

THE CORPORATION OF THE TOWNSHIP OF ESSA  
COMMITTEE OF THE WHOLE

WEDNESDAY, MARCH 4, 2020  
6:00 p.m.

AGENDA

1. OPENING OF MEETING BY THE MAYOR
2. DISCLOSURE OF PECUNIARY INTEREST
3. DELEGATIONS / PRESENTATIONS / PUBLIC MEETINGS
  - p. 1 a. Public Meeting – Zoning By-law Amendment (Z1-20)  
RE: Proposed Housekeeping Amendments
  - p. 12 b. Public Meeting – Proposed Amendments – Fees and Charges By-law  
RE: By-law 2013-28

STAFF REPORTS

4. PLANNING AND DEVELOPMENT
  - p. 16 a. Staff Report PD005-20 submitted by the Manager of Planning and Development, re: Staff Recommendation Report – OPA 33 Pertaining to the lands located at 7994 9<sup>th</sup> Line.

Moved by: \_\_\_\_\_ Seconded by: \_\_\_\_\_

Recommendation: *Be it resolved that Staff Report PD005-20 be received; and That Council approve an amendment to the Township's Official Plan, 2001, to policy 26.5.1 as it applies to lands known as Part Lot 25, Concession 8, municipally known as 7994 9<sup>th</sup> Line.*

5. PARKS AND RECREATION/ COMMUNITY SERVICES
6. FIRE AND EMERGENCY SERVICES
7. PUBLIC WORKS
8. FINANCE

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

- p. 31 a. **Staff Report C007-20 submitted by the Deputy Clerk, re: Lives Matter Campaign.**

**Moved by:** \_\_\_\_\_ **Seconded by:** \_\_\_\_\_

Recommendation: *Be it resolved that Staff Report C007-20 be received; and That Council approve the Traffic Advisory Committee's initiative to roll out a "Lives Matter" Campaign.*

- p. 35 b. **Staff Report C008-20 submitted by the Clerk, re: By-law Department Budget.**

**Moved by:** \_\_\_\_\_ **Seconded by:** \_\_\_\_\_

Recommendation: *Be it resolved that Staff Report C008-20 be received; and That Council authorize staff to purchase two additional uniforms and a winter jacket for the new Part Time Municipal Law Enforcement Officer, at a maximum upset cost of \$500.00.*

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

- p. 37 a. **Staff Report CAO018-20 submitted by the Chief Administrative Officer, re: Brookfield Environmental Assessment for Sewage Treatment.**

**Moved by:** \_\_\_\_\_ **Seconded by:** \_\_\_\_\_

Recommendation: *Be it resolved that Staff Report CAO018-20 be received; and That Council take no further action and leave the Developer as the sole proponent at this stage of the Baxter sewage treatment Environmental Assessment with re-evaluation to follow if further study is warranted – costs could be applied to the wastewater budget without significant impact to the municipality.*

- p. 48 b. **Staff Report CAO019-20 submitted by the Chief Administrative Officer, re: Pay Administration Policy.**

**Moved by:** \_\_\_\_\_ **Seconded by:** \_\_\_\_\_

Recommendation: *Be it resolved that Staff Report CAO019-20 be received; and That Council approve adopting the attached Pay Administration Policy.*

**11. OTHER BUSINESS**

**12. ADJOURNMENT**

**Moved by:** \_\_\_\_\_ **Seconded by:** \_\_\_\_\_

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 25<sup>th</sup> day of March, 2020 at 6:00 p.m.*



**PUBLIC MEETING OUTLINE  
PROPOSED ZONING BY-LAW AMENDMENT (Z1/20)  
(Affecting whole of the Township of Essa)  
March 4th, 2020**

**MEETING INTRODUCTION - Mayor:**

The purpose of this Public Meeting is to review proposed Housekeeping Amendments to the Township of Essa's Zoning By-law 2003-50 in accordance with Section 34 of the *Planning Act*, and to hear comments and review written submissions from the public and other agencies concerning these proposed Amendments.

**DESCRIPTION OF THE PROPOSAL – Manager of Planning & Development:**

As part of regular Housekeeping in association with the Township's Zoning By-law, Township Staff have undertaken an inventory of properties that require an Amendment to their zoning status as indicated in the subject Zoning By-law. These matters concern corrections that will:

- prohibit a dwelling on farmlands where surplus dwelling units have been severed, due to farm consolidations, in accordance with the provisions of the *Planning Act*
- list properties requiring zoning corrections where mis-labelled, or not zoned; and
- prohibit boat launching in Township Fishing Parks

The properties subject to this Housekeeping Amendment and further Amendment details will be further explained in Staff's presentation.

**COMMENTS FROM THE PUBLIC – Mayor:**

Speakers must state their name and address so that proper records may be kept and notice of future decisions be sent to those persons involved in the review process.

**REPLY – Mayor:**

Council may ask questions for clarification.

Public may respond to points clarified by Council and amendments suggested by Staff.

**FINAL STATEMENT – Mayor:**

If there are no further questions or submissions, Council wishes to thank all those in attendance for their participation. The planning office will be preparing a report and by-law to be presented to Council at a future meeting regarding these Zoning By-law Amendments.



Township of Essa Housekeeping

# Zoning By-law

# Amendment No.Z1/20

2

MARCH 4, 2020  
PUBLIC MEETING

PRESENTED BY AIMEE POWELL, B.URPI, MPA, MCIP, RPP  
MANAGER OF PLANNING & DEVELOPMENT



# Purpose

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- Current Zoning By-law last comprehensively updated in 2003
- Housekeeping Amendments address errors in mapping, missing zoning status, updates not initiated by private Zoning By-law Amendments etc.
- Means to update Zoning outside of comprehensive review

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# Subject Amendments

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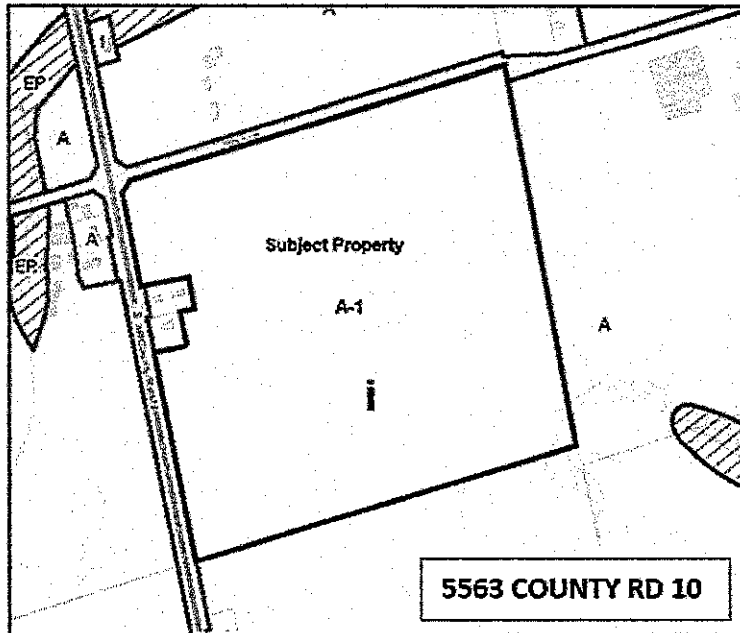
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1. To rezone farmland where a surplus home has been severed off due to farm consolidation.
2. To correct misidentified or unidentified Zones within Schedule 'A' and Schedule 'B'
3. To address public safety concerns re:boat launching in Township Fishing Parks



# Concession 4, Part Half Lot 5

(around 5563 County Road 10)



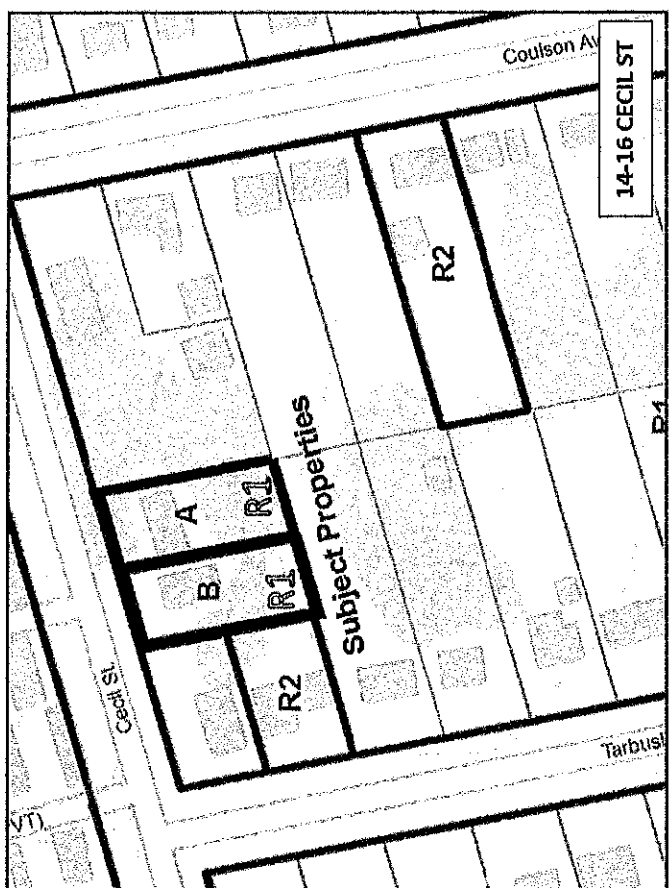
- Current Zoning Agricultural (A)
- Surplus Dwelling severed off due to farm consolidation
- New Zoning (A-1)



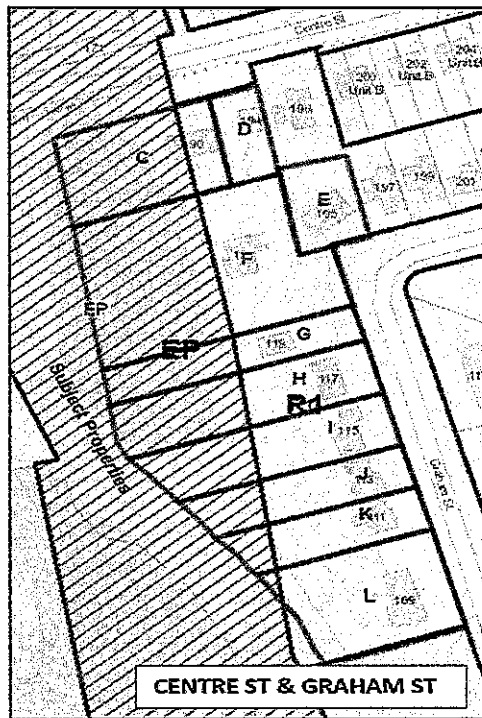
# Misidentified or Unidentified Zones



- 14-16 Cecil Street from (R2) to (R1)



