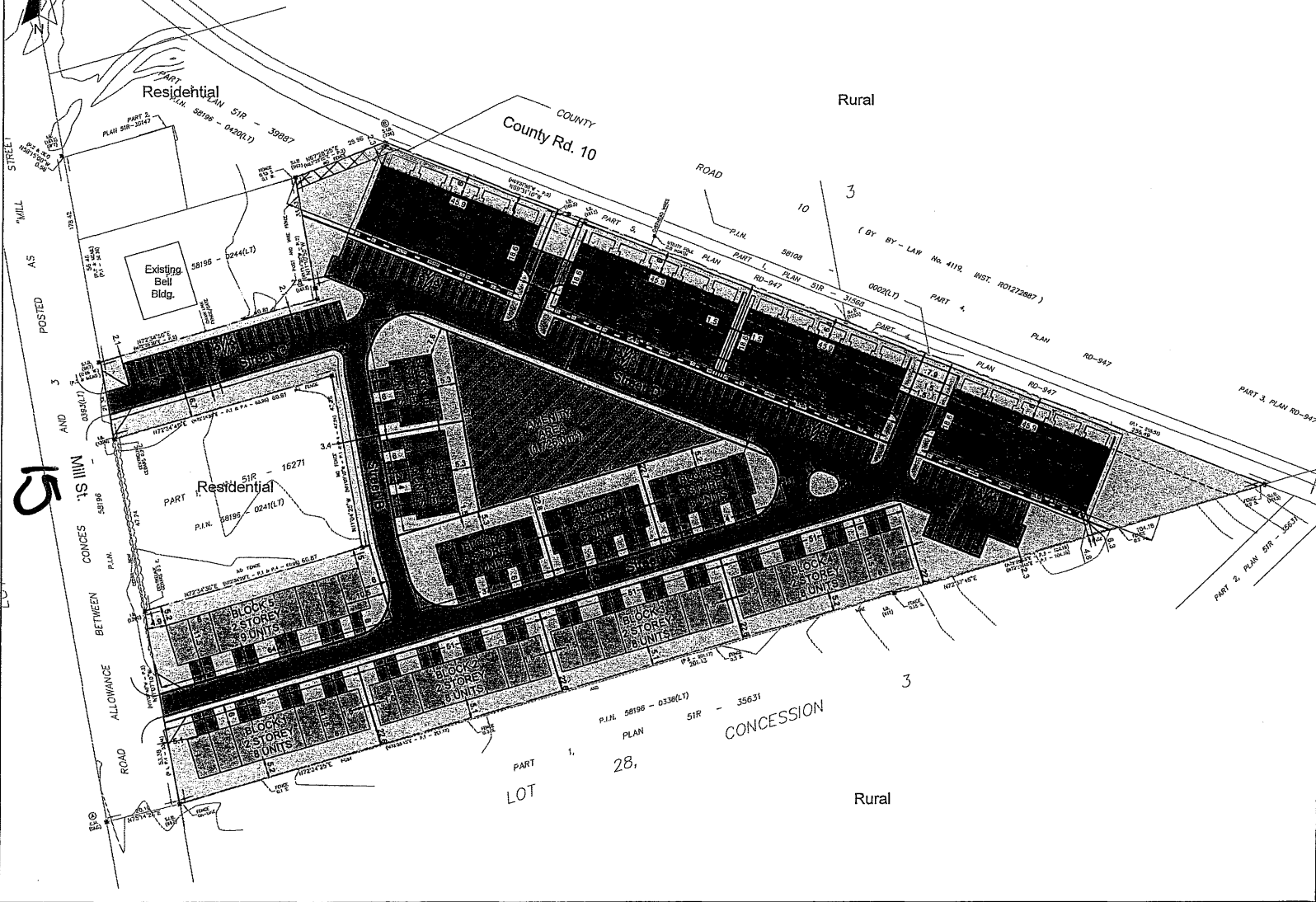
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May 10, 2022



Attachment B



CONCEPTUAL SITE PLAN

Plan of Survey of Part of Lot 29,
Concession 3,
Township of Essa,
County of Simcoe

Scale
0 10 20 30 40

- LEGEND**
- Subject Site
• Area: 25,667.8m² (2.5ha)
 - 4 Storey Back-to-Back Townhouse Dwellings
• 80 units
• Unit G.F.A.: 121.5m² / 1,307.8ft²
 - 3 Storey Townhouse Dwelling - Type 'A'
• 4.5m frontage
• 27 Units
• Units G.F.A.: 137.2m² / 1,476.8ft² (excl. garage)
 - 2 Storey Townhouse Dwelling - Type 'B'
• 6.0m frontage
• 41 Units
• Unit G.F.A.: 120.0m² / 1,291.6ft² (excl. garage)
 - Amenity Area
• Area: 1,726.0m²
 - 6.0m County Setback
 - 3.0m Easement

	RESIDENTIAL, HIGH DENSITY, APARTMENTS (R5) ZONE	
	Provision	Permitted
Townhouse dwellings	Required	Permitted
Back-to-back townhouse dwellings	Not Permitted	Permitted
Min. Lot Area	1,100.0m ² for the first 5 dwelling units + 25.0m ² for each additional units	596.0m ² (Bk. 8; 5 units) 682.4m ² (Bk. 7; 8 units) 1,301.5m ² (Bk. 12; 20 units)
Min. Lot Frontage	24.0m	26.4m (Bk. 9)
Front Yard Setback	7.5m	2.0m (Bk. 11 - 14)
Interior Side Yard Setback	1.5m	1.5m
Exterior Side Yard Setback	7.5m	1.5m (Bk. 9)
Rear Yard Setback	6.0m	5.0m (Bk. 9)
Min. G.F.A.	—	—
Max. Height	21.0m	< 21.0m
Max. Lot Coverage	Interior - 40%	70% (Bk. 12)
Required Parking	200 spaces incl. 5 Type 'A' and 5 Type 'B' B.F. spaces (1.35 spaces / unit)	238 spaces incl. 5 Type 'A' and 5 Type 'B' B.F. spaces

Source: Township of Essa Zoning By-Law No. 2003-50
County of Simcoe Interactive Mapping, 2018 Imagery
Note: Information shown is approximate and subject to change.

CONCEPTUAL SITE PLAN - 148 UNITS

34 MILL STREET, ANGUS

SCHEDULE OF REVISIONS			
No.	Date	Description	By
1	January 11, 2022	Revise Site Plan	A.S.
2	February 8, 2022	Revise Site Plan	A.S.
3	March 2, 2022	Revise Covered Parking Structure	A.S.

IPS INNOVATIVE PLANNING SOLUTIONS
PLANNERS - PROJECT MANAGERS - LAND DEVELOPERS
417 WELLS ROAD UNIT 5 BARRE, ON L4N 8B7
tel: 705-812-3281 fax: 705-812-3458 e: info@innovativeplan.com www.innovativeplan.com

Date: June 2, 2021 Drawn By: A.S.
File: 21-1101 Checked: C.S.



TOWNSHIP OF ESSA STAFF REPORT

STAFF REPORT NO.: PD016-22

DATE: May 18th, 2022

TO: Committee of the Whole

FROM: Aimee Powell, BURPI., MPA, MCIP, RPP
Manager of Planning & Development

SUBJECT: Part of Lot 31 & 32, Concession 3 - New Submission of
Official Plan Amendment, Zoning By-law Amendment
and Draft Plan of Subdivision

RECOMMENDATION

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.

BACKGROUND

On behalf of Cable Bridge Enterprises Inc., Innovative Planning Solutions has applied for an Official Plan Amendment, Zoning By-law Amendment and Plan of Subdivision on the subject property legally described Part of Lot 31 and 32, Concession 3, with Municipal Roll #'s 004-43003 and 004-43112 (see Attachment A to this report for the Context Map) in order to construct 133 single-detached residential units. The subject lands lie east of River Drive in Angus with access to Roth St and immediately abutting LeClair Park.

COMMENTS AND CONSIDERATIONS

The subject lands are in the 'Settlement Area' of Angus in both the Township of Essa's and the County of Simcoe's Official Plans (OP). Land Use Schedule "B" in the Township of Essa's OP designates the subject lands as 'Environmental' and 'Open Space'.

Schedule "B" of the Township of Essa's Zoning By-law 2003-50, identifies the subject lands as 'Environmental Protection' (EP) and 'Rural' (RL). The subject lands are also fully within the Nottawasaga Valley Conservation Authority's (NVCA) regulated area. The Applicant will have to satisfy any requirements of the required planning approvals such as risk of flooding/appropriate floodplain mapping and protection.

