

THE CORPORATION OF THE TOWNSHIP OF ESSA
COMMITTEE OF THE WHOLE

WEDNESDAY, FEBRUARY 20, 2019
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. 6:00 p.m. **Public Meeting**
Re: Proposed By-law Amendment – 2007-30
Proposed Boundary Expansion to Angus Business Improvement Area (BIA)

STAFF REPORT

4. PLANNING AND DEVELOPMENT

- p. 5 a. **Staff Report PD013-19 submitted by the Manager of Planning and Development, re: Zoning By-law Amendment – 7546 CR 27.**

Recommendation: *Be it resolved that Staff Report PD013-19 be received; and That Council **does / does not** authorize staff to schedule a public meeting for a Zoning By-law Amendment to rezone lands at 7546 County Road 27 to permit an industrial storage building of 7080 square feet which will cover 32% of the 5 acre lot.*

- p. 11 b. **Staff Report PD014-19 submitted by the Manager of Planning and Development, re: Proposed Zoning By-law Amendment – 7994 9th Line, Ivy – Temporary Second Dwelling in Association with Vet Clinic.**

Recommendation: *Be it resolved that Staff Report PD014-19 be received; and That Council **does / does not** authorize staff to schedule a public meeting to collect comments on a proposal for a temporary use to permit a new dwelling next to an existing vet clinic, with the landowners to also (later) apply for an Official Plan Amendment (OPA) to request a severance of land to create two properties, each with a dwelling unit, on the basis that the OPA and land severance applications will take some time to process and the dwelling unit is needing to be relocated immediately.*

- p. 16 c. **Staff Report PD015-19 submitted by the Manager of Planning and Development, re: Proposed Economic Development Protocol.**

Recommendation: *Be it resolved that Staff Report PD015-19 be received; and That Council **does / does not** approve entering into a Lead Handling Protocol Agreement with the County of Simcoe concerning economic development inquiries; and That the Manager of Planning and Development be authorized to execute the Agreement with the County of Simcoe.*

- p. 23 d. **Staff Report PD016-19 submitted by the Planning Technician, re: Zoning By-law Amendment to Prohibit Dwellings on Farmland due to Farm Consolidations.**

Recommendation: *Be it resolved that Staff Report PD016-19 be received; and That Council **does / does not** authorize staff to schedule a public meeting to collect comments on a Zoning By-law Amendment to prohibit dwellings on farmlands where surplus dwelling units have been severed due to farm consolidations.*

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

6. **FIRE AND EMERGENCY SERVICES**

7. **PUBLIC WORKS**

- p. 26 a. **Staff Report PW005-19 submitted by the Manager of Public Works, re: 2019 Equipment Rates.**

Recommendation: *Be it resolved that Staff Report PW005-19 be received; and That Council **does / does not** authorize staff to schedule a public meeting for the proposed increase to the Public Works Department equipment rates.*

8. **FINANCE**

- p. 30 a. **Staff Report TR004-19 submitted by the Manager of Finance, re: Proposed 2.38% Increase in Water User Fee Rate.**

Recommendation: *Be it resolved that Staff Report TR004-19 be received; and That Council **does / does not** approve an annual 2.38% rate increase on the effective dates listed in the chart below, and that the 2.38% increase for fixed water rates apply to all pipe sizes; and*

<i>Effective Date</i>	<i>Water Rates – Volumetric Cost per m3</i>	<i>Water Rates – Fixed Part Meter size – 15mm</i>
<i>January 1, 2019</i>	<i>\$1.40</i>	<i>\$61.61</i>
<i>January 1, 2020</i>	<i>\$1.43</i>	<i>\$63.07</i>
<i>January 1, 2021</i>	<i>\$1.46</i>	<i>\$64.57</i>
<i>January 1, 2022</i>	<i>\$1.49</i>	<i>\$66.11</i>

That a By-law be prepared for the consideration of Council at its next meeting.

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

- p. 34 a. **Summary of Results – RFQ-2019-001 – 2019-2022 Janitorial Services (Angus and Thornton OPP Offices)**

Recommendation: *Be it resolved that the summary of results for RFQ-2019-001 “2019-2022 Janitorial Services – OPP Offices” be received; and That the tender as submitted by SQM Janitorial Services Inc. at a cost of 9,207.30 (plus H.S.T.) per year be accepted as per Township specifications, contingent upon satisfactory confirmation of W.S.I.B. coverage and liability insurance being received by the municipality, in addition to the requirements set forth in the project description outlined in the tender document; and That the Clerk be authorized to execute the subject agreement for the works to commence.*

p. 35

- b. Staff Report C008-19 submitted by the Clerk, re: Bill 68 Requirement – Tree Canopy Policy.**

Recommendation: *Be it resolved that Staff Report C008-19 be received for information.*

p. 38

- c. Staff Report C009-19 submitted by the Clerk, re: Proposed Amendment to C09-2010 “Council Code of Conduct” – Inclusion of Section Regarding Integrity Commissioner, and DRAFT Complaint Procedure.**