# Misidentified or Unidentified Zones

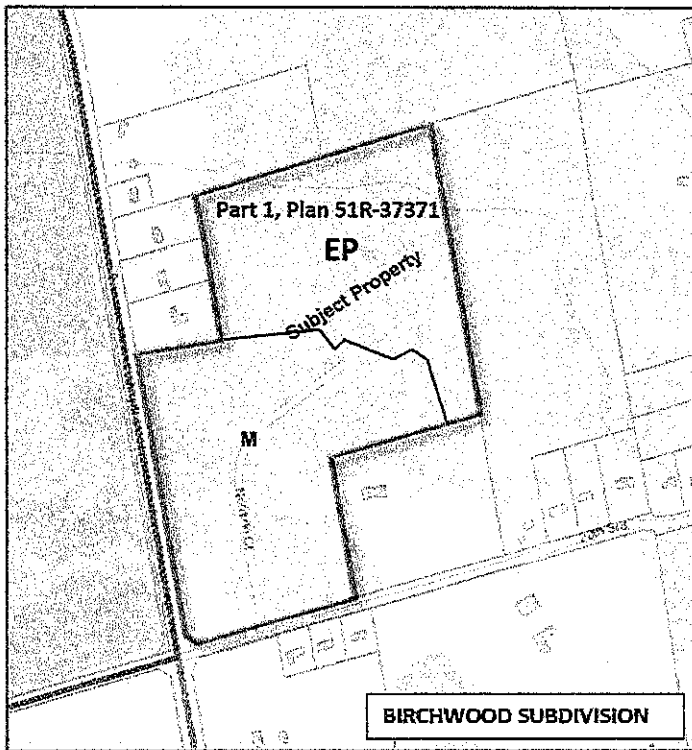


- Item C – mapping error, (R1) addition
- Items D & E – mapping error, (R1) addition, previously not zoned
- Items F – L – mapping error, addition (R1)

# Misidentified or Unidentified Zones



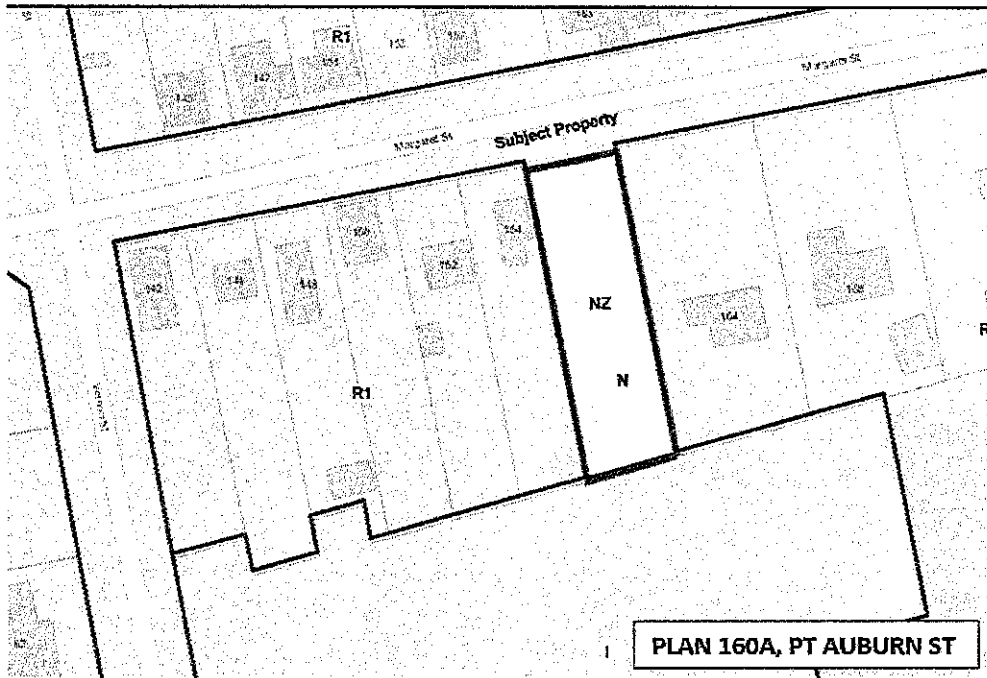
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- Lands to be rezoned (EP) as per Draft Plan Conditions
- Private Amendment not initiated to update Zone

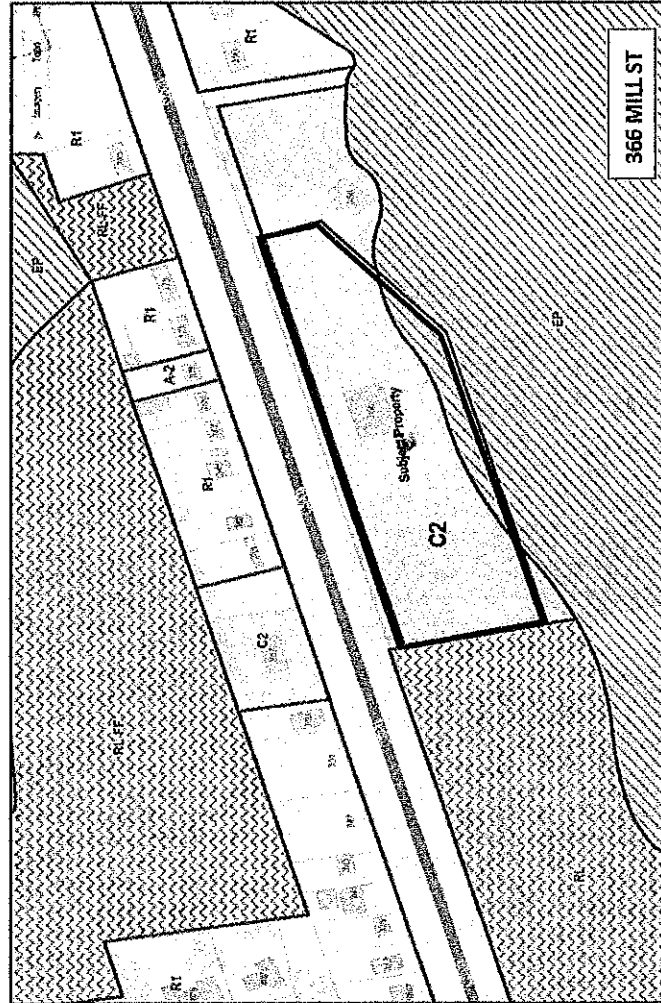


# Misidentified or Unidentified Zones



- Subject property without a current Zone
- Proposed (R1) to achieve uniformity

# Misidentified or Unidentified Zones

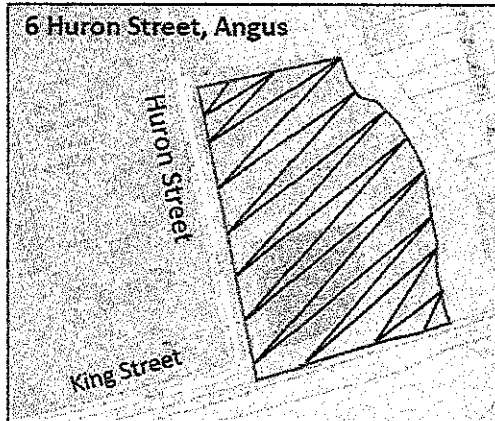


- Mapping update required at 366 Mill Street to remove Institutional (I) Entire property Commercial Core (C2)

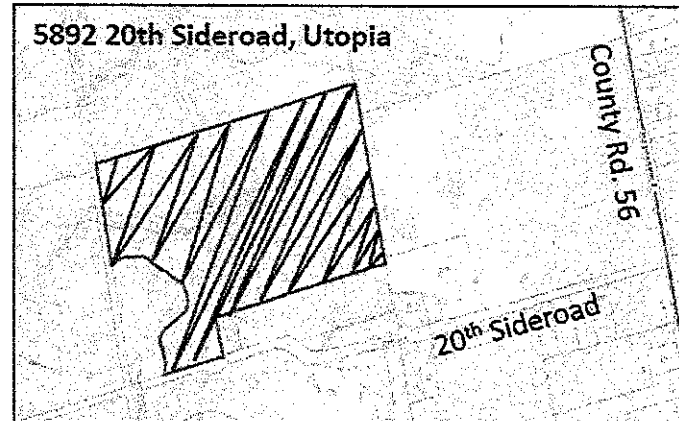
# Zoning Restricting Boat Launching in Township Fishing Parks



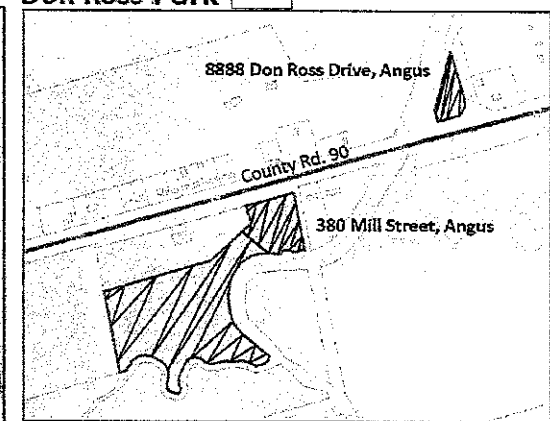
Angus Community Park



Essa Centennial Park



Nottawasaga Fishing Park & Don Ross Park



- Public safety concerns around unregulated boat launching
- Zoning to prohibit boat launching outright in Township Fishing Parks



**PUBLIC MEETING OUTLINE  
PROPOSED BY-LAW AMENDMENT TO FEES & CHARGES BY-LAW 2013-28  
NOTICE OF INCREASE TO FEES**

**MARCH 4, 2020**

**MAYOR:**

The purpose of this Public Meeting is to discuss proposed amendments to the Township's Fees and Charges By-law specifically in relation to recommended increases as outlined in Staff Report C006-20, and to hear all comments from residents of the Township of Essa.

**DESCRIPTION OF THE PROPOSAL –CLERK**

In accordance with section 391 of the *Municipal Act*, 2001, as amended, a municipality is permitted to impose fees or charges on persons,

- (a) for services or activities provided or done by or on behalf of it;
- (b) for costs payable by it for services or activities provided; and
- (c) for the use of its property including property under its control".

The proposed fee amendments are summarized as follows:

<b>Proposed Fee Amendments as outlined in Staff Report C006-20 and presented to Council at their CW Meeting of February 19, 2020</b>			
<b>FIRE DEPARTMENT FEES</b>			
Fee Description	Current Fee	Proposed Fee	Rationale for Amendment
<b>NEW FEE</b> <i>External Engineering and/or Legal Fees</i>	N/A	<i>Actual Cost Incurred</i>	Ensures consistency b/w Essa Fire Department and surrounding municipalities for the covering of engineering fees
<b>AMEND EXISTING FEE</b> <i>Fire Prevention Training</i>	\$100.00	\$150.00	Reflects actual cost to send three firefighters
<b>AMEND EXISTING FEE</b> <i>Other or Additional Follow-up Inspections</i>	\$40.00	\$50.00	Reflects true cost of inspections
<b>PUBLIC WORKS FEES – SITE ALTERATION AND FILL FEES</b>			
Fee Description	Current Fee	Proposed Fee	Rationale for Amendment
<b>DELETE EXISTING FEE</b> Fill less than 1,000 m3	\$250.00 + \$.80/m3	Remove	No longer applies, per By-law 2019-84
<b>DELETE EXISTING FEE</b> Fill between 1,000 m3 and 5,000 m3	\$500.00 + \$.80/m3	Remove	No longer applies, per By-law 2019-84
<b>DELETE EXISTING FEE</b> Fill between 5,000 m3 and 10,000 m3	\$1,500.00 +.80/m3	Remove	No longer applies, per By-law 2019-84
<b>DELETE EXISTING FEE</b> Greater than 10,000 m3	\$2,500.00 +.80/m3	Remove	No longer applies, per By-law 2019-84
<b>NEW FEE</b> <i>Fill up to 1,000 m3</i>	n/a	<i>\$250.00 + \$2.00 / m3</i>	To assist in offsetting cost(s) due to damage and maintenance on roads from truck traffic, as well as extra patrols needed to inspect roads during filling activities.