The proposed Official Plan Amendment is to re-designate the subject lands from the 'Environmental' and 'Open Space' designations to the 'Residential' designation, in order to permit single-detached housing types.

The proposed Zoning By-law Amendment (ZBA) requests for the lands to be rezoned from 'Environmental Protection' (EP) and 'Rural' (RL) to 'Residential, Low Density, Semi-Detached' with special provisions being sought for:

- Reduced Lot Area
- Reduced Lot Frontage
- Reduced Front Yard Setback
- Reduced Exterior Side Yard Setback; and
- Reduced Rear Yard Setback

The proposed Plan of Subdivision is to allow for the development of 133 residential, single-detached units in a variety of sizes.

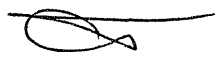
A Pre-Consultation application was submitted in January 2021. The following supporting documents and studies were received by the Township in April 2022. The application has since been deemed complete and is pending circulated to staff and agencies through a formal first submission:

1. Owner Authorization Letter
2. Complete OPA & ZBA Application Forms
3. Complete Subdivision and Condominium Questionnaire
4. Planning Justification Report
5. Draft Plan of Subdivision Plan
6. Draft Official Plan and Zoning Bylaw Amendments and Schedules
7. Active Transportation Plan is included within the Planning Justification Report
8. Residential Impact Study is included within the Planning Justification Report
9. Affordable Housing Study is included within the Planning Justification Report
10. Environmental Impact Study (EIS)
11. Flood Study
12. Functional Servicing and Stormwater Management Report (FSR)
13. Lot Grading and Site Servicing Plans as included in the FSR
14. Sediment and Erosion Control Study as included in the FSR
15. Mitigation of Construction Noise and Vibration Study
16. Traffic Impact Study (TIS)
17. Geotechnical Report
18. Tree Inventory Preservation Plan and Landscape Plan
19. Sanitary and Stormwater Lines – Dewatering Estimates

FINANCIAL IMPACT

Staff collected \$5,000 in ZBA application fees. In support of the OPA application, \$5,000 was also collected, as well as Subdivision application fees of \$7,000.

Reviewed by Finance Department: _____



SUMMARY/OPTIONS

Council may:

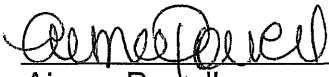
1. Take no further action, in effect denying the application for reasons to be outlined by Council.
2. Receive the Report for information and direct Staff to proceed with processing and reviewing the subject applications and the scheduling of a consolidated Public Meeting in due course.
3. Direct Staff in another manner Council deems appropriate.

CONCLUSION

Option #2 is recommended.

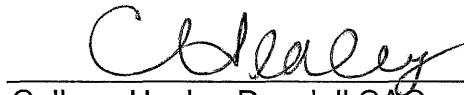
Prepared by:

Reviewed by:



Aimee Powell BURPI, MPA,
MCIP, RPP

Manager of Planning &
Development



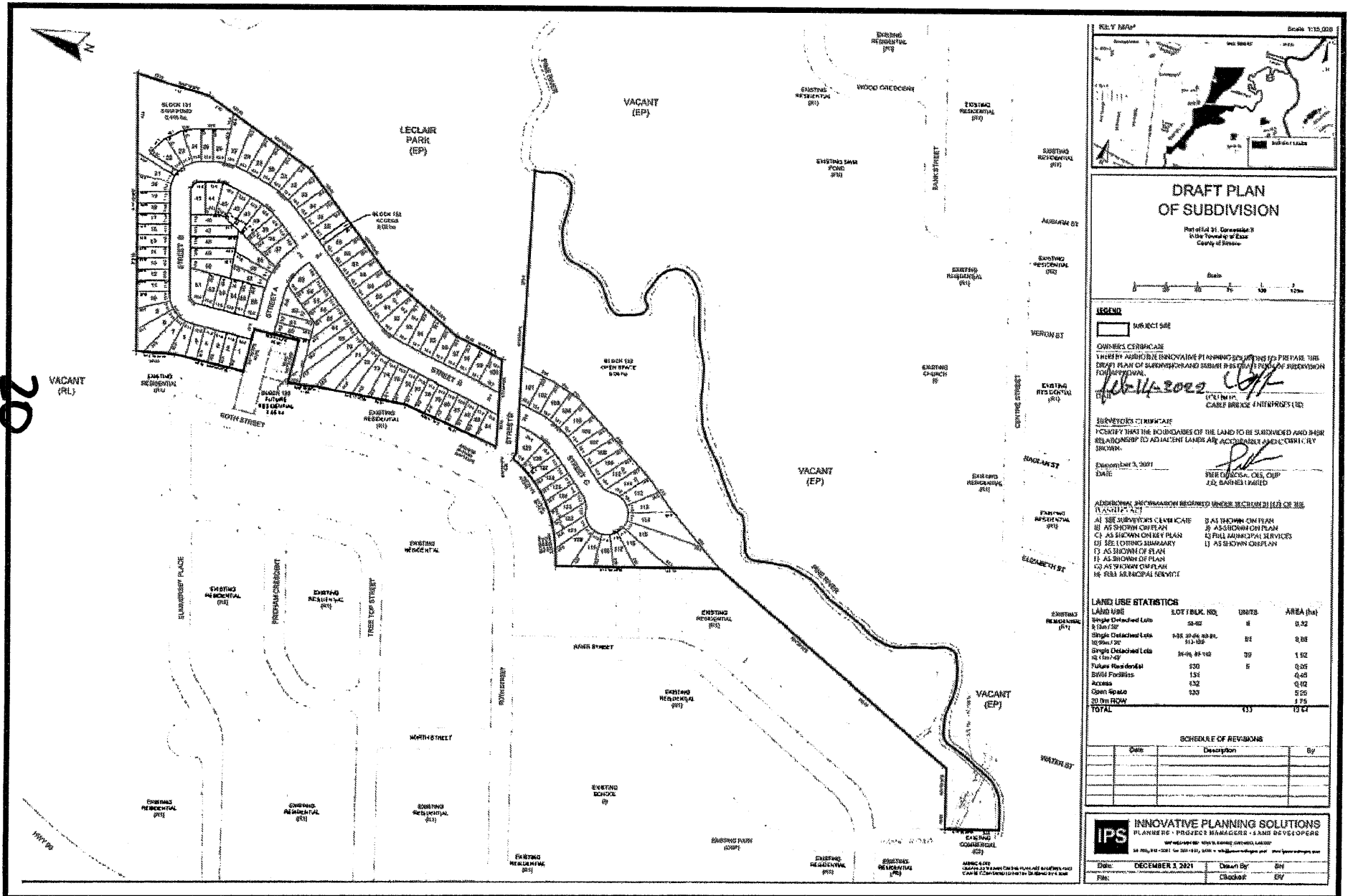
Colleen Healey-Dowdall CAO

Attachment "A" Context Map - Part of Lot 31 & 32, Concession 3
Attachment "B" Concept Layout

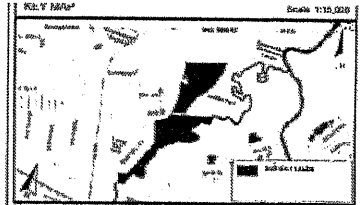
ATTACHMENT A - CONTEXT MAP



ATTACHMENT B – CONCEPT LAYOUT



20



DRAFT PLAN OF SUBDIVISION
 Part of Lot 31, Concession 3
 in the Town of Essex
 County of Essex

LEGEND
 SUBJECT SITE

OWNERS CERTIFICATE
 ISSUED BY INNOVATIVE PLANNING SOLUTIONS LTD. TO PREPARE THIS DRAFT PLAN OF SUBDIVISION SUBMITTED TO THE REGIONAL OFFICE OF APPROVAL.
 16/11/2022 *WJF*
 (PLM) P. CABLE BRIDGE #1187805 (10)

SURVEYORS CERTIFICATE
 I CERTIFY THAT THE BOUNDARIES OF THE LAND TO BE SUBDIVIDED AND THE RELATIONSHIP TO ADJACENT LANDS ARE ACCURATELY AND CORRECTLY SHOWN.
 December 3, 2021
 DATE: *PK*
 PETER CROSSLAND, O.C.S., C.P.S.
 P.E. 22, 2400 BAYVIEW AVENUE