Recommendation: *Be it resolved that Staff Report C009-19 be received; and That Council **does / does not** approve the draft amendments to C09-2010 “Council Code of Conduct”, for the inclusion of provisions regarding the Integrity Commissioner; and That Council **does / does not** approve the Complaint Procedure attached as Appendix “1” to the Policy.*

p. 52

- d. Staff Report C010-19 submitted by the Clerk, re: Bill 68 – DRAFT Pregnancy and Parental Leave Policy for Members of Council.**

Recommendation: *Be it resolved that Staff Report C010-19 be received; and That Council **does / does not** approve the DRAFT Policy C010-2019 “Pregnancy and Parental Leave for Members of Council”, as attached; and That the appropriate By-law be presented to Council for consideration of adoption in its Regular Meeting.*

p. 57

- e. Staff Report C011-19 submitted by the Clerk, re: Request for Council Approval - Essa and District Agricultural Society to Host the Huronia Harley Davidson H.O.G. Motorcycle Rally July 17-21, 2019.**

Recommendation: *Be it resolved that Staff Report C011-19 be received; and That Council **does / does not** approve the request of the Essa and District Agricultural Society to host the Harley Davidson H.O.G. Motorcycle Rally, from Wednesday July 17 to Sunday July 21, 2019, on the property known as the Essa Agriplex located at 7505 10th Line, Essa.*

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

11. OTHER BUSINESS

12. ADJOURNMENT

Recommendation: *Be it resolved that this meeting of Committee of the Whole of the Township of Essa adjourn at _____ p.m. to meet again on the 6th day of March, 2019 at 6:00 p.m.*



3a

**CORPORATION OF THE TOWNSHIP OF ESSA
PUBLIC MEETING – WEDNESDAY FEBRUARY 20, 2019**

PUBLIC MEETING HANDOUT

Re: Proposed Expansion to the Angus Business Improvement Area Boundary

MAYOR:

The purpose of the Public Meeting is to provide an opportunity for members of the Angus Business Improvement Area to voice their concerns and/or provide comments to the municipality in regards to a proposed amendment to the Angus Business Improvement Area By-law 2007-30, specific to an expansion of the boundary of the BIA.

CLERK: – DESCRIPTION OF PROPOSED AMENDMENT

At its meeting of December 19, 2018 Council received staff report C038-18 of which informed Council that a request had been made by the BIA for Council to consider expanding the business improvement area boundary to include two new properties that had been approved by the OMB to be developed for retail purposes. It was acknowledged at that time that contributions by the owners of the two new properties towards the Business Improvement Area levy would start when the business(es) open.

The proposed expansion to the boundary would include the addition of the following properties:

- Conc. 1 Pt. Lot 21 (8926 McKinnon Road, Angus); and
- Conc. 1 Pt. Lot 20 Registered Plan 51R-18523 Part 1

Council authorized staff to mail out the required Notice to the existing membership as well as to the owners of the properties to be included in the boundary expansion, advising of a proposed amendment to the business improvement area boundary and to schedule a public meeting for the collection of comments in respect to the expansion of the boundary.

In accordance with the Municipal Act, 2001, as amended, the required Notice was mailed on January 9, 2019 advising of a proposed amendment to the boundary of the Angus Business Improvement Area and the subsequent amendment to By-law 2007-30.

The period for submission of objections to be received by the Clerk of the municipality ends 60 days after the last day of the mail-out of the Notice. Thus, the period for submission of objections lapses on March 9, 2019.

At this time, no objections have been received by the Clerk from any of the existing or proposed new members of the business improvement area.

MAYOR: - COMMENTS FROM THE PUBLIC

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.

MAYOR: - REPLY

Council may ask questions for clarification.

MAYOR: - FINAL STATEMENT

If there are no further questions, Council wishes to thank all those in attendance for their participation. Upon the expiry of the period for objections, the Clerk's Department will be preparing a staff report and By-law to be presented to Council at their meeting scheduled on March 20, 2019.



**NOTICE OF PUBLIC MEETING
CONCERNING PROPOSED BY-LAW AMENDMENT
Proposed Addition to Angus Business Improvement Area (BIA) Boundary
(Affecting Properties in the Angus BIA Boundary in the Township of Essa)**

TAKE NOTICE that Council of the Corporation of the Township of Essa will hold a Public Meeting on the 20th day of February, 2019, at approximately 6:00 p.m. at the Essa Administration Centre, 5786 County Road No. 21, located two (2) kilometres east of Baxter, just west of County Road No. 56 (7th Line), to consider a proposed By-law Amendment to the Township's BIA Boundary, under Section 209 of the *Municipal Act*, 2001.

THE PURPOSE of this Public Meeting is to hear comments and review written submissions regarding a proposed Amendment to By-law 2007-30, which looks to expand the boundary of the Angus Business Improvement Area following a decision to allow for commercial development on these properties located north of County Road 90:

1. Conc. 1 Pt. Lot 21 (8926 McKinnon Road, Angus); and
2. Conc. 1 Pt. lot 20 Registered Plan 51R-18523 Part 1 (as shown on the attached map)

ANY PERSON may attend the public meeting and/or make written or verbal representation either in support of, or in opposition to, the proposed Amendment. If you wish to be notified of the adoption of the proposed Amendment, you must make a written request to the Clerk of the Township of Essa.

ADDITIONAL INFORMATION related to the proposed Amendment is available through the Clerk's