<b>PLANNING AND DEVELOPMENT FEES</b>			
Fee Description	Current Fee	Proposed Fee	Rationale for Amendment
<b>NEW FEE</b> <i>Staff Attendance at LPAT Hearing(s)</i>	n/a	<b>\$1,500.00/day PLUS \$750.00/subsequent days</b>	Fee to be collected IF required by an applicant that appeals a decision of Council and staff
<b>NEW FEE</b> <i>Validation of Title</i>	n/a	<b>\$500.00</b>	Standard fee collected in addition to Consent Application Fee
<b>NEW FEE</b> <i>Condominium Exemption</i>	n/a	<b>\$2,000.00 PLUS \$2,000.00 Legal and Engineering Deposit</b>	Clarification required for "Exemption" Applications which was never specified
<b>BUILDING DEPARTMENT FEES</b>			
Fee Description	Current Fee	Proposed Fee	Rationale for Amendment
<b>AMEND EXISTING FEE</b> <i>15.1 - Revision Part 9 Permits/Applications</i>	\$50.00/hr	<b>\$75.00/hr</b>	Increase as per industry standard
<b>AMEND EXISTING FEE</b> <i>15.2 - Revision Part 3 Permits/Applications</i>	\$50.00/hr	<b>\$75.00/hr</b>	Increase as per industry standard
<b>AMEND EXISTING FEE</b> <i>15.4 Re-Inspection</i>	\$25.00	<b>\$75.00</b>	Increase as per industry standard
<b>AMEND EXISTING FEE</b> <i>5.11 Model Home</i>	\$100.00	<b>\$500.00</b>	Flat Fee - includes Review
<b>DELETE EXISTING FEE</b> <i>2.2 Tents - 2 to 10, same site (per site)</i>	\$50.00	Remove	Housekeeping Amendment to only have one fee for tents
<b>DELETE EXISTING FEE</b> <i>2.3 Tents - more than 10 (same site)</i>	\$50.00	Remove	Housekeeping Amendment to only have one fee for tents

### **COMMENTS FROM THE PUBLIC - MAYOR**

Speakers must state their name and address so that proper records may be kept and notice of future decisions be sent to those persons involved in the review process.

### **REPLY - MAYOR**

Council may ask questions for clarification.

Public may respond to points clarified by Council and amendments suggested by Staff.

### **FINAL STATEMENT - MAYOR**

If there are no further questions, Council wishes to thank all those in attendance for their participation. The Clerk's Department will be preparing a By-law to be presented to Council at its meeting on March 25, 2020.





**NOTICE OF INTENT TO PASS BY-LAW TO AMEND FEES & CHARGES BY-LAW 2013-28**  
**RE: PROPOSED INCREASE TO SCHEDULE OF FEES**

TAKE NOTICE THAT the Township of Essa intends to pass a By-law to amend its Fees and Charges By-law. The proposed By-law will come before Council for its consideration at its Regular Meeting of Wednesday March 25, 2020 in the Council Chambers at the Administration Centre located at 5786 County Road 21, Utopia.

A PUBLIC MEETING has been scheduled to take place on Wednesday March 4, 2020 at approximately 6:00 p.m. at the Administration Centre located at 5786 County Road 21, Utopia to allow the public an opportunity to comment. The proposed increase to fees are specific to Fire Department Fees, Public Works Fees, Building Department Fees and Planning and Development Department Fees.

WRITTEN COMMENTS regarding the proposed increases may be submitted no later than 4:30 pm on Wednesday March 4, 2020 in one of the following methods: email, in person or by mail to:

Township of Essa  
c/o Clerk  
5786 County Road 21  
Utopia, ON L0M 1T0

For further information on the proposed fee increases, please email Lisa Lehr, Clerk at [llehr@essatownship.on.ca](mailto:llehr@essatownship.on.ca) or phone 705-424-9770 ext. 117.

Lisa Lehr, CMO  
Clerk

Proposed Amendments to Fee Schedule (By-law 2013-28) (Staff Report C006-20)			
<b>FIRE DEPARTMENT FEES</b>			
Fee Description	Current Fee	Proposed Fee	Rationale for Amendment
<b>NEW FEE</b> <i>External Engineering and/or Legal Fees</i>	N/A	<i>Actual Cost Incurred</i>	Ensures consistency b/w Essa Fire Department and surrounding municipalities for the covering of engineering fees
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## TOWNSHIP OF ESSA STAFF REPORT

**STAFF REPORT NO.:** PD005-20

**DATE:** March 4<sup>th</sup>, 2020

**TO:** Committee of the Whole

**FROM:** Aimee Powell, BURPI., MPA, MCIP, RPP  
Manager of the Planning and Development Department

**SUBJECT:** Staff Recommendation Report – OPA33 Pertaining to the lands located at 7994 9<sup>th</sup> Line

### RECOMMENDATION

That Staff Report PD005-20 be received; and

That Council approve an amendment to the Township's Official Plan, 2001, to policy 26.5.1 as it applies to lands known as Part Lot 25, Concession 8, municipally known as 7994 9<sup>th</sup> Line. It is to be noted that all costs associated with the subject development will be borne by the applicant as collected through revenue.

### BACKGROUND

The owners of 7994 9<sup>th</sup> Line have applied for an Official Plan Amendment (OPA) to policy 26.5.1 which currently reads:

*"Consents to sever may be permitted in areas designated as Rural subject to the policies of Section 26.2 and 26.3. Lots severed in areas designated as Rural should be of size, shape and location so as to maximize the potential for future surrounding agricultural use. In the areas designated Rural, rural-residential severances may be permitted provided they do not create any conflicts, or potential conflicts with the surrounding agricultural uses.*

*One severance maybe permitted on a lot which existed on October 22, 1985 and which is at least 20 hectares in size."*

The Township Official Plan, 2001, establishes that any property, which maintains 20 ha of 'Rural' zoned land, on a lot which existed on October 22<sup>nd</sup>, 1985, maybe permitted one severance. The Township's Official Plan establishes this policy as a minimum requirement for rural land division. Since the subject lands are less than 20 ha in total area, a severance may not be granted, without an OPA to this policy. An approved OPA to this policy does not guarantee that a severance would be granted through the Committee of Adjustment, as lot size, lot characteristics and surrounding land uses also factor into the appropriateness of a severance. It is assumed that when this policy was created, the intent was to better regulate the division of rural lands to avoid unnecessary fragmentation. Although, this policy aligns with the intent of the Planning Act, Provincial Policy Statement, Growth Plan and Simcoe County Official Plan regarding a threshold for how rural lands

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are to be divided, it is not the only test. Provincial Policy direction considers all land use characteristics and designations in determining the appropriateness of a severance on rural lands.

It is the desire of the property owners to create one (1) new lot through a Consent Application to the Committee of Adjustment. The subject lands are a total of 15.4 ha, entirely designated as 'Rural' under the Township's Official Plan and reflect a lot which existed on October 22, 1985. The reason for an OPA is to amend policy 26.5.1 as it relates to the subject lands, to permit the creation of one (1) new lot on a property less than 20 ha. in total area.

The Township was in receipt of a complete OPA application concerning the subject lands on October 15<sup>th</sup>, 2019 in accordance with Report PD053-19.

In March of 2019, the owners of the subject property applied to enter into a Temporary Garden Suite Agreement with Township. This was done in order to place a Garden Suite on the subject property, so that two residential structures (the Garden Suite and existing residence) may be permitted on a single lot. Council approved the Temporary Use Zoning By-law on April 17<sup>th</sup>, 2019, and the Temporary Use Agreement was signed on June 5<sup>th</sup>, 2019.

The proponents have identified that it has always been the intention of the property owners to create one (1) new lot from the subject property. This new lot would contain the existing Ivy Veterinary Clinic and the newly located Garden Suite. The proposed location of, size and frontage of the new lot is illustrated on Attachment 'A'.

A public meeting to hear and receive public comments for this OPA was held on January 15<sup>th</sup>, 2020. At this meeting, Council heard comments from three residents, two of whom were in support of this proposal, and one who was not.

A by-law to amend the Official Plan as it relates to this application has been drafted for Council's review. This can be found accompanying this report, as Attachment 'B'.

**COMMENTS AND CONSIDERATIONS**

The following provides a review of this application in accordance with the Planning Act, the Provincial Policy Statement, the Growth Plan, the Simcoe County Official Plan, the Township's Official Plan, and the Township's Zoning By-law.

Planning Act, R.S.O. 1990

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 protection of the agricultural resources of the Province, and the appropriate location of growth and development.

The result of the proposed OPA would sever lands considered to contain Class 5 – 7 soils, under the Canada Land Inventory (CLI). Where Class 1 – 4 soils are considered as good agricultural land, Class 5 – 7 lands are still conducive to farming but, not considered prime. The result of the proposed OPA would sever lands found carrying this classification of soils, which is preferable over lands with a soil classification of 1 – 4.

The identified new lot area on the applicant's Conceptual Site Plan (Attachment 'A') has been scaled to accommodate the existing Garden Suite and Ivy Veterinary Clinic. The size of lot being proposed would include a minor amount of land being actively farmed, however, the severance

would not prevent the continuation farming. The new lot would encompass mostly lands that are not currently farmed and have not been farmed previously. It is because of these reasons, that if a severance were to be approved, the identified area on Attachment 'A' is an appropriate location for a new lot. Therefore, the proposed OPA is appropriate for this property.

The proposed OPA respects the Provincial interests of protecting agricultural resources and appropriately locating growth and development, as it would permit a severance on lands not considered to be a prime soil classification (Class 1 – 4 soils) and would constitute an appropriate location for a new lot to be created. It is through this analysis that the proposed amendment would conform with the *Planning Act*.

#### Provincial Policy Statement, 2014

The Provincial Policy Statement (PPS) provides policy direction on matters of Provincial interest related to land use planning and development and sets the policy foundation for regulating the development and use of land.

The PPS 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, but does not include: activities that create or maintain infrastructure authorized under an environmental assessment process; works subject to the Drainage Act; or for the purposes of policy 2.1.4(a), underground or surface mining of minerals or advanced exploration on mining lands in significant areas of mineral potential in Ecoregion 5E, where advanced exploration has the same meaning as under the Mining Act. Instead, those matters shall be subject to policy 2.1.5(a).”*

The proposed OPA would result in the creation of a new lot, therefore development by definition of the PPS. Policies found within the PPS that would be applicable when reviewing and considering the proposed development are:

*Policy 1.1.4.4 Growth and development may be directed to rural lands in accordance with policy 1.1.5, including where a municipality does not have a settlement area.*

This has been given consideration and is further analyzed below.

#### *1.1.5 Rural lands in municipalities*

*Policy 1.1.5.1 When directing development on rural lands, a planning authority shall apply the relevant policies of Section 1: Building Strong Healthy Communities, as well as the policies of Section 2: Wise Use and Management of Resources and Section 3: Protecting Public Health and Safety.*

These sections are being regarded through the policy analysis of this report.

*Policy 1.1.5.2 On rural lands located in municipalities, permitted uses are:*

*c. limited residential development*

The proposed OPA would permit the creation of a new lot which would encompass the newly re-located Garden Suite and existing Veterinary Clinic. At this time, it appears that the intent is that this Garden Suite would become the primary residence of the new lot. This would conform and give regard to policy 1.1.5.2 of the PPS, as this can be considered limited residential development, given that it encompasses a built form that is already in existence.