ADDITIONAL INFORMATION REQUIRED UNDER SECTION 11(1) OF THE (LAND PATROL ACT)
 A) AS SHOWN ON KEY PLAN B) AS SHOWN ON PLAN
 C) AS SHOWN ON KEY PLAN D) AS SHOWN ON KEY PLAN
 E) AS SHOWN ON PLAN F) AS SHOWN ON PLAN
 G) AS SHOWN ON PLAN H) AS SHOWN ON PLAN
 I) AS SHOWN ON PLAN J) AS SHOWN ON PLAN
 K) AS SHOWN ON PLAN L) AS SHOWN ON PLAN
 M) AS SHOWN ON PLAN N) AS SHOWN ON PLAN
 O) AS SHOWN ON PLAN P) AS SHOWN ON PLAN
 Q) AS SHOWN ON PLAN R) AS SHOWN ON PLAN
 S) AS SHOWN ON PLAN T) AS SHOWN ON PLAN
 U) AS SHOWN ON PLAN V) AS SHOWN ON PLAN
 W) AS SHOWN ON PLAN X) AS SHOWN ON PLAN
 Y) AS SHOWN ON PLAN Z) AS SHOWN ON PLAN

LAND USE STATISTICS

LAND USE	LOT / BLK. NO.	UNITS	AREA (ha)
Single Detached Lots	50-52	3	0.32
Single Detached Lots	1-10	10	0.88
Single Detached Lots	11-12	2	1.52
Future Residential	13-14	2	0.25
Open Fields	15-16	2	4.40
Access	17-18	2	0.02
Open Space	19-20	2	2.25
TOTAL		13	12.67

SCHEDULE OF REVISIONS

Date	Description	By

IPS INNOVATIVE PLANNING SOLUTIONS
 PLANNERS • PROJECT MANAGERS • LAND DEVELOPERS

1000 SHEPPARD AVENUE EAST, SUITE 100, SCARBOROUGH, ONTARIO M1S 1T7
 TEL: (416) 291-1111 FAX: (416) 291-1112 WWW.INNOVATIVEPLANNING.COM

DATE: DECEMBER 3, 2021 DRAWN BY: BH
 CHECKED BY: DV



TOWNSHIP OF ESSA STAFF REPORT

STAFF REPORT NO.: PW008-22

DATE: May 18, 2022

TO: Committee of the Whole

FROM: Michael Mikael, P.Eng – Manager of Public Works

SUBJECT: **Award of Quotation:
Public Works – Asphalt Patching – Curb & Sidewalk Repairs**

RECOMMENDATION

That Staff Report PW008-22 be received; and

That the quotation as received from Diamond Earthworks Corp. for the Public Works – Asphalt Patching be accepted in the amount of \$17,768 (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 be accepted in the amount of \$17,714 (excluding HST) contingent upon a WSIB Clearance Certificate and a copy of Insurance being provided to the Township, to the Township’s satisfaction.

BACKGROUND

The Public Works Asphalt Patching is considered a high priority in order to maintain the Township’s roads in an acceptable condition after the winter thaw period. The locations planned are stated below:

- 29 Meadowland, Thornton
- 39 Cunningham, Thornton
- Cunningham & Evergreen Intersection, Thornton
- Park Road Intersection, Angus
- 6th Line (south of County Road 90), Utopia
- 54 River Road, Angus

Quotes	Diamond Earthworks Corp.	Global Simcoe Paving
Total (excluding HST)	\$17,768.00	\$26,771.40

The Public Works Curb and Sidewalk repairs is also considered a high priority in order to maintain sidewalks with the provincial standards, and to reduce liability exposure. The locations planned are stated below:

- 35 Stevenson Street, Angus
- 39 Stonemount Crescent, Angus
- 30 Stonemount Crescent, Angus
- 27 Stonemount Crescent, Angus
- 209 Gold Park Gate, Angus
- 9 Christina Court, Angus
- Henry & Meadowland Blvd, Thornton
- 22 Cecil Street, Angus
- 5th Line & Centre Street, Angus
- 39 Cunningham, Thornton

Quotes	Dave Doucette Construction	ALOIA Bros Concrete
Total (excluding HST)	\$17,714	\$18,276

FINANCIAL IMPACT

Asphalt Patching – The Lowest bid of \$17,768 (excluding HST) will come from the 2022 approved operating budget (*Budget line: hardtop- sweeping & patching*)

Curb and Sidewalk Repairs – The Lowest bid of \$17,714 (excluding HST) will come from the 2022 approved operating budget (*Budget line: catch basin/curb and gutter – roadside maintenance*)

The recommendation to award the work is within the approved operating budget as outlined above.



Manager of Finance

SUMMARY/OPTIONS

Council may:

1. Take no action.
2. **Award the quotation to Diamond Earthworks Corp. for the Public Works – Asphalt Patching in the amount of \$17,768.00 (excluding HST).**
3. **Award the quotation to Dave Doucette Construction for the Public Works – Curb and Sidewalk repairs in the amount of \$17,714 (excluding HST).**
4. Direct Staff in another course of action.

CONCLUSION

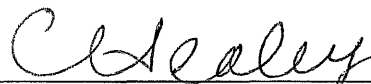
Staff recommends that **Options 2 & 3** be approved given that the contractors are in good standing with the Township.

Respectfully submitted,



Michael Mikael, P.Eng
Manager of Public Works

Reviewed by,



Colleen Healey-Dowdall,
Chief Administrative Officer



TOWNSHIP OF ESSA STAFF REPORT

STAFF REPORT NO.: PW009-22

DATE: May 18, 2022

TO: Committee of the Whole

FROM: Michael Mikael, P.Eng – Manager of Public Works

SUBJECT: **Award of Quotation:
Line Paint & Traffic Calming Pavement Markings**

RECOMMENDATION

That Staff Report PW008-22 be received; and

That the quotation as received from Trace Road Services for Line Paint and Traffic Calming Pavement Markings be accepted in the amount of \$19,430 (excluding HST) contingent upon a WSIB Clearance Certificate and a copy of Insurance being provided to the Township, to the Township's satisfaction.

BACKGROUND

A Tender was posted on the Township website and Bidingo for Line Paint and Traffic Calming Pavement Markings on April 12th, 2022 and closed on April 22nd.

Quotes	Apex Pavement Markings Inc.	Trace Road Services
Total (excluding HST)	\$24,585	\$19,430

Traffic Calming Pavement Markings to include the following:

- Six Locations Slow Down Markings on Rural Roads (2 locations on 5th Line – 2 locations on 10th Sideroad – 2 locations on 20 Sideroad)
- Six Ladder Crosswalk pavement Marking (Denny drive- Simcoe Street & Raglan Street – Sydenham Street & Auburn Street – Greenwood Driver & Maplewood Drive – Roth Street & Our Lady of Grace School)

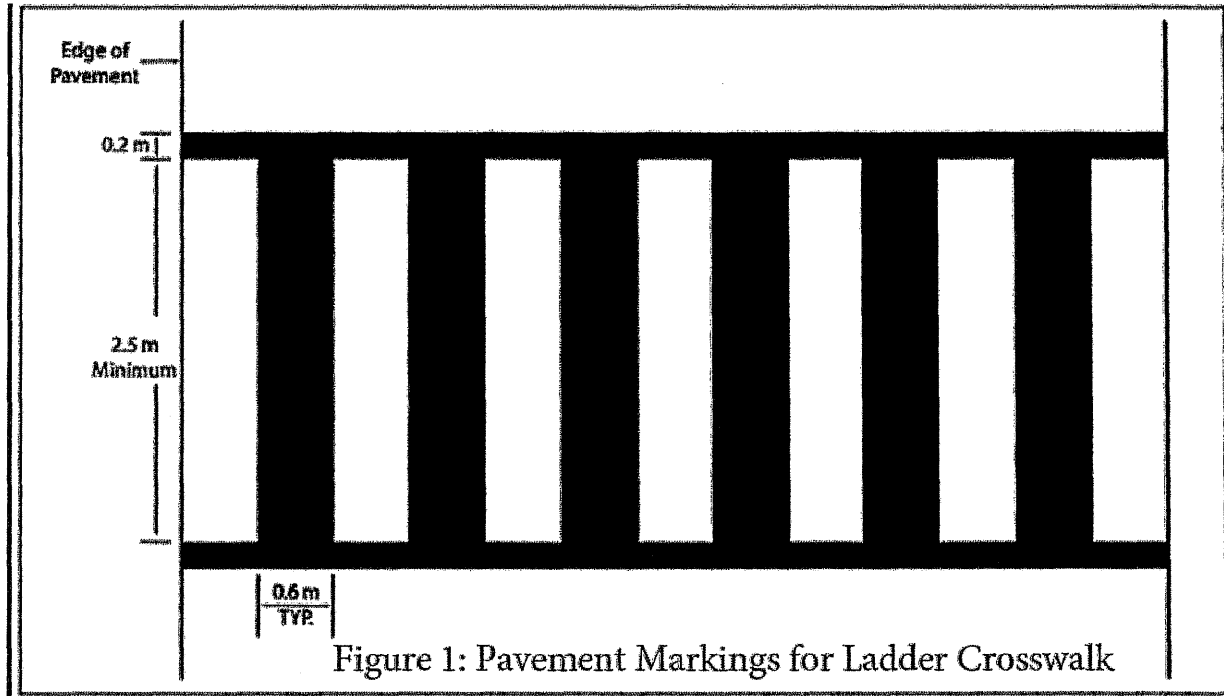


Figure 2

FINANCIAL IMPACT

The lowest bid of \$19,430 (excluding HST) will come from the 2022 approved operating budget (*Budget line: Safety Equipment in the amount of \$14,980 excluding applicable tax – Traffic Calming in the amount of \$4,450 excluding applicable tax*)