*Policy 1.1.5.4 Development that is compatible with the rural landscape and can be sustained by rural service levels should be promoted.*

The existing buildings and Veterinary Clinic are sustained by current rural levels of service, and it is not anticipated that the creation of a new lot would impact this. The new lot to be created would simply encompass a built form that is already in existence.

*Policy 1.1.5.5 Development shall be appropriate to the infrastructure, which is planned or available, and avoid the need for the unjustified and/or uneconomical expansion of this infrastructure.*

The proposed OPA would result in the development requiring independent water and wastewater infrastructure. In this case, the owner of the new lot created through a severance would need to utilize a private well and septic system. This would not require the expansion of municipal infrastructure.

*Policy 1.1.5.7 Opportunities to support a diversified rural economy should be promoted by protecting agricultural and other resource-related uses and directing non-related development to areas where it will minimize constraints on these uses.*

Where this OPA would permit a future severance on these lands, the primary use of the new lot to be created would be residential not agricultural. As per Policy 1.1.5.2, limited residential development is permitted to occur on rural lands. The creation of a new lot here would simply encompass an existing built form, which contains the Garden Suite and Veterinary Clinic. This can be considered minimal development, as these buildings and their related uses are in existence and do not currently constrain the agricultural use of property and are not projected to negatively impact active farming on these lands.

*Policy 1.1.5.8 Agricultural uses, agriculture-related uses, on-farm diversified uses and normal farm practices should be promoted and protected in accordance with provincial standards.*

This property is designated 'Rural' and is considered to contain Class 5 – 7 soils, which are not considered good agricultural lands but, they are still conducive to farming and other agricultural-related uses. In order to maximize the size of the remnant parcel, the proposed new lot will be constrained to the existing structures, the Ivy Veterinary Clinic and the existing Garden Suite. This will ensure that a majority of Rural land remains available for active farming and agricultural uses. The new lot is proposed to be 1.8-acre (0.74ha) in area and reflects land that is not currently being used for agricultural-related uses or actively farmed. Therefore, agricultural-related uses and normal farm practices are being promoted and protected through this OPA.

#### A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019

A Place to Grow: The Growth Plan for the Greater Golden Horseshoe, 2019 (Growth Plan) is a long term plan designed to promote economic growth, increase housing supply, create jobs and build communities that make life easier, healthier and more affordable. Simcoe County is defined within the 'Simcoe Sub-Area', identified within the Growth Plan.

The Growth Plan 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, but does not include:*

50

*activities that create or maintain infrastructure authorized under an environmental assessment process; or works subject to the Drainage Act.”*

The proposed OPA would result in the creation of a new lot, therefore by definition of the Growth Plan, development. Policies found within the Growth Plan that would be applicable when reviewing and considering the proposed development are:

*Section 2.2.9 Rural areas*

*Policy 6. New multiple lots or units for residential development will be directed to settlement areas, but may be allowed on rural lands in site-specific locations with approved zoning or designation in an official plan that permitted this type of development as of June 16, 2006.*

The subject OPA recommends for rural lands with approved zoning to be severed which is in accordance with policy 2.2.9 of the Growth Plan.

Simcoe County Official Plan, 2019

The Simcoe County Official Plan (SCOP) provides policy context for land use planning taking into consideration the economic, social, and environmental impacts of land use and development decisions. This is a document designed to assist in growth management throughout the County.

The SCOP 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, but does not include: activities that create or maintain infrastructure authorized under an environmental assessment process; or works subject to the Drainage Act.”*

The property subject to the OPA is designated as both ‘Rural’ and ‘Greenlands’ under the SCOP, identified on Schedule ‘5.1’.

The proposed OPA would result in the creation of a new lot, therefore by definition of the SCOP, development. Policies found within the SCOP that would be applicable when reviewing and considering the proposed development are:

*Policy 3.3.1 In the Rural, Agricultural, and Greenlands designations, only one detached dwelling may be located on a lot as permitted in this Plan and subject to appropriate local municipal official plan, zoning and municipal by-laws. In areas outside of the Oak Ridges Moraine Conservation Plan area, local municipal official plans may make provision for second units such as semi-detached dwelling units, accessory apartments, structures providing accommodation for temporary or seasonal farm help, garden suites, or other temporary accommodations, with the provision of adequate water and sewage treatment facilities. Second detached accessory dwellings may be permitted in accordance with local municipal official plan policies and shall be located in the building cluster.*

The proposed OPA seeks to amend policy to permit a severance to occur on these lands. The new lot would contain the existing Garden Suite, which the proponent desires to become the primary residence of that lot.

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*Policy 3.3.3 In the Rural, Agricultural and Greenlands designations consents to create separate lots for two dwellings established in accordance with Section 3.3.1 are expressly prohibited.*

County of Simcoe Planning staff have provided comments as they relate to Section 3.3.1, 3.3.3, and 3.7 of the SCOP. County Planning staff are of the opinion that this Official Plan Application does not offend Section 3.3.3 (Attachment 'C').

*Policy 3.7.4 The following are permitted in the Rural designation:  
d) limited residential development, subject to Section 3.7.11;*

Limited residential development is permitted within the Rural designation. Section 3.7.11 is considered later in this report.

*Policy 3.7.8 Limited residential development may be created by consent provided the following are satisfied:*

- a) Lots should be restricted in size in order to conserve other lands in larger blocks for agricultural uses or environmental purposes. Consent lots should be developed to an approximate maximum size of one hectare, except where larger sizes may be suitable because of environmental constraints or design considerations; and*
- b) The number of lots on the grid road system shall be restricted in order to maintain the rural character and road function and to avoid strip development.*

If the subject OPA was to be approved to permit the future creation of a new lot, the remnant parcel of lands (as proposed in Attachment 'A') would maintain a size and shape which is conducive to agricultural uses. Much of the current property is actively farmed, this activity is not anticipated to be prevented through the creation of a new lot. This new lot would maintain frontage along the 9<sup>th</sup> Line. While there are several smaller lots in the area primarily used for residential purposes, these lots mostly front along the 25<sup>th</sup> Sideroad. A new lot created here would not contribute to 'strip development' along the 9<sup>th</sup> Line.

*Policy 3.7.11 New multiple lots and units for residential development will be directed to settlement areas, and may be allowed in rural areas in site-specific locations with approved zoning or designation that permits this type of development in local municipal official plans, as of June 16, 2006. Local municipal official plans may continue to recognize this type of development permitted under this policy and provide appropriate policies for development.*

The local Official Plan established in 2001, does permit the creation of new residential lots within the 'Rural' designation. This form of development is only permitted on lands designated as 'Rural', as they are less desirable than lands designated 'Agricultural' for agricultural-related uses and active farming. Therefore, minimal residential development, if outside of settlement areas, is being directed to lands designated as 'Rural', respecting this policy.

#### Township of Essa Official Plan, 2001

The Township of Essa Official Plan 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 Official Plan 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".*



Under the Township Official Plan, those lands subject to the proposed OPA are designated as 'Rural', identified on Schedule 'A'.

The proposed OPA would result in the creation of a new lot, therefore by definition of the Township Official Plan, development. Policies found within the Township Official Plan that would be applicable when reviewing and considering the proposed development are:

*Section 7.1 INTRODUCTION*

*The Rural designation as shown on the attached schedules applies to those lands which exhibit a lower agricultural capability for agriculture which generally includes lands in Class 5, 6 and 7 according to the Canada Land Inventory of Soil Capability for Agriculture. While these lands are considered marginal in terms of agriculture, viable farms do exist within the designation. The intent of the Plan is to protect the viability of these existing agricultural operations and through the policies established, retain the natural landscape and rural character of the Township by preventing uncontrolled and scattered development.*

The proposed OPA, would permit a future severance to occur. This would not negatively impact the viability of the existing agricultural operation present on the property, as those lands to be severed are not currently utilized for farming. Both the existing Garden Suite and Ivy Veterinary Clinic form part of the built form. It is the intent that the new lot be created to encompass these existing buildings, which would not negatively impact the rural character, or natural landscape of the area.

*Policy 7.3.1 Agricultural uses which exist within the Rural designation shall be preserved and protected from incompatible land uses and shall take precedence over all other land uses.*

Those lands to be severed to create the proposed new lot are not being actively farmed as a primary use. Therefore, if the OPA was approved to permit a future severance on these lands, no current agricultural uses would be negatively impacted.

*Policy 7.3.7 Permitted non-agricultural and agriculturally related uses shall be subject to the following criteria:*

- *located on poorer quality agricultural lands;*
- *have minimum impact on agricultural uses*

Both existing structures that would be located on the newly created lot are permitted within the Rural designation. The newly created lot would be located on lands not actively farmed and are considered to be on a poorer quality of soil. As well, this new lot will not reduce the size of actively farmed lands, and is of a size that encompasses existing buildings, not of an agricultural use.

*Policy 26.2.2 When considering applications for consent, the Township shall be satisfied that the approval of the consent will not contravene:*

- *the need to protect and preserve prime agricultural land,*
- *the need to assume that the development is not detrimental to the rural nature of the Township,*
- *the prevention of strip development on grid roads.*

If the proposed OPA was approved, the intent is to allow the future severance of these lands through a Consent application to the Committee of Adjustment. The proposed new lot to be created would not prevent the continuation of agricultural uses on the existing property. These

lands are designated as Rural and not considered Prime Agricultural land. This form of development would create a lot that encompasses an existing built form, with no intention to expand upon that existing built form at this time. This would not reflect detrimental development to the rural nature of the Township. Finally, the creation of this new lot would front along the 9<sup>th</sup> Line. Where smaller residential lots currently exist, they are primarily found along the 25<sup>th</sup> Sideroad. This new lot would not contribute to 'strip development' in the area, as it is located along the 9<sup>th</sup> Line.

*Policy 26.5.1 Consents to sever may be permitted in areas designated as Rural subject to the policies of Section 26.2 and 26.3. Lots severed in areas designated as Rural should be of size, shape and location so as to maximize the potential for future surrounding agricultural use.*

The intended new lot to be created would be of a size that is minimal, and considerably smaller in size compared to the proposed remnant parcel. This is proposed to ensure that the remnant parcel created would be of an adequate size and shape to continue the current active farming operation.

#### 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 property subject to the proposed OPA is zoned as 'Rural' under the Township's Zoning By-law as identified on Schedule 'A'.

Section 7 establishes the zoning regulations for properties zoned 'Rural' within the Township. On 'Rural' zoned properties both a single residence and accessory buildings are permitted. The result of the OPA would allow the property to be severed, with the newly created lot hosting the existing Garden Suite and Veterinary Clinic. At this time, it is proposed that the newly created lot will adhere to the required 'Minimum Lot Provisions' and 'Minimum Yard Setback Primary Permitted Use' as per the Zoning By-law.

#### Public Comments

At the public meeting held on January 15<sup>th</sup>, 2020, three residents, Mr. Smith, Mr. Williams, and Dr. Fabian provided comments regarding this application.

Mr. Wesley Smith – 8028 9<sup>th</sup> Line, Essa lives north of the subject property and is in support of the proposal as he believes it would enhance the area and noted that nothing in the proposal is contrary to the area.

While the enhancement of the community is difficult to measure in this case, the creation of a new lot as proposed would encompass an existing built form and not have a negative impact on the surrounding area and community.