The recommendation to award the work is within the approved operating budget.



Manager of Finance

SUMMARY/OPTIONS

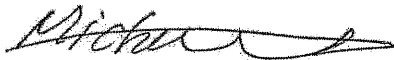
Council may:

1. Take no action.
2. **Award the quotation to Trace Road Services for Line Paint and Traffic Calming Pavement Markings in the amount of \$19,430 (excluding HST).**
3. Direct Staff in another course of action.

CONCLUSION

Staff recommends that **Option 2** be approved given that this contractor is in good standing with the Township.

Respectfully submitted,



Michael Mikael, P.Eng
Manager of Public Works

Reviewed by,



Colleen Healey-Dowdall,
Chief Administrative Officer



TOWNSHIP OF ESSA STAFF REPORT

STAFF REPORT NO.: C010-22
DATE: May 18, 2022
TO: Committee of the Whole
FROM: Krista Pascoe, Deputy Clerk
SUBJECT: Update on Broadband and High-Speed Internet Access

RECOMMENDATION

That Staff Report C010-22 be received for information.

BACKGROUND

As Council is aware, there is a high demand for reliable highspeed internet access now more than ever. The Province has committed nearly \$4 billion to connect every region in Ontario to reliable, high speed internet by the end of 2025, which will give each resident and or business a minimum of 50/10 mbps. The Province is on track to meet their 2025 target.

COMMENTS AND CONSIDERATIONS

The Ministry of Infrastructure has hosted 2 Virtual Information sessions over the past few months to keep municipalities up to date regarding the roll-out of high-speed internet projects across the Province. (Confidential Presentations Attached)

The Ministry explained that Internet Service Providers (ISP's) were able to submit their RFP's based on predetermined service areas (or reverse auctions) in late 2021. The Ministry has stated that they are in the process of finalizing contracts and that municipalities should start hearing these announcements in the coming months and will receive a letter notifying us of any projects within our Township. Municipalities are being asked by the Ministry to prioritize locate or right-of-way requests in regards to broadband to help keep projects moving.

The *Building Broadband Faster Act* has two key amendments that municipalities should be aware of:

- Require municipalities to meet a service standard 10 or 15 business days to consider and respond to right-of-way permits for designated broadband projects.
- Require utility infrastructure owners (e.g. municipalities, energy transmitters) to share data within 15 business days when they receive a request for data concerning utility infrastructure owned or operated within 10 metres of a designated broadband project.

In regards to the two SWIFT locations currently underway in the Township (Baxter and Colwell), construction has started and these projects are on schedule to be complete by August 30, 2022.

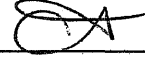
Additionally, maps will be available through the Province once all projects have been awarded and staff will keep Council up to date on the status and availability of these maps.

In the interim, the County has developed their own mapping/tracking tool to depict broadband service levels available across the County which is available at the County's interactive mapping website at: www.simcoe.ca. A sample of the County map is attached to this report. Note that this map is updated regularly.

FINANCIAL IMPACT

None.

Manager of Finance Approval:



SUMMARY/OPTIONS

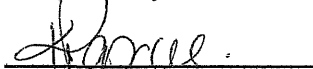
Council may:

1. Take no further action.
2. **Receive the report for information.**
3. Direct staff as they may decide appropriate.

CONCLUSION

Staff recommends that Council approve Option No. 2.

Respectfully submitted by:



Krista Pascoe
Deputy Clerk

Reviewed by:



Lisa Lehr
Manager of Legislative Services

Reviewed by:



Colleen Healey-Dowdall
Chief Administrative Officer

Attachments:

1. Confidential – January 2022 Presentation – Ontario Connects – Bringing High-Speed Internet to Every Community
2. Confidential – April 2022 Presentation - Ontario Connects – Bringing High-Speed Internet to Every Community
3. County map



TOWNSHIP OF ESSA STAFF REPORT

STAFF REPORT NO.: C011-22
DATE: May 18, 2022
TO: Committee of the Whole
FROM: Krista Pascoe, Deputy Clerk
SUBJECT: Request for Exemption – 121 Murphy Road, Baxter

RECOMMENDATION

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.

BACKGROUND

Essa's Business Licensing By-law 2011-20 was passed by Council at its meeting of April 20, 2011. Schedule 1 of By-law 2011-20 is specific to licensing requirements for Kennels.

At its meeting of March 7, 2012, Council approved an exemption to section 4.4 of Schedule 1 of By-law 2011-20, which allowed for the owners of 121 Murphy Road (Baxter) to operate a kennel. Since the exemption granted in 2012, the Clerk's Office has renewed the Kennel license on an annual basis in accordance with By-law 2011-20, as it has not been in receipt of any complaints from neighbours in regard to the kennel (conditions, operation, noise, etc.)

On April 29, 2022, the Clerk's Department received correspondence from the new homeowners of 121 Murphy Road (Baxter) requesting that the same exemption be applied to allow for them to operate a kennel on the subject property (Attachment No. 1).

As licenses are not transferrable in accordance with Essa's Business Licensing By-law 2011-20, this Report is being provided to Council seeking approval for an exemption to section 4.4 of Schedule 1 of By-law 2011-20, as well as section 5.1 (b) of the Zoning By-law 2003-50 to allow for the new homeowners of 121 Murphy Road (Baxter) to operate a kennel on the subject lands.

COMMENTS AND CONSIDERATIONS

Section 4.4 of the Business Licensing By-law 2011-20, Schedule "1" Kennels, states:

"To provide a buffer for noise attenuation and nuisance control, no kennel license shall be issued unless the kennel complies with the following minimum standards:

- a. *No part of any kennel (including runs) shall be closer than 30 metres (98.4 feet) from an abutting property line nor closer than 100 metres (328.1 feet) from any highway, road or street;*

- b. No part of any kennel shall be within 150 metres (492.1 feet) of a residential dwelling on adjacent property; and
- c. The kennel must be located on a lot with a minimum area of 1.5 hectares (3.7 acres).

In the case at hand, the landowner must also seek a minor variance, however since Council has the authority to grant exemptions to the Zoning By-law (as does the Committee of Adjustment), a request for an exemption for each of the applicable By-law's is being presented in this report.

Section 5.1 (b) of the Zoning By-law 2003-50 states:

"5.1 In the A or RL Zone, the following provisions apply to certain specific uses as noted:

b) The minimum area for a lot to be used for a veterinary clinic or kennel shall be 1.5 ha; all buildings or structures used in conjunction with a kennel must comply with the regulations and standards contained in the Township's Kennel By-law."

The subject property located at 121 Murphy Road in Baxter measures 0.17 hectares in size.

The existing boarding kennel on the property is located as follows from the immediate neighbours of the property:

- approximately 211 metres from the neighbour to the immediate east (129 Murphy Road)
- approximately 310 metres from the neighbor to the west of the property (116 Murphy Road)
- approximately 61 metres from the neighbour adjacent to the property (122 Murphy Road)

(Attachment No. 2 provides Council with a map of the subject property and the neighbouring lands as a means to provide Council with a visual of the area).

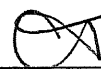
The homeowners of 121 Murphy Road (Baxter) have provided the Clerk's Department with letters from two of the immediate neighbours (122 and 129 Murphy Road, Baxter); both letters support a kennel being operated on the lands located at 121 Murphy Road (Attachment 3).