Mr. John Williams – 7914 9<sup>th</sup> Line, Essa supported the application to amend the Official Plan as he believes it will enhance and help the community.

Staff notes that this proposal to amend Official Plan policy would be site-specific and only apply to 7994 9<sup>th</sup> Line. It does not apply to other properties in the local area.

Dr. Werner A. Fabian – 5117 20<sup>th</sup> Sideroad, Essa disapproved of the proposal because he believes undersized lots should not be granted a severance, and that to re-designate from Rural to Rural Exception would open the door to the creation of smaller lots, not in the spirit of the Township Official Plan. Dr. Fabian believes severances granted to undersized lots destroys

landscapes, increases traffic, does not make sense for the future, should not be approved for financial gain. Dr. Fabian asked the question: "Where do the exceptions stop?" Dr. Fabian reiterated his strong disagreement with the proposed amendment.

Staff believes that while this is an application to amend existing Official Plan policy to permit a future severance on lands designated 'Rural', where it is not already permitted, that does not necessarily mean that the spirit, or general intent of the Official Plan is being offended. The above analysis of the Township's Official Plan as it relates to this OPA identifies that the spirit and general intent of the Official Plan is maintained.

Dr. Fabian also produced a letter and provided it to Council at the public meeting. This is included as Attachment 'D'.

Staff have completed an analysis of relevant planning policy and reviewed the received public and agency comments relating to this OPA. Staff have determined that the proposed amendment to Official Plan policy 26.5.1 to permit the creation of one (1) new lot by way of severance on lands which are less than the required 20ha in size is considered appropriate, is consistent with, and conforms to, relevant Provincial Policy, the SCOP, the Township of Essa Official Plan, and the Township of Essa Zoning By-law 2003-50. The result of this amendment, the future severance of these lands, would be respectful of the surrounding countryside, and would not have negative impacts on existing and adjacent agricultural uses.

**FINANCIAL IMPACT**

All costs associated with the subject development are to be borne by the applicant as collected through revenue.

**SUMMARY/OPTIONS**

Council may:

1. Take no further action.
2. Approve an amendment to the Township's Official Plan, 2001, to policy 26.5.1 as it applies to lands known as Part Lot 25, Concession 8, municipally known as 7994 9<sup>th</sup> Line.
3. Direct staff in another manner.


**CONCLUSION**

Option #2 is recommended.


Prepared by:

  
Liam Munnoch BURPI  
Junior Planner

Respectfully submitted by:

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

Reviewed by:

  
Colleen Healey-Dowdall  
CAO

5a

PD005-20

Staff Recommendation Report – OPA33 Pertaining to lands located at 7994 9<sup>th</sup>

Line

March 4<sup>th</sup>, 2020

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Page 10 of 10

Attachments:

- A. Conceptual Site Plan
- B. Drafted Amending By-law
- C. County of Simcoe Comments
- D. Dr. Fabian's Written Comments



"DRAFT"

**THE CORPORATION OF THE TOWNSHIP OF ESSA****BY-LAW NO. 2020-**

**Being a By-law to adopt an Amendment to the Official Plan for the Township of Essa with respect to lands municipally known as 7994 9<sup>th</sup> Line.**

WHEREAS authority is given to Council under the Planning Act, R.S.O. 1990, c.P.13, as amended, to pass this By-law;

AND WHEREAS the Council for the Corporation of the Township of Essa has provided adequate information to the public and has held at least one public meeting in accordance with the Planning Act;

NOW THEREFORE the Council of the Corporation of the Township of Essa enacts the following:

1. THAT the Township of Essa Official Plan Schedule "A" be amended to denote these lands with "OPA 33 See Section 26.5.1 Special Policy".
2. THAT the following be added to Section 26.5.1, of the Township's Official Plan:
  - a) Notwithstanding the above, those lands situated on Lot 25, Concession 8, municipally known as 7994 9<sup>th</sup> Line, may be permitted a severance, at the time of this amendment, to create one (1) new Rural lot on lands less than 20-hectares in size.
3. This By-law shall come into force and take effect upon the approval of the Corporation of the County of Simcoe and in accordance with the provisions of the Planning Act.

READ A FIRST, AND TAKEN AS READ A SECOND AND THIRD TIME AND FINALLY PASSED on this the 19<sup>th</sup> day of February 2020.

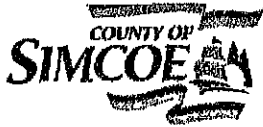
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Sandie Macdonald, Mayor

---

Lisa Lehr, Clerk

Attachment C



County of Simcoe  
Planning Department  
1110 Highway 26,  
Midhurst, Ontario L0X 1N6

Main Line (705) 726-9300  
Toll Free (866) 893-9300  
Fax (705) 727-4270  
simcoe.ca



5a

January 7, 2020

**\*\*VIA EMAIL\*\***

Aimee Powell, Manager of Planning and Development  
Township of Essa  
5786 Simcoe County Road 21  
Utopia, ON  
L0M 1T0

**RE: Official Plan Amendment No. 33  
Site-specific amendment for rural lot creation on a parcel with an area less than 20 hectares  
7994 9 Line, Township of Essa  
County File No.: E-OPA-19033**

Ms. Powell,

Thank you for circulating the Notice of Public Meeting to the County of Simcoe for comment. It is County planning staff's understanding that the applicant is requesting a site-specific amendment to policy 26.5.1 of the Township's Official Plan which permits lot creation in the Rural designation on lands with a minimum lot area of 20 hectares, whereas the total lot area of the subject lands is 15 hectares.

County Planning staff understand that should a site-specific OPA be approved, a severance application will follow that would propose the creation of one (1) new lot of 0.74 hectares that would contain the existing veterinary clinic and the existing second dwelling. The retained lands would have an area of 14.6 hectares and would contain an existing single detached dwelling.

**Planning Comments**

The subject lands are designated 'Rural' and 'Greenlands', per *Schedule 5.1- Land Use Designations* to the Simcoe County Official Plan (SCOP) and the severed lot is fully located within the 'Rural' designation.

It is understood by County staff that a temporary use zoning by-law amendment was passed in April 2019 to permit a garden suite on the subject lands. After that, a single detached dwelling was relocated to 7994 9<sup>th</sup> Line. Section 3.3.1 of the SCOP permits second units in the Rural, Agricultural, and Greenlands designations.

Section 3.3.3 of the SCOP states that in the Rural, Agricultural and Greenlands designations consents to create separate lots for two dwellings established in accordance with Section 3.3.1 are expressly prohibited. Although two dwelling units were established in accordance with 3.3.1 in 2019, County Planning staff are of the opinion that this application does not offend Section 3.3.3. The intention of 3.3.3 is to eliminate the potential for the creation of a new residential lot where one would typically not be permitted on the basis that a second residence has been temporarily permitted. It is not intended to sterilize a property that can otherwise meet all criteria for lot creation in their respective designation.

Section 3.7 of the SCOP contains policies specific to the Rural designation which includes lot creation policies for limited residential development. The application meets the criteria for residential lot creation in the Rural designation and simply due to the fact that one of the existing dwellings are located on the severed lot does not disqualify the subject lands from creating a new residential lot by consent.

The current fee for the review/processing of a Township adopted, privately initiated official plan amendment is \$2000. The applicant is to provide the fee directly to the County at such time as the local official plan amendment

5a

Is adopted and forwarded by the Township to the County for approval consideration. The County of Simcoe Fees and Charges By-law is available on the County website at [www.simcoe.ca](http://www.simcoe.ca). Planning fees are located under Schedule "K".

Please circulate the County on any updates or notices related to this application.

Thank you again for consulting with the County of Simcoe. Should you have any question or comments regarding the above, please feel free to contact the undersigned at [anna.dankewich@simcoe.ca](mailto:anna.dankewich@simcoe.ca) or (705) 726-9300, Ext. 1970.

Sincerely,

**The Corporation of the County of Simcoe**



Anna Dankewich  
Planner II

cc: Dan Amadio, Manager of Planning – County of Simcoe



Attachment D  
WERNER A. FABIAN, M.D.

January 15, 2020

5a  
General Practice  
Anthroposophic Medicine  
Natura Medical Arts Centre  
105 Toronto Street  
Barrie, Ontario, L4N 1V1  
Tel/Fax: (705) 739-4114

**Submission To:  
The Council of the Corporation of the  
Township of Essa**

**Re: Official Plan Amendment for lands known as Concession 8,  
East Part of Lot 25 on Registered Plan #51R19477 Part 2**

**Dear Councillors:**

**Please uphold the Township's Official Plan (Policy 26.5.1), as  
it now stands with regard to undersized lots.**

**To re-designate these 15 hectares from Rural to Rural-  
Exception would open the door to creating another lot: a  
situation ~~that is~~ not in the original spirit of the Township's  
Official Plan!**

**Thank you,**

  
**Werner A. Fabian MD**

**WAF/cam**

Werner A. Fabian MD  
General Practice  
Natura Medical Arts Centre  
105 Toronto St., Barrie ON L4N 1V1  
Ph/Fax: (705) 739-4114



9a

## TOWNSHIP OF ESSA STAFF REPORT

**STAFF REPORT NO.:** C007-20  
**DATE:** March 4, 2020  
**TO:** Committee of the Whole  
**FROM:** Krista Pascoe, Deputy Clerk  
**SUBJECT:** Lives Matter Campaign

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### RECOMMENDATION

That Staff Report C007-20 be received; and  
That Council approve the Traffic Advisory Committee's initiative to roll out a "Lives Matter" Campaign.

### BACKGROUND

At its meeting of September 18, 2019, Council passed the following resolution allowing the formation of a Traffic Advisory Committee:

**Resolution No: CW176-2019 Moved by: White      Seconded by: Henderson**

*Be it resolved that Staff Report C030-19 be received; and  
That Council approve the formation of a Traffic Advisory Committee as well as the Terms of Reference attached; and  
That Council authorize staff to advertise the Traffic Advisory Committee on the Township's media sites and in the local newspaper seeking volunteer participation; and  
That Councillor Sander be appointed as the Council representative on the Committee.*

---Carried---

### COMMENTS AND CONSIDERATIONS

The mandate of this Committee is to provide a community perspective on road safety issues, promote public awareness and education for road safety, with an aim to enhance community participation and cooperation on ways to improve safety on Township roads for pedestrians, cyclists and drivers.

In keeping with its mandate, the Traffic Advisory Committee passed the following resolution at its meeting of February 25, 2020, seeking Council's support of a proposed "Lives Matter" campaign:

*"Be it resolved that the Traffic Advisory Committee support the "Lives Matter" Campaign; and  
That the principles of the campaign be forwarded to Council of the Township of Essa for their support and consideration."*

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The objective of this Campaign is to gain the support of local businesses and residents of our community by having them post signs (example attached as Appendix A) with the end result of promoting Public Awareness in respect of speed and traffic calming in the Township of Essa.

It is proposed that no fee be charged to residential participants wishing to post a sign, however a fee to cover the cost of manufacturing/rental of signs will be charged to Business owners as they will have their Company name on the sign showing their support. If Council approves this initiative, the fee schedule will be amended accordingly

Additionally, should Council approve this initiative, a letter will be delivered to local business owners (example attached as Appendix B) requesting their support. Information will also be posted on the Township's social media outlets requesting support from the residents.