As kennels are required to renew their business license with the municipality on an annual basis, it is recommended that Council approve the requested exemption to allow for a kennel to be operated at 121 Murphy Road (Baxter). As in the past, the Clerk's Department will keep track of complaints received in respect of the kennel. Any such complaints received in respect to the kennel located at 121 Murphy Road may impact the consideration for approval of any future renewals.

FINANCIAL IMPACT

The cost of the license is intended to cover all staff and administrative costs. In accordance with the fee schedule the business license for a kennel is \$100.00.

Manager of Finance Approval:



SUMMARY/OPTIONS


Council may:

1. Take no further action.
2. **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.**
3. **Approve an exemption to section 5.1 (b) of By-law 2003-50, to allow for the operation of a boarding kennel / dog run on the property located at 121 Murphy Road, Baxter.**
4. Deny the request from the owners of 121 Murphy Road, Baxter.

CONCLUSION

Staff recommends that Council approve Option Nos. 2 and 3.

Respectfully submitted:



Krista Pascoe
Deputy Clerk

Reviewed by:



Lisa Lehr
Manager of Legislative Services

Reviewed by:



Colleen Healey-Dowdall
Chief Administrative Officer

Attachments:

1. Request from the owners of 121 Murphy Road, Baxter
2. County of Simcoe Map of 121 Murphy Road, Baxter
3. Letters of support from 122 & 129 Murphy Road, Baxter
4. Schedule "1" of By-law 2011-20 – Business Licensing By-law

Krista Pascoe

From: Andrea Hutchins
Sent: April 29, 2022 1:19 PM
To: Krista Pascoe
Subject: FW: Council letter

Hi Krista,

Please see the letter from Mallory at Not Your Everyday K9 for council.

Kindest regards,

Andrea Hutchins

Administrative Assistant/Receptionist
Clerk's Department
Township of Essa
Phone: 705-424-9917 ext. 101
Fax: 705-424-2367
www.essatownship.on.ca

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From: NOT YOUR EVERYDAY K9S [REDACTED]
Sent: April 29, 2022 1:04 PM
To: Andrea Hutchins <ahutchins@essatownship.on.ca>
Subject: Council letter

Dear Council,

My name is Mallory Black and I am writing to you to see if we can continue to use 121 Murphy road as a dog daycare / boarding / training and grooming facility. We do not breed dogs. However, we have worked in the industry for over 15 plus years and have now purchased our own place in hopes to fulfill our dreams for the dogs further.

We strive to be involved in the community by bettering the community's dogs, and offering summer students part time jobs. Dogs need proper socializing, handling, grooming etc in order to be the best dog they can be. We aim to support the community through our positive, fear free based handling methods. We want to be involved in the community in many ways: shows, fairs, events etc.

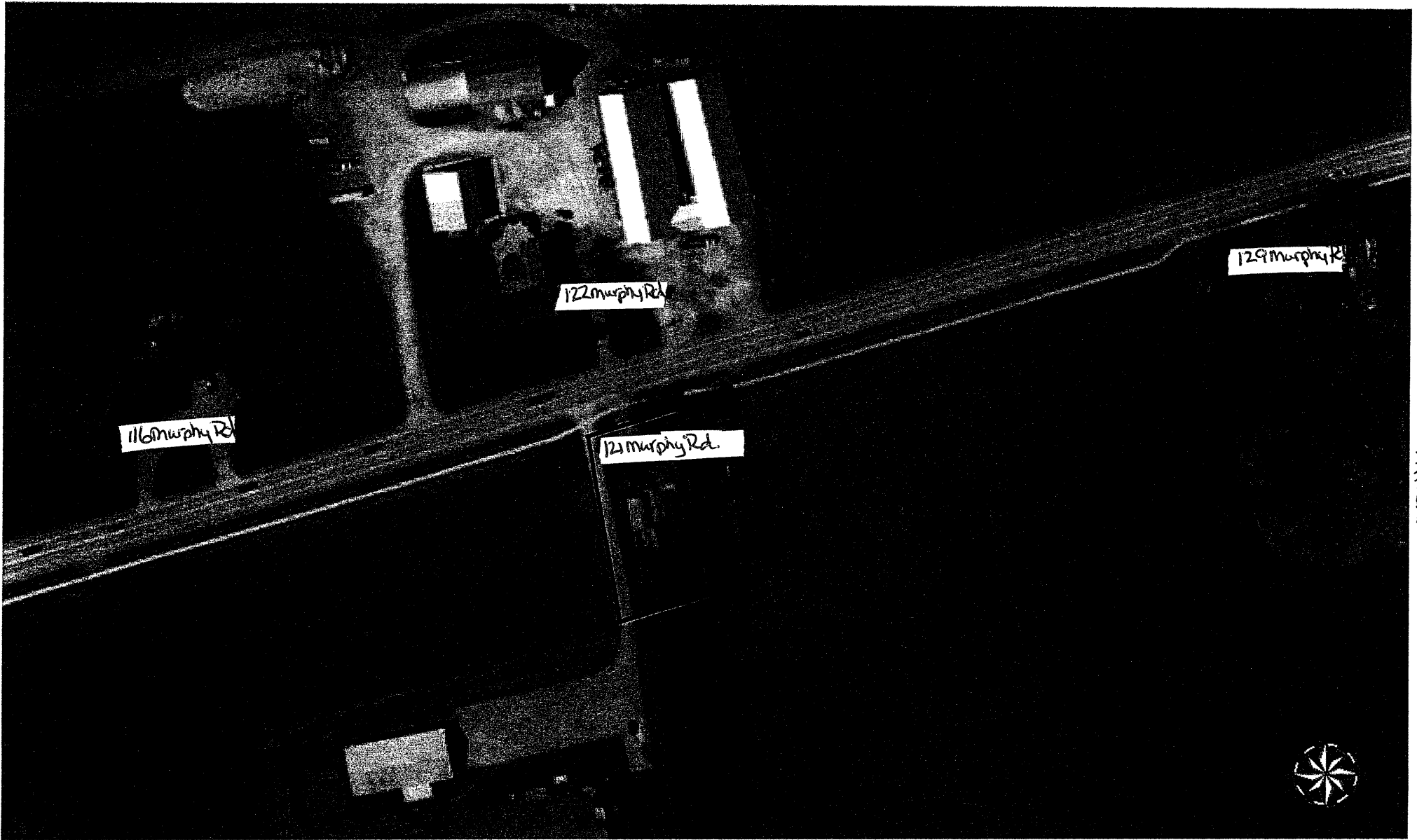
121 Murphy road has held a kennel license for many years with no issues upon inspections. We strive to keep the property in the best condition possible. As per the bylaw section 4.4 page 15 we are requesting an amendment on the lot size. The kennel is 211m (as per google maps) away from the east neighbour, and 310m from the west neighbour (as per google maps). 61m from across the street neighbours. The kennel building attached to the house is 20 ft by 11 ft. The outdoor kennel building will need to be properly insulated. So for now we wouldn't be using it.

Thank you council, for your time and consideration in this matter.

Sincerely,
Mallory Black - Owner

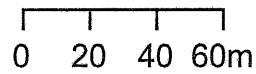
[EXTERNAL]

County of Simcoe - Web Map



Attachment #2

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May 4, 2022



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View full terms at: map.simcoe.ca/terms.html

34

May 1, 2022
122 Murphy Rd.
Baxter, ON

[REDACTED]

To Whom It May Concern:

I, Kelly Marshall, do not have a concern that Mallory Black and Jocelyn Kopitoski will be operating their doggie daycare, boarding, training and grooming facility at 121 Murphy Rd.

Thankyou,

Kelly Marshall

Members of Essa Town Council and Healthy Community Committee,

I wanted to write in support of Jocelyn and Mallory receiving their license to operate a boarding kennel at 121 Murphy Road in Baxter.

I am the neighbour directly to the East, 129 Murphy, and have no concerns regarding excessive or obnoxious noise, thus far Jocelyn and Mallory have been much quieter than the previous owners, as they had multiple dogs at all times.

I expect that our loudest noise disruptions will continue to be the train and the users of the town park. We have found that people use the baseball diamond as a dog park currently, with no consideration for those who follow to use the space when not cleaning up after their dogs. As well, weekends with baseball tournaments will absolutely impact Jocelyn and Mallory negatively with vehicles parked along the driveway to the park and along the road, possibly blocking their own driveway access.