Should Council approve this initiative, it should be noted that signs will be required to be posted in accordance with the Township's Sign By-law 2008-15 whereby the signs will not be posted so as to obstruct sight lines or day light triangles, in addition the signs are to be posted a minimum of 1.5 m (5 feet) from the shoulder of the roadway as specified in section 5.9, and shall not be permitted to be posted in any tree, post or pole.

**FINANCIAL IMPACT**

It is anticipated that the Township will front the costs of manufacturing the signs, however costs should be recouped as Businesses partake in this campaign.

**SUMMARY/OPTIONS**

Council may:

1. Take no further action.
2. **Authorize the Traffic Advisory Committee to roll out the "Lives Matter" Campaign.**

**CONCLUSION**

It is recommended that approve Option No. 2.

Respectfully submitted:

Reviewed by:

Reviewed by:

Krista Pascoe  
Deputy Clerk

Lisa Lehr  
Clerk

Colleen Healey-Dowdall  
Chief Administrative Officer

Attachments:

1. Example of the Draft Campaign Sign
2. Draft Letter to Business Owners

JOES FISH SHOP  
SUPPORTS

LIFE MATTERS

SLOW DOWN

DO THE POSTED SPEED LIMIT



Where Town and Country Meet



Appendix B

EXAMPLE

Dear Business Owner,

Essa Township's Traffic Advisory Committee is rolling out a campaign to help keep everyone safe on our Roads.

We would love for your Business to support this initiative by leasing one of our Signs with your Business name advertised.

The Cost per sign is:

Small	Medium	Large
\$50.00	\$75.00	\$100.00
Magnetic Sign \$125.00 / side		

Example:

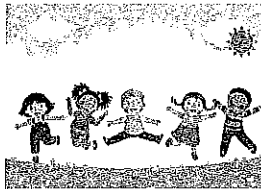
JOES FISH SHOP  
SUPPORTS

LIFE MATTERS



SLOW DOWN

DO THE POSTED SPEED LIMIT



One of our members will contact you in the near future.

Sincerely,

Essa Township's Traffic Advisory Committee



**TOWNSHIP OF ESSA STAFF REPORT**

**STAFF REPORT NO.:** C008-20

**DATE:** March 4, 2020

**TO:** Committee of the Whole

**FROM:** Lisa Lehr, Clerk

**SUBJECT:** By-law Department Budget

**RECOMMENDATION**

That Staff Report C008-20 be received; and

That Council authorize staff to purchase two additional uniforms and a winter jacket for the new Part Time Municipal Law Enforcement Officer, at an upset cost of \$500.00 maximum.

**BACKGROUND**

Council approved the 2020 Budget at their meeting of December 18, 2019.

The 2020 By-law Department Budget was approved to hire one Part Time Municipal Law Enforcement Officer.

**COMMENTS AND CONSIDERATIONS**

At the time of Budget preparation, the municipality employed only one Municipal Law Enforcement Officer (MLEO). Respectfully, Council approved the Clothing Allowance for the one MLEO in the amount of \$500.00, of which is utilized to purchase uniforms and a winter jacket for the MLEO.

In its 2020 Budget Deliberations, Council approved the hire of one Part Time MLEO, of which the wages for this position were included and approved by Council upon the 2020 Budget, however the Clothing Allowance (\$500.00) remained unchanged.

The Clerk is seeking Council's authorization to purchase two additional uniforms and one winter jacket for the new Part Time MLEO, all of which are necessary for this position, at an upset cost of \$500.00 (maximum).

**FINANCIAL IMPACT**

The 2020 Council approved Clothing Allowance for Municipal Law Enforcement, G/L 02-04-150-290-6038 was approved at \$500.00.

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**SUMMARY/OPTIONS**

Council may:


1. Take no further action.
2. **Authorize staff to purchase two additional uniforms and a winter jacket for the new Part Time Municipal Law Enforcement Officer, at an upset cost of \$500.00 maximum.**
3. Proceed as Council deems appropriate.

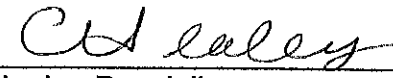
**CONCLUSION**

Staff recommends that Council approve Option No. 2.

Respectfully submitted:

Reviewed by:

  
\_\_\_\_\_  
Lisa Lehr  
Clerk

  
\_\_\_\_\_  
Colleen Healey-Dowdall  
Chief Administrative Officer



## TOWNSHIP OF ESSA STAFF REPORT

**STAFF REPORT NO.:** CAO018-20

**DATE:** March 4, 2020

**TO:** Committee of the Whole

**FROM:** Colleen Healey-Dowdall, Chief Administrative Officer

**SUBJECT:** Brookfield Environmental Assessment for Sewage Treatment

### RECOMMENDATION

That Staff Report CAO018-20 be received; and that Council take no further action and leave the developer as the sole proponent at this stage of the Baxter sewage treatment Environmental Assessment with re-evaluation to follow if further study is warranted - costs could be applied to the wastewater budget without significant impact to the municipality.

### PURPOSE

The purpose of this report is to advise Council on proponentcy related to the Environmental Assessment (EA) project on-going in Essa, aimed to examine alternatives for sewage treatment specific to the Brookfield residential plan of subdivision.

The developer of a 253-home residential plan of subdivision commenced a review of sewage treatment alternatives in the fall of 2019 – as is customary for a developer of a plan of subdivision and similar to the process completed earlier by the Marshalls as the former developer of the draft plan approved subdivision. A municipality would typically become involved as a co-proponent to an EA if a community was planned to grow. In Essa, the Official Plan for the municipality states that, for the most part, growth is to be directed to Angus.

### BACKGROUND

This staff member prepared a report earlier this year in response to a developer delegation and the developer requesting the Municipality to consider becoming a co-proponent to an EA for sewage treatment in Baxter. Since presenting an earlier report of February 5<sup>th</sup> (written in response to the developer request), the developer further requested a deputation to Council which occurred on February 19<sup>th</sup>. Concurrently, the public wished to make comments in response to the Brookfield deputation of December 19<sup>th</sup>.



At its meeting of February 19<sup>th</sup>, Council heard from both the developer and residents and the concerns of the developer and residents have been summarized and are attached to this report as Attachment 1. Note that while some of the comments of residents are important considerations, some comments may be based on misinformation, or a lack of, and this staff member suggests addressing this issue by distributing this report once received by Council.

## EA PROCESS

An EA process has been started and the developer, Brookfield, is studying different methods for providing sewage treatment to its subdivision of 253 new homes. The Ministry of the Environment, Conservation and Parks (MOECP) will assess all information and determine the best alternative.

An EA process must examine and assess all potential effects, positive and negative, of a proposal and alternatives. Consultation with the public and government agencies is a part of the process.

In the case at hand, the developer and its Engineer, Azimuth, have stated that:

- The solution will serve the immediate needs of the subdivision with flexibility built into the design to allow for future expansion
- The existing solution for wastewater, a forcemain, was more complicated than considered in the previous EA of the developer
- The EA will evaluate environmental concerns, including but not limited to: the assimilative capacity of the Nottawasaga River, species, groundwater and a proper outlet
- The EA will examine costs, including capital, operating life cycle and maintenance

(source: email from Mike Jones of Azimuth, February 3<sup>rd</sup> and February 4<sup>th</sup> and delegation)

In preparing this report, this office has listened to the developer and members of the public, consulted with the Township Engineer (Ainley Group) and other staff and carried out research on the EA process. A telephone conversation with the MOECP has also occurred.

## COMMENTS

In addition to the items as listed previously on February 5<sup>th</sup> (Attachment 2), this office has a concern that if the Municipality becomes a co-proponent, there may be a sense that the system selected is meant to be for the greater community, and if so, it may seem as if Council is short-changing the public planning process by determining that Baxter should grow. Meanwhile, a complete comprehensive review is in order for Council to consider

and then decide on future growth in the Municipality. The developer is supposed to find sewage treatment alternatives for their plan of subdivision just as they are to present water and other servicing means for their proposal. If the Municipality is concerned for a larger system to reach a broader area, it should join in but also be aware that a further level of review may be warranted, and also, further studies to look at other issues related to growth.

In fact, if the Municipality were considering additional growth for Baxter, it should become its own proponent of an EA for a broader expanse of servicing and hire its own Engineer to study options/alternatives.

### **OTHER CONSIDERATIONS**

Council has not ever spoken to wanting anyone else to connect to the new sewage treatment system to be provided by the developer in Baxter, so it seems as if the issue at-hand is a developer issue. Again, if Council would like further study on expansion or growth of Baxter, a further staff report would be required. This sort of report would need to be drafted by the Official Plan Consultant and/or Township Engineer given the far-reaching impacts on the Township's Official Plan policies. Note that the Township's Engineer is currently reviewing capacity at the Angus Sewage Treatment Plant. Also note that any decision other than status quo (stemming from this EA) will result in a review of the Township's Development Charge Study.

The developer is concurrently working on the provision of water for its plan. Council is aware that there is a concern for the provision of water. The report of February 5<sup>th</sup> briefly speaks to matters concerning water. The public should know that the decision for existing residents to connect to the municipal water system (current cost approximately \$6,600) has not yet been made. Bear in mind on the topic of water, there are infrastructure costs, connection costs and user rates, each a separate category (i.e., the developer would pay infrastructure costs relative to providing water to service their subdivision).

The public have raised several issues, some of which are general and some of which are related to the EA. These latter issues will be addressed by the developer in the weeks ahead. The developer has commented that they are anticipating holding a public meeting concerning sewage treatment and the EA during the week of March 23 – 27. Once a meeting has been scheduled, a notice will be prepared and delivered to residents. The general issues have been addressed within Brookfield's attachment as an attempt as a response to concerns.

### **FINANCIAL IMPACT**

The cost of review of an EA as a review agency/stakeholder could be drawn from the wastewater budget, contract services. Such cost is estimated to be approximately \$10,000 - \$15,000. While this specific item wasn't budgeted, staff is confident that it can be accommodated in the 2020 budget.

of

**SUMMARY/OPTIONS**

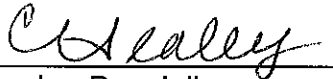
Council may:

1. Take no further action and leave the developer as the sole proponent at this stage with re-evaluation to follow if further study is warranted. Costs could be applied to the wastewater budget without significant impact to the municipality.
2. Opt to become a co-proponent to the EA on sewage treatment for the Baxter development.
3. Opt to commence a municipal EA as a proponent at a cost of approximately \$50,000.

**CONCLUSION**

Option #1 is recommended.

Respectfully submitted:



Colleen Healey-Dowdall  
CAO

Attachments:

Summarized concerns of developer, residents and Township  
February 5<sup>th</sup> Report (modified)

Summary of Deputations on Feb 19<sup>th</sup>, 2020

Notes by Colleen Healey-Dowdall

Historical concerns –

Residents commented that many different systems were examined over the years, they suggested that a sewage treatment plant could be placed further northeast on the Marshall farmland, abutting the river, as opposed to in the park (this option had been examined previously at one time) – would enable compliance with separation criteria (or if Council chose to open up discussion on growth, and larger servicing studies were to commence, then consider the former landfill site – the residents in favour of additional study so that proper review is carried out if Council so chooses)

Brookfield – previous EA not detailed enough

Twp staff comment –

- Although several different types of treatment have been examined, the current EA is to focus on technologies of the day – let's stick to alternatives at hand today – let's let the EA proceed in a collection of the best info available
- design details not considered previously/costs of depth of forcemain and operation not considered

Aesthetic concerns –

Residents are concerned with: odour, truck traffic, appearance of a plant and separation

Brookfield – odour can be prevented and/or treated (prevention suggested first); will build to suit area and separate per MOECP

Twp staff comment –

- Odour prevention should be considered; consider separation distance
- If not prevention of odour, treat for odour in operation cost
- Truck traffic will exist to remove biosolids, one a month – account for this in operation cost
- Can treat building fit in with area/architecture of surrounding properties
- Twp will want to apply appropriate separation

Environmental concerns –

Residents list quality of water/river, impact on enviro and groundwater – all of which will be studied by the EA (Brookfield and Twp agree that these issues should be examined by the EA)

Residents question outlet – that is, where would it be for a local plant?