I have noticed that there is a plan for Brookfield to put an off leash dog park in Heartland Park and wonder if they had to canvas as well, or if the current residents of Denney Drive were consulted at all.

Personally I am much more concerned about the many homes that do not restrain their dogs by leash or fence, allowing them to run out and approach myself, my husband, and child while we are walking or riding bikes. Just last week we encountered a dog running across the road, no leash or collar, while we were out walking. This actually keeps me from commuting to work by bike as there are so many uncontrolled dogs along the 5th line south of Baxter.

I would be happy to see a couple of responsible dog owners run their business as my neighbours.

If there is reason to discuss my support further I can be reached at



Jodie Coulson
129 Murphy Road

SCHEDULE "1"

KENNELS

1. **Authority**

Municipal Act, 2001, S.O. 2001, c. 25, Section 11 (3) 9 and Section 150.

2. **Purpose**

The licensing of kennels is for the purpose of nuisance control, consumer protection and health and safety.

3. **Definitions**

"Breeding Kennel" means a kennel or property housing three (3) or more dogs which are kept for the purpose of reproduction and sale until they reach the age of 12 weeks. Refer to By-law 2007-53, as amended.

"Canine Control Officer" includes the person, firm, corporation or association who has entered into a contract with or is employed by the Township to control dogs, and any servants or agents named on such contract. For the purposes of this By-law, Essa's Canine Control Officers may be appointed Municipal By-law Enforcement Officers in accordance with Section 15 of the *Police Services Act*, R.S.O. 1990, c. P. 15.

"Dog" means any male or female dog, spayed bitch or neutered male, over the age of 12 weeks.

"Dog Owners Liability Act" (DOLA) refers to the Provincial legislation and Regulations governing dog ownership, and dangerous dogs, in Ontario.

"Keep" means to be in the care, custody, control or possession of a canine.

"Kennel" means an enclosed building, made of four walls and a roof, used for the keeping, breeding or boarding of dogs or any other function normally associated or related thereto.

"Kennel License" means a license issued pursuant to this By-law.

"Owner" of a dog includes any person who possesses or harbours a dog and "owns" or "owned" have a corresponding meaning.

"Pit Bull" includes a pit bull terrier, a Staffordshire bull terrier, an American Staffordshire terrier, an American pit bull terrier, or a dog that has an appearance and physical characteristics.

4. **General**

- 4.1 Any household, business or property housing more than three (3) dogs constitutes a kennel and is subject to the requirements of this By-law.

- 4.2 No person shall own, operate, manage, control, supervise, or have located on any property, any kennel unless a kennel license has been issued by the Township for the property.
- 4.3 Each applicant shall complete the appropriate Supplementary Application in the form in addition to the Application for Business License.
- 4.4 To provide a buffer for noise attenuation and nuisance control no kennel license shall be issued unless the kennel complies with the following minimum standards:
- a. No part of any kennel (including runs) shall be closer than 30 metres (98.4 feet) from an abutting property line nor closer than 100 metres (328.1 feet) from any highway, road or street;
 - b. No part of any kennel shall be within 150 metres (492.1 feet) of a residential dwelling on adjacent property; and
 - c. The kennel must be located on a lot with a minimum area of 1.5 hectares (3.7 acres).
- 4.5 In the case of a proposed kennel that has not been built, an applicant for a kennel license shall submit drawings along with a license application, and all other information as the Township may require to determine whether the proposed kennel and runs conform with the requirements of this By-law.
- 4.6 If the Township is satisfied that the kennel and runs conform with the requirements of this By-law a kennel license may be issued.
- 4.7 Kennels shall be operated and maintained in accordance with the following regulations:
- a. Each kennel shall provide sufficient space for the animals which are kept therein to stand and be in comfort, and being no less than 1.5 square metres (16.1 square feet) per animal;
 - b. Each kennel shall be kept in a sanitary, well ventilated, clean condition and free from offensive odours, disease and vermin;
 - c. Each kennel shall contain facilities to provide each animal with adequate access to drinking water;
 - d. No kennel or part thereof shall be used for human habitation; and
 - e. All animals shall be confined to the kennel building between the hours of 9:00 p.m. and 6:00 a.m.
- 4.8 The holder of a kennel license shall ensure that a responsible person designated by such holder is in attendance at the kennel at least once every 24 hours.
- 4.9 The holder of a kennel license shall keep each dog confined within the kennel or runs unless such dog is under the control of a responsible person designated by such holder.

- 4.10 Notwithstanding any other provision of this By-law for the purpose of nuisance control and safety, the following provisions apply to kennels and kennel licenses under this By-law:
- a. No person shall keep or allow more than 15 dogs at any licensed kennel at any time;
 - b. No more than one kennel license may be issued for any one property;
 - c. No person shall obtain a kennel license in respect of any property if a kennel license has been issued for any abutting property.
- 4.11 The license of any person who contravenes any provision of this By-law shall be revoked.
- 4.12 Notwithstanding any other provision of this By-law, the number of kennel licenses issued by the Township shall not exceed 25 in number at any one time.
- 4.13 This By-law is to be enforced by the appointed Canine Control Officer, By-Law Enforcement Officers. Officers from the Ontario Society for the Prevention of Cruelty to Animals, and the Ontario Provincial Police may also be involved in investigations.

5. **Insurance**

- 5.1 The Township shall not issue a license under this schedule unless the applicant obtains liability insurance in the amount of two million dollars (\$2,000,000.00) and provides the Township proof of such insurance, showing the Township as additionally insured.
- 5.2 The applicant shall keep the liability insurance current for the term of the license and shall instruct the insurer to provide 10 days' written notice to the Township of any cancellation, expiry or variation of such insurance.
- 5.3 The business license shall be invalid upon the cancellation or expiry of the liability insurance.

6. **Breeding Kennels**

Refer to By-law 2007-53, as amended.



TOWNSHIP OF ESSA STAFF REPORT

STAFF REPORT NO.: CAO18-22
DATE: May 18, 2022
TO: Committee of the Whole
FROM: Colleen Healey-Dowdall, Chief Administrative Officer
SUBJECT: New Position for Administration of
Additional Residential Units – Building Inspector

RECOMMENDATION

That Staff Report CAO0-22 be received; and

That Council consider 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.

BACKGROUND

Council recently approved an Official Plan Amendment, draft Zoning By-law Amendment and draft Registration By-law, and as well, that a 6-month contract position be created to create a position that would administer the registration program for ARUs and support zoning and by-law enforcement.

Since, this CAO has consulted with the Manager of Planning & Development and the CBO, and is herein presenting a job description to Council, for a new Building Inspector – ARU Official, for Council’s approval.

COMMENTS AND CONSIDERATIONS

The proposed new position, job description, is attached for Council’s consideration. It is expected that this full-time position will:

- Discuss zoning standards with landowners
- Discuss by-law and building requirements with residents
- Guide people through the permit process to gain permission for an ARU
- In-take building permits/change of use applications

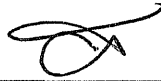
- Coordinate ARU approvals
- Issue permits/licenses and conduct inspections
- Maintain a list of ARUs
- Maintain a map of ARUs
- Discuss matters of non-compliance with homeowners
- Generally, assist the building and zoning departments

The position will be remunerated as in pay band no. 6 in the range of \$52,500 - \$61,753. It is proposed that the position be created on a 6-month contract to start, with full-time hours.

FINANCIAL IMPACT

6 months of the annual salary.

Manager of Finance Approval: _____



SUMMARY/OPTIONS

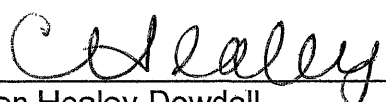
Council may:

1. Take no further action.
2. Create 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.
3. Create a new but different position than what staff has proposed.

CONCLUSION

Option #2 is recommended.

Respectfully submitted:



Colleen Healey-Dowdall
CAO

Attachments:

Job Description for "Building Inspector – ARU Official"



Township of Essa Job Description

Position Title: Building Inspector – ARU Official May 2022

Reports to:	CBO	Last Revision Date:	May 2022
Department:	Planning and Development	Supervise staff or assign work (lead hand) or no HR responsibility?	No supervisory responsibilities
Location:	Municipal Office	List all positions directly supervised:	None
Standard weekly hours per employment agreement:	35	List of all position indirectly supervised:	None
Position Status (FT, PT, Seasonal, Student, Contract, Volunteer)	Full time Contract	Pay Band #:	
Pay Method: (Salary or Hourly)	Salary	On Call (Yes reference to details)	No
Overtime (Eligible? Weekly Threshold?):	Unpaid, 1.5 hours off for each hour worked in excess of regular hours	Eligible for all staff group benefits? (yes/no)	FT – Yes
		If eligible for some describe which:	Contract – No
		Eligible for OMERS? (yes/no)	Yes

Scope (Purpose) of Position:

Implement and enforce the Ontario Building Code and the Building Code Act to ensure structures are sound and occupants safe. Administer the registration program for Additional Residential Units and support zoning and by-Law enforcement.