Brookfield – use ditch to tributary a possibility

Twp staff – Would not be in favour of using the Township ditch as a permanent outlet since stormwater already negatively impacts on Denney Dr residents

Residents suggest to avoid duplication of infrastructure and services – this will be examined during the EA

Everyone striving to find green solutions

Federal EA not applicable as Brookfield points out – local interest only

**Growth concerns –**

Residents want the right solution for the community, want to move on – wonder if additional study is needed to take a more comprehensive look at Baxter and wonder if Baxter will grow

Brookfield – suggest a system that will accommodate for growth – they suggest that the 2012 EA was looking at an oversized system and that this is responsible/what the ministry wants

Twp staff –

- Baxter is not designated to grow at this time – OP sets out that Angus is the growth centre for Essa with land to accommodate for growth pressures
- Consult with ministry on what the ministry advises

**Cost concerns –**

Residents properly point out that a cost benefit analysis should be carried out – all agree that this should be completed as a part of the EA

Brookfield – provides info that a Baxter plant and pipes/vents will be less expensive

Twp staff - would like a full cost benefit analysis including future operational costs to compare

Residents point out that Essa DCs may change/Brookfield does not agree

Twp staff – will require a review of DCs: Brookfield may not be contributing to the Angus wastewater treatment plant so Essa will face a funding shortfall until the rates are re-examined/re-disbursed; note as well that user rates should be examined

Brookfield points out (last point in its deputation) that it is not proposing to design and construct a facility to accommodate the existing community

From the Twp's point of view, this seems to be causing confusion – perhaps the purpose of the EA should clearly establish this

General Comments of the Public/Response by Brookfield:

1. Confusion over info provided
2. Stigma of treatment plant – they don't want to live with
3. Truck and construction activity – safety/required measures have been implemented to ensure safety
4. Brookfield is required to reconstruct and urbanize Denney Dr (fill in ditches and provide curbs and gutter)
5. Brookfield must provide traffic lights at Denney Dr and Murphy Rd (a condition to development) – or funding for such
6. Location of a possible plant to be determined with appropriate separation – Twp would ask that separation be considered from park property
7. Timing of subdivision agreement – although matters are being addressed somewhat piecemeal, a subdivision agreement cannot be entered into until ALL conditions of approval have been satisfied (ie, parkland, traffic measures, sewage and water)
8. All required securities in place at this time
9. Public wanting details and complete and up-to-date info/Brookfield endeavouring to provide
10. 3<sup>rd</sup> Party review – Brookfield has already hired an Engineer to undertake the EA – 3 months into the process to find a sewage solution for its residential subdivision; the municipality could consider joining in to steer the process – debatable if being a co-proponent would influence the decision or would it spark cost discussions if the municipality wished to hire another Engineer – the municipality intends to comment on the EA whether it is proponent or not, concerned with facts and costs  
If a plant is preferred, then a further public process is triggered – the Township's Engineer advises that the municipality could become a co-proponent at this point
11. Location – discussion to be held.....

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## TOWNSHIP OF ESSA STAFF REPORT MODIFIED FROM ORIGINAL FORM

**STAFF REPORT NO.:** CAO006-20

**DATE:** February 5, 2020

**TO:** Committee of the Whole

**FROM:** Colleen Healey-Dowdall, Chief Administrative Officer

**SUBJECT:** Brookfield Development of Baxter and Sewage Treatment and Disposal, Class EA

### RECOMMENDATION

That Staff Report CAO006-20 be received; and

That the Township offer comment to Brookfield and the Province on the developer's initiative to reopen their means of sewage treatment and disposal for their 253-home, draft plan approved, residential subdivision in Baxter, as follows:

the Municipality is satisfied with the current approved means for sewage treatment and disposal for the 253 homes planned for the settlement area of Baxter but as alternatives are explored, the Municipality will provide comment as information is made available – specific comments will reflect: interest in costs for alternatives (capital, operational and maintenance); interest in reliability of systems, impact on the environment, odour of alternatives, and the impact on lifestyle of residents and on roads.

### BACKGROUND

Further to discussion and a deputation to Council in the fall of 2019, Brookfield notified Essa on December 12, 2019, that it had initiated a Class EA Study on wastewater for the community of Baxter. The developer has posted a notice in the Alliston Herald to this effect and is planning on holding a public open house at some community facility in the near future (aiming for late February). They have asked the Municipality, if the Municipality would like to join in and become a co-proponent of the Class EA.

Advantages of being a co-proponent:	Disadvantages of being a co-proponent:
As co-proponent, the Municipality has greater input in the process and on the final decision	As co-proponent, the project becomes a shared project; with responsibility and costs shared which is a strain on Essa being such a small municipality

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Essa is a small municipality with limited resources, and sharing in responsibility for a possible new alternative for sewage when there is already an approved means in place, puts added strain on staff and possibly the resources of the Township.

## COMMENTS AND CONSIDERATIONS

Whether the Municipality decides to join in and partner with Brookfield in re-examining their plans for sewage treatment and disposal or not, the Municipality is expected to make comment on the matter soon, and as well, during and following the Class EA review process (as a stakeholder if not as a partner). As a stakeholder, as opposed to becoming a partner or co-proponent, the Municipality is still able to comment, and comments of the Municipality should, in the opinion of staff, reflect that the Municipality has concerns as follows, and wishes information on the following, relative to all alternatives (Note that contrary to Brookfield's letter of Nov 13<sup>th</sup>, the following has not been established/accepted, nor is known, by the Township):

- a) Cost of capital and the on-going operation of the treatment facility and disposal (and maintenance);
- b) On-going operational issues;
- c) Reliability and soundness of the treatment facility;
- d) Impact on the environment (which alternative is the most green/environmentally-sustainable);
- e) Impact on Essa as a whole;
- f) Impact on the community of Baxter;
- g) Impact on the 5<sup>th</sup> Line residents;
- h) Odour;
- i) Location of the treatment facility and proximity to existing residential land uses;
- j) Disposal or outlet (NVCA comments are encouraged) and impact on Essa operations and residents;
- k) The existing DC Study includes a component for the Angus Sewage Treatment Plant which the Municipality is now relying on.

### Water

In conjunction with the Brookfield development and its plans for wastewater treatment, Council is also advised that Brookfield would like Essa to pursue entering into the planned agreement to purchase additional water from the Town of New Tecumseth sooner rather than later.

The previous administrator negotiated an agreement which would purchase 400 m<sup>3</sup> of additional water from New Tecumseth in order to service Brookfield's 253 homes and the existing residents of Baxter at a cost of \$067.58/m<sup>3</sup> (user costs) and \$005.73/m<sup>3</sup> (maintenance costs). 70.4% is the agreed upon cost sharing arrangement, with Brookfield providing all upfront funding for the project (the project involving a new water storage facility and booster pumping station along with distribution works and fire hydrants) (estimated capital costs provided as Att'mt 1). As Council is aware, the Township may have new concerns for the planned water works which will need to be addressed prior to proceeding. Entering into the water agreement with the Town of New

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Tecumseth will trigger user and maintenance costs, and as such, staff associated with water rates should explore options with respect to rates.

As is typical with any plan of subdivision, Brookfield will not be building until the wastewater (sewage treatment) EA is complete and finalized and accepted by the Province. Building would not occur with a development until a developer has fulfilled all conditions of approval (conditions available upon request).

*Note to the public: Aside from infrastructure investment and water rates, Council has not committed to mandatory water connection by residents currently serviced by private wells – the cost of which in the past, in other Essa communities (Angus and Thornton), has been \$6,613 to be paid up-front or through a deferred payment plan spanning 15 years. This is being contemplated with the water system upgrades.*

### Septics

Council previously deferred any decision to force conversion from septic to the new system. Council could mandate forcing the abandonment of each private, individual septic system but staff is not sure that existing residents in Baxter want this (many residents have gone on record stating that they are satisfied with their existing septic system).

*Note to the public: As it stands, Council has not ever provided any direction to force existing residents to convert from their septic system to a municipal system.*

### **FINANCIAL IMPACT**

None if Essa remains removed from the new EA initiated by Brookfield.

### **SUMMARY/OPTIONS**

Council may:

1. Take no further action at this time.
2. Become a co-proponent to the re-opened EA which will once again study options for new sewage in Baxter although the earlier EA has already determined that the best option is a forcemain to the Angus sewage treatment plant.
3. **Review all alternatives and future information, and continue to consult with the Township Engineer, OCWA and the NVCA on new sewage associated with the Brookfield subdivision, and to express comments as laid out in this report to Brookfield and the Province through the EA process.**
4. Begin to look at further development in Baxter on a comprehensive basis and consider becoming a proponent of a municipal EA.

## CONCLUSION

Basically, the cost of the planned forcemain taking sewage from 253 new homes in Baxter has given cause for Brookfield to want to re-examine its options for wastewater. The Township has also realized that there could be efficiencies in operations and maintenance with an alternative means of sewage treatment.

It would seem, from comments made, that the developer would prefer an on-site means of sewage treatment, however, everyone agrees that examining alternatives and all information related to all alternatives is best. Consideration of location of alternatives would be part of another phase.

**Staff recommends commenting to the developer and the Province on those criteria and items/details discussed in this report. Option #3 is recommended.**

Respectfully submitted:

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Colleen Healey-Dowdall  
CAO

Attachments:  
Water costs - breakdown



## TOWNSHIP OF ESSA STAFF REPORT

**STAFF REPORT NO.:** CAO019-20  
**DATE:** March 4, 2020  
**TO:** Committee of the Whole  
**FROM:** Colleen Healey-Dowdall, Chief Administrative Officer  
**SUBJECT:** Pay Administration Policy

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### RECOMMENDATION

That Staff Report CAO019-20 be received; and  
 That Council consider adopting the attached Pay Administration Policy.

### PURPOSE

To present a pay administration policy to Council for adoption.

### BACKGROUND

The Township has hired Ward & Uptigrove to draft a fair and consistent pay administration policy for the Municipality and to ensure that pay equity is met and promoted (to comply with the Ontario Pay Equity Act and to ensure equal pay for work of equal value). The attached policy has been prepared by Ward & Uptigrove and it is suggested that it be adopted to apply in Essa Township (refer to attached).

### COMMENTS AND CONSIDERATIONS

The Township must continue to comply with Ontario Pay Equity legislation, and as well, it has been decided to promote equal pay for equal work. Ward & Uptigrove has been hired to accomplish this; this year. To this end, Ward & Uptigrove will establish a new job description format and will objectively score all municipal positions out of a total value of 1000. The Township's pay administration policy will ensure regular movement along a standardized and consistent pay grid, if appropriate.

The attached policy states that new positions would be subject to Council approval, and placement on the pay grid at any step other than Step 1 must first be approved by Council. The Township's consultant, Ward & Uptigrove, had hoped that the attached pay administration policy could be adopted by Council as soon as possible, in order that they advance this project.

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It can be noted that the pay of the new full-time Deputy Fire Chief will be dependent on a scoring of the job description in relation to the scoring system and all other jobs.

**FINANCIAL IMPACT**

The 2020 budget accommodates for this project.

**SUMMARY/OPTIONS**

Council may:

1. Take no further action.
2. Adopt the pay administration policy presented by Ward & Uptigrove.
3. Adopt the pay administration policy of Ward & Uptigrove subject to amendments as suggested by Council.

**CONCLUSION**


Option #2 is recommended.

Respectfully submitted:

Colleen Healey-Dowdall  
CAO

Attachments:

Pay Administration Policy of Ward & Uptigrove

	<b>POLICY AND PROCEDURE</b>
<b>EMPLOYEE POLICY AND PROCEDURES MANUAL</b>	<b>Section II – Employment Conditions and Conduct</b>
<b>POLICY</b>	<b>Pay Administration</b>
<b>EFFECTIVE DATE</b>	<b>January 1, 2021</b>
<b>APPROVED BY</b>	
<b>SUPERSEDES</b>	
<b>LAST REVIEWED</b>	
<b>PAGES</b>	

**PURPOSE**

The purpose of this policy is:

- To attract and retain qualified employees through an internally equitable (fair and consistent) pay program.
- To comply with the *Ontario Pay Equity Act* and promote the concept of equal pay for work of equal value.
- To be interpreted and applied in a manner consistent with, and in accordance with all applicable employment statutes including the Human Rights Code and *Employment Standards Act, 2000*.
- To establish and maintain annual pay bands.
- To set out how staff can earn annual pay increases through step movements and annual adjustment through performance reviews.
- To establish and maintain a consistent job evaluation process.
- To establish and maintain updated job descriptions.
- To describe all significant pay administration procedures.

**SCOPE AND APPLICABILITY**

This policy applies to all full time and part time employees of the Township of Essa, including Library staff, immediately upon hire. Certain Contract, Seasonal and Student positions are excluded.

**RESPONSIBILITY**

The CAO, along with direction from Council will implement, administer and monitor this policy. Council has approved this policy. All future amendments to this policy must be approved by Council. All pay increases under this policy are subject to the finances of Essa and require budget approval. A formal review of this policy will take place every four years.

**POLICY****Pay Band System**

- Most Essa positions (including part-time) are included in the pay band system. Certain Contract, Seasonal and Student positions are excluded.
- The Township uses the job evaluation methodology attached at Appendix A to score all positions.
- All positions included in the pay band system are evaluated and scored out of 1,000.
- Based on the score, out of 1,000, each position is assigned to a certain pay band.
- Each step on the pay grid is expressed as an hourly rate which excludes all benefits.
- Each pay band has five (5) steps (expressed as a % of the job rate) as follows:
  - Step 1 (80%)
  - Step 2 (85%)
  - Step 3 (90%)
  - Step 4 (95%)
  - Step 5 (100%) Job rate (highest rate)
- All hourly paid staff are paid at the rate hourly at their assigned step.
- All salaried staff are paid an annual salary equal to the hourly rate at their assigned step times the standard hours for the position as shown.
- All staff are at a certain full step at any time. Placement at partial steps or outside their pay band is not allowed.
- New staff will normally be hired at the base rate (Step 1). If the new hire has experience and qualifications in the position, the person can be hired at a higher rate subject to CAO and Council approval. No staff should be hired at a rate below the base rate or above job rate.
- Supervisors and Department Heads shall not promise any starting pays or pay increases to prospective staff or existing staff until approved by the CAO.

**The Job Evaluation Process for New Positions**

If a new position is created the following procedures are followed:

- A Job Description (JD), in the standard Essa format, is created by the Department Head.
- The new JD is then submitted to the CAO and Council for consideration and approval.
- Upon hiring, and at regular intervals, the incumbent and department head should review and sign the JD and the signed copy will be placed in the incumbent's personnel file.
- The job evaluation (score) of the position will be determined by the CAO, with assistance as required from an external consultant, using the Essa Job Evaluation tool at Appendix A.
- The new position will be placed in the appropriate pay band based on the job evaluation.

### **The Job Evaluation Process for Existing Positions**

If the duties/responsibilities of an existing job change substantially the following procedures are followed:

- A Job Description (JD), in the standard Essa format, is updated by the Department Head.
- The revised JD is then submitted to the CAO for consideration and approval. The CAO's JD is approved by Council.
- The incumbent in the existing job and the department head will sign the JD and the signed copy will be placed in the incumbent's personnel file.
- The job evaluation (score) of the position will be reviewed by the CAO, with assistance as required from an external consultant, using the Essa Job Evaluation tool at Appendix A.
- The revised position will be placed in the appropriate pay band based on the new score. CAO approval is required. Any Pay Band movement will be approved by Council through the annual budget process.
- Every employee has the right to review the evaluation of their position and placement in the Essa Pay Bands. To initiate a review, the employee should contact their Supervisor or Department Head.

### **The Job Description Ongoing Maintenance**

- A complete and accurate JD in the standard Essa format will be maintained for all positions.
- The JD will be reviewed and updated each year during the annual performance review.
- All changes to a JD will be approved by the effected staff member, the appropriate supervisor, the department head, and the CAO. A copy of the signed job description will be kept in the staff member's personnel file.
- Current approved job descriptions will be used to evaluate all positions for statutory pay equity and pay banding purposes.

### **Performance Reviews**

- Performance reviews are conducted annually on the hire anniversary date to determine eligibility for a potential step increase effective the hire anniversary date and annual adjustment effective January 1 of the next year. Pay reviews are conducted at same time as annual performance reviews. See performance review policy for more details.
- All pay increases (either a step movement or annual adjustment) require at least satisfactory performance. Employees with performance issues may have their pay increase (step movement or annual adjustment) held back and a performance improvement plan (PIP) implemented. PIPs are usually for three months. The affected employee will not receive their pay increase until their performance improves. Any subsequent pay increase will not be retroactive.

### **Pay Band Annual Adjustment**

- Each year on January 1 the entire pay band grid may move up by % using an established formula.
- The formula to be used is the annual Stats Can Ontario CPI for the 12 months ended September 30 each year.

- All job rates will increase by the annual adjustment and the other four steps calculated as a % of the job rate.
- The annual adjustment pay band increase is not automatic each year. It depends on Township finances and affordability and is subject to annual Council approval.
- If the formula in a given year, results in a negative % the pay band grid will remain the same as the previous year. In the following year the negative % will be netted against a positive %.
- If Council approves an annual adjustment, all staff with at least satisfactory performance will have their pay increase by the amount of the increase in their step effective January 1 of each year.

### **Pay Band Step Movements**

- In addition to the annual pay band adjustments discussed above, staff are eligible for, subject to Council overall budget approval and satisfactory individual job performance, step movements (merit increases) through the pay band for their position based on the criteria below.
- Satisfactory performance is defined as individuals achieving:
  - Their annual goals as approved by the Department Head and/or CAO
  - Satisfactory performance on their key measurables as arranged with the Department Head and/or CAO
- New staff on probation are not eligible for a step movement. Once a new staff member successfully completes their probation, a step movement may be possible as explained in their employment agreement. All employment agreements are prepared and approved by the CAO.
- Step movements will normally take place on the anniversary date of the staff member's hire.
- After probation, to be eligible for the next step movement, the staff member must have at least six months employment in the old step.
- It is expected that the longer staff members work at their Essa job the more effective and efficient they become in their position. As a result, it is standard practice, subject to Council overall budget approval and satisfactory individual job performance, to award one step movement per year of active employment until the staff member reaches the job rate in their pay band. If an individual has all active employment, they would normally reach the job rate in their pay band within five years of their start date.
- If a new staff member is hired at a rate higher than step 1, the number of years required to reach job rate is reduced accordingly.
- Part time staff members will earn a step movement in their pay band after cumulating 1,820 or 2,080 (depending on area and full-time equivalent hours) of hours actually worked from their previous step movement. For example, if a part time employee starts at step 1 on January 1, 2021 and works 607 hours per year, they will move to step 2 in their pay band on January 1, 2024. This practice has been adopted to ensure consistency in step movements between full and part time staff. Individual circumstances will be considered.



- Active employment is defined to mean actually working on the job. Time spent on any leave is deemed inactive employment and does not count towards qualifying for a pay band step movement. Examples of leaves are pregnancy, parental, short term disability, or long term disability. For example, an individual on a pregnancy and parental leave for one year (and no other leaves) would achieve the job rate in their pay band after five to six years with Essa on their start date. This rule of active employment may not apply to other Essa compensation entitlements such as vacation.
- Once a staff member has reached their job rate (Step 5) their pay rate is frozen at Step 5 and they are eligible only for the approved annual adjustment.
- All step movements require the approval of the CAO and the overall budget approval of Council.

### **Promotions**

- Employees promoted to a different position that is evaluated at a higher pay band than their present job, shall move to a step which reflects their degree of proficiency for the new position as recommended by their Supervisor and approved by the CAO. The employee's new pay will not be less than their pay at the old position.
- After 180 days, an employee in a new position will have their job performance reviewed and further step movements may be possible.

### **Demotions**

- Employees demoted to a different position that is evaluated at a lower pay band than their present job, shall move to a step which reflects their degree of proficiency for the new position as recommended by their Supervisor and approved by the CAO,
- The employee's new pay may be less than their pay at the old position however sufficient working notice at the old rate of pay will be required before the lower rate of pay is implemented.
- If their pay is maintained at a rate above the job rate for their new position, their pay will be red circled. Effective January 1, 2021, employees in this situation will not be eligible for the annual pay adjustment until their pay is equal to or exceeds the job rate in their band.
- After 180 days, an employee in a new position will have their job performance reviewed and a step movement considered.

### **Appointments to "Acting" Positions**

- Employees temporarily appointed by the CAO and/or Council to a position with responsibilities higher than those of their present job for more than 10 consecutive working days, may receive an increase of their regular pay for the duration of the temporary appointment. The pay increase would be retroactive to the date of the responsibility change.
- The pay increase will be kept separate from their regular hourly rate and paid as an 'acting payroll increase'.
- At the end of the acting appointment, the employee will resume their previous position at the step and pay rate existing at the time of the appointment plus any annual adjustments or merit adjustments due.

**Contract, Seasonal and Student Employees**

- Certain contract, seasonal and student employees of Essa may not be part of this pay banding system.
- These employees will receive pay increases according to the terms of their employment agreement.
- Attempts will be made to make these dates and pay increases consistent with Essa other pay administration procedures when practical.

**Transition Rules*****Placement on 2021 Pay Grid***

- All staff with satisfactory performance will round up from their 2020 actual pay to the next highest step in their 2020 adjusted pay band.
- All staff with satisfactory performance will receive the 2021 annual adjustment effective January 1, 2021.
- Other transition adjustments may be required based on unique circumstances.
- Further step movements may be allowed in 2021 later in the year, at the hire anniversary date based on individual performance.

**Other Compensation Policies**

- Other compensation policies such as bereavement leave, employee benefits, hours of work, overtime, statutory holidays, vacation etc. are covered elsewhere in the Essa Employee Manual and Terms and Conditions of Employment By-law.

**RELATED POLICIES**

- Employment Agreements
- All the policies in this section

**RELATED FORMS**