Important Responsibilities Common to all positions (Leave as is, do not add.)

- Have a good understanding of standard Township operating procedures.
- Be familiar and comply with the provisions of the *Occupational Health and Safety Act* and its regulations, and the Township's Health and Safety Policies and Procedures.
- Take every possible precaution to protect themselves and fellow workers from health and safety hazards and unsafe situations.
- Report unsafe acts or conditions to their supervisor or the Health and Safety Committee Representative.
- Report any occupational injury or illness immediately to their supervisor.
- Use personal protective equipment where required.
- Demonstrate team work and a strong sense of customer service.
- Perform other duties as assigned.

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Township of Essa Job Description

Key Result Areas (specific to position)	Duties (specific to each Key Results Area) (If list of tasks appropriate refer & attach)	Success Indicators (Key Performance Indicators)
Ontario Building Code and the Building Code Act	<ul style="list-style-type: none"> • Responsible through an Appointment By-law of Council, for the processing and review of all permit applications relating to additional residential units and for the issuance of all permits and their appropriate inspections under the appropriate by-laws and regulations. • Monitor and ensure mandatory time frames for completeness of permit applications, permit issuance, inspections and reporting are within the prescribed time frames as mandated by the Ontario Building Code and Building Code Act. • Issue Notices of Violation, Orders to Comply, Stop Work Orders, Emergency Orders, Unsafe Orders and Occupancy Permits. • Provides technical comments on building-related matters. • Provide information and work with other authorities such as NVCA, ESA, MOE, etc. 	<ul style="list-style-type: none"> • Reviews Building Permit applications to prepare permits for issuance within 10 days • Able to issue Orders effectively as required • Able to answer questions in a courteous and helpful fashion
Administration	<ul style="list-style-type: none"> • Reviews applications for building permits, septic approvals, pools and fences, signs, and water and sewer connections in accordance with the requirements contained in the Ontario Building Code Act, the Township's Building and Plumbing By-law, and other municipal by-laws and policies; and prepare such applications for issuance. • Carries out building and septic inspections. • Prepares and enters inspection notes into files and/or the established software program of the Municipality. • Keeps the CBO/Manager informed on a regular basis. • Responds to inquiries/complaints and/or liaises with development/building community, internal departments, other governmental departments, residents, elected officials, legal counsel, etc. 	<ul style="list-style-type: none"> • Able to review Building Permit applications for compliance with the Ontario Building Code • Able to carry out inspections as required • Able to coordinate permit issuance and inspections with other staff • Enters accurate info into MOAR and maintains and up-to-date record/list of all ARUs in Essa • Maintains a map of ARUs for internal use • Works well with staff of other departments • Suggests updates to Essa's ARU registration program

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Township of Essa Job Description

	<ul style="list-style-type: none"> • Keeps abreast of legislation impacting building. • Completes property compliance letters regarding work orders, compliance contravention and outstanding building matters. • Inspects water meter installations and takes water meter reads or turns on or off water valves at dwellings or other buildings when required. 	
Property Standards and By-Law Enforcement	<ul style="list-style-type: none"> • Enforcement of Property Standards and relevant Township by-laws (i.e. Zoning). • Administers other municipal permit processes such as pool and fence permits. 	<ul style="list-style-type: none"> • Assists and coordinates enforcement with other staff in an effective manner
Other details of the position		
<p>1. Describe the type of problems this position may have to solve. Resolving Building Code violations and disputes concerning Building Code interpretation as needed.</p>		
<p>2. Describe the type of decisions this position may have to make. Exercising sound judgement when interpreting legislation and problem solving. Some creativity required as encouraged to make suggestions to supervisor regarding Building Code compliance.</p>		
<p>3. List the non-supervisory business relationships that come with the position. Work directly with: Nottawasaga Valley Conservation Authority, TARION, Ontario Building Officials Association, MPAC, Electrical Safety Authority, Ministry of the Environment, Simcoe Health Department, Simcoe School Board, Technical Standards and Safety Authority, Canadian Standards Association and professionals such as Councillors, Lawyers, Real Estate Agents, Architects, Engineers, Planners, Designers, Septic Installers, Fire Chief(s), Developers, Builders, Site Supervisors, Contractors, Suppliers and homeowners.</p>		
<p>4. Any responsibility for material resources required by the position? If so list. Cell phone and computer equipment; Township trucks; Personal safety equipment.</p>		
<p>5. Any responsibility for information resources required by the position? If so list. Responsible for building inspection data entry. Required to be familiar with the OBC.</p>		
<p>6. What is the spending limit for purchases of the position? None.</p>		
<p>7. Any budget involvement? If so explain None.</p>		



Township of Essa Job Description

Expected Behaviours of the position (same for all positions)

	Requirement for Position			
	Not Required	Basic Level	Intermediate Level	Advanced Level
1. Communication				
(a) Written communications		X		
(b) Oral communications one-on-one or in small groups			X	
(c) Large group presentation	X			
(d) Positive demeanor				X
(e) Negotiation/Mediation		X		
2. Stakeholder Contact				
(a) Knowledge of the services provided				X
(b) Professional manner in dealing with stakeholders			X	
(c) Customer focused orientation (can do)			X	
(d) Build strong relationships			X	
(e) Continually improve service			X	
3. Leadership				
(a) Develop a business or strategic plan (planning)	X			
(b) Convince others to buy into our vision or a change	X			
(c) Translate the strategy & plan into action & results	X			
(d) Flexible & adaptive (open to new ideas)			X	
(e) Innovate			X	
(f) Think critically – Think independently		X		
(g) Tolerant (diversity)		X		
(h) Empathy			X	
(i) Confidence			X	
(j) Active listening			X	
4. Supervisory				
(a) Coach & mentor	X			
(b) Empower & delegate	X			



Township of Essa Job Description

(c) Manage job performance (give continuous corrective feedback)	X			
(d) Discipline and tough decisions as appropriate	X			
(e) Manage succession planning	X			
(f) Create and manage personal development plans for reports	X			
5. Teamwork				
(a) Work effectively with team members who have a variety of skill levels			X	
(b) Build & sustain internal relationships			X	
(c) Champion collaboration within the team			X	
(d) Accept all feedback (superiors, pers & subordinates)			X	
(e) Respect authority			X	
(f) Resolve conflict & difficult people			X	
6. Working Skills				
(a) Manage workload and meet deadlines (time management)		X		
(b) Deliver results (work ethic)		X		
(c) Manage stress		X		
(d) Manage quality of own work (attention to detail)		X		
(e) Ethics & integrity		X		
(f) Autonomy (independent action)		X		
(g) Creativity (originality and independent thinking)			X	
(h) Organization including project management			X	

Qualifications

Formal Education & Training:

3 year College Diploma in a building-related program. Registered as an Inspector with the Ministry of Municipal Affairs & Housing. Sewage System Inspector certification with the Ministry of Municipal Affairs & Housing.

Required in house training:

Computer tracking and GIS software.





Township of Essa Job Description

Work Experience:

Experience working in the building field, preferred 2 years' experience in a municipal building department.

Specific Technical & Sector Skills required:

Class G Driver's License required. Thorough knowledge of the Ontario Building Code Act.

Physical Skill & Effort and Working Conditions

Regular use of one physical skill with some time pressure to complete a task and moderate physical exertion.

Mental Skill & Effort and Working Conditions

Moderate mental skill, effort and judgement required. Requirement for attention to detail to designs as errors have a significant effect. Technical responsibilities to oversee building operations.

SIGNATURES / APPROVALS	Date	Signature
Incumbent:		
Department Head:		
Chief Administrative Officer:		





TOWNSHIP OF ESSA STAFF REPORT

STAFF REPORT NO.: CAO19-22
DATE: May 18, 2022
TO: Committee of the Whole
FROM: Colleen Healey-Dowdall, Chief Administrative Officer
SUBJECT: Proposed Changes to the Township's Terms & Conditions of Employment By-law

RECOMMENDATION

That Staff Report CAO19-22 be received; and

That Council consider 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 to award 2 weeks of vacation on hire and 3 weeks of vacation on the completion of 3 years of service.

BACKGROUND

Council received a report from this CAO on February 16th of this year relaying information about the new provincial legislation *Working for Workers Act* and the Right to Disconnect, and staff becoming worn down, stressed and burnt out impacting on mental health.

Council agreed to the addition of a policy provision in the Township's Terms and Conditions of Employment By-law to meet with the provincial implementation deadline of June 2nd with a possible further policy to be developed at a later date. This CAO is attaching a draft amendment by-law to this report for Council's review and consideration. As a reminder, the municipality is to have a new policy in place for June 2nd of this year.

As Council may recall, the Terms and Conditions of Employment By-law was to be amended anyway (to include specifications on lay offs). Council may wish to further consider at this time, another idea following this CAO's report of April 20, 2022, in which this CAO was directed to pursue ideas and initiatives which could help the municipality with attraction and retention of employees. As such, Council is hereby asked to consider awarding newly recruited employees with 2 weeks of vacation time, on hire, as opposed to following the completion of 1 year of employment.

At this time, employees are awarded 2 weeks of vacation upon completing 1 year of employment per the terms of the *Employment Standards Act*, however, in the current

market, it has become extremely difficult to attract staff. Additional vacation is something that almost every candidate for employment asks about – recall the socio-demographics relayed to Council wherein younger people of today want a work-life balance from “day one”/as they start their new job or careers. Providing 2 weeks of vacation to start would not cost the municipality any significant amount.

Council should also consider awarding an additional week (3 weeks of vacation) prior to reaching 5 years of service. These are comments which this CAO has solicited which, again, may be easily implemented with minimal impact on the municipality. Implementation should/could be considered at this time with other amendments to the Terms and Conditions of Employment By-law. Longer serving employees may be granted other incentives for staying with the municipality when further ideas are presented to Council later in the year such as amending the Township's benefits program to provide for greater flexibility.

COMMENTS AND CONSIDERATIONS

A draft amendment by-law is attached for Council's review and consideration with adoption planned for June 1st, prior to the requirement for the Right to Disconnect policy as set out by the province.

FINANCIAL IMPACT

Minimal impact at this time, although some staff may come forward and inform managers that they are constantly working at home while intended to be disconnected. If this is to occur, then managers are to suggest that employees prioritize work/tasks so that normal job duties can be completed during work hours; workload to be shared with others; blocking off periods in calendars to complete specific tasks or address communication, i.e. returning emails; breakdown projects into manageable tasks; minimizing interruptions by setting notifications to “do not disturb”; trying to have at least 1 dedicated workday per week without meetings; and setting goals to work continuously for a specified period before taking a break or responding to communication.

Note as well that managers should advise employees of mental health supports.

Further, Council may have to consider that additional staff resources are possibly needed as otherwise employee stress and poor mental health can lead to disease and burn-out and can negatively performance, mood, attendance, and relations. This in turn cannot only affect performance and workplace morale/relations within departments but can cost the municipality as well, impacting on the budget.

Manager of Finance Approval: _____



SUMMARY/OPTIONS

Council may:

1. Take no further action in terms of the Right to Disconnect putting the municipality out of compliance with new provincial legislation.
2. Require that the CAO develop a comprehensive policy immediately or in due course specific to the Right to Disconnect.
3. Adopt the proposed, amendment by-law as attached, at Council's June 1, 2022 meeting.
4. Incorporate/do not incorporate proposed vacation (2 weeks to start) into the Terms and Conditions of Employment By-law to attract and retain staff and further consider 3 weeks upon completion of 3 years of service (as opposed to 5 years) in accordance with the discussion in this report.
5. Request that further amendments be incorporated into the attached draft by-law, striking out and/or adding or modifying the attached draft by-law.

CONCLUSION

Council may choose or strike out that portion of items 2, 3 and 5 which are recommended by staff which they deem appropriate/inappropriate.

This CAO recommends:

- #2 that a more fulsome policy be developed over time;
- #3 that the attached draft by-law be adopted June 1st, 2022; and
- #4 that 2 weeks vacation be awarded to new staff "on hire" and 3 weeks of vacation to staff after 3 years of service.

In summary, this CAO's recommendation is to adopt the proposed, amendment by-law on June 1, 2022, and to develop a further dedicated policy on the Right to Disconnect in the near future; and to begin to award 2 weeks of vacation on hire and 3 weeks of vacation on the completion of 3 years of service.

Respectfully submitted:



Colleen Healey-Dowdall
CAO

Attachments:

Draft Right to Disconnect Policy to be inserted into the Terms and Conditions of Employment By-law
Draft Amendment By-law showing amendments

Attachment 1

DRAFT POLICY UPDATES

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.

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 currently workload, priorities and due dates at least on an annual basis or sooner if they cannot manage their workload.

Attachment 1

- (b) Not feel obligated to send or respond to messages when not working (unless an emergency).
- (c) Respect others and avoid direct communication like sending emails, messages or calling other staff (or clients) outside of regular working hours.
- (d) Not expect a response to emails or messages when an employee is away from work.
- (e) 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)
- (f) Utilize employee-shared workplace calendars so that others know of absences.
- (g) 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.
- (h) 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.

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.

THE CORPORATION OF THE TOWNSHIP OF ESSA

BY-LAW NO. 2020 – 30

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:

DRAFT

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.

- 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 An employee with less than twelve (12) months continuous service with the Township shall be entitled to receive vacation pay in accordance with provisions of the *ESA* if their employment is terminated.
- 4.2 (a) All employees shall receive annual vacation leave with pay as follows:
- (i) On the completion of one (1) year of service - two (2) weeks
 - (ii) On the completion of five (5) years of service - three (3) weeks
 - (iii) On the completion of ten (10) years of service - four (4) weeks
 - (iv) On the completion of seventeen (17) years of service - five (5) weeks
- (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)
- 4.3 Time of service shall include the period for which an employee was a probationary employee.
- 4.4 The vacation year shall be the anniversary year of each individual employee.
- 4.5 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).
- 4.6 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.
- 4.7 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.

- 4.8 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 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.
- 4.9 Annual vacation pay shall be at an employee's regular rate of pay.
- 4.10 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.
- 4.11 Subject to Section 4.1 the employee is not permitted to take cash-in-lieu of vacation unless so authorized pursuant to the *ESA*.
- 4.12 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.
- 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.
- 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,
- (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), and,
 - (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 work days, 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 work day 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 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

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

11.15 Notwithstanding Section 11.14, 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 work day 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.

11.16 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.

11.17 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.

11.18 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

11.19 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 work day 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.

- 11.20 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*.
- 11.21 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.
- 11.22 Notwithstanding Section 11.19, 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.
- 11.23 Where an employee is called in to work overtime outside their normal working hours, Sections 11.11, 11.12 and 11.21 shall apply.

Administrative Centre Staff and Other Staff

- 11.24 The normal work period will be a thirty-five (35) hour week with the daily work day 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.
- 11.25 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.
- 11.26 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.
- 11.27 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.
- 11.28 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) Respect others and avoid direct communication like sending emails, messages or calling other staff (or clients) outside of regular working hours.
- (d) Not expect a response to emails or messages when an employee is away from work.
- (e) 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)
- (f) Utilize employee-shared workplace calendars so that others know of absences.

- (g) 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.
- (h) 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.

PART 13 REST PERIODS

- 123.1 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.
- 123.2 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.
- 123.3 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.
- 123.4 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 13.14 MISCELLANEOUS

Continuing Education

- 134.1 All permanent employees are encouraged to take courses of instruction or training directly related to the employee's job.
- 134.2 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.
- 134.3 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.

134.4 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 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

143.5 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

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

Leave of Absence

134.7 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.

4314.8 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.

4314.9 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

4314.10 Employees using privately owned vehicles on Township business shall be paid at a rate established by the Council from time to time subject to approval of use of their

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vehicle by their Supervisor.

Benefits where a premium is paid

4314.11 Benefits for which a premium is paid for by the Corporation shall be included under a separate By-law.

Notice of Resignation

4314.12 (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

4314.13 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

4314.14 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

4314.15 (a) _____ 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

4314.16 (b) **Purchase of Extended Health Care – Drug until Age 65**

Notwithstanding Section 43.1414.15 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 43.1414.15) 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

4314.17 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

4314.18 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.

4415. That By-law No. ~~2018-23~~2020-30 is hereby repealed.

4516. 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 ~~April~~ June, ~~2020~~2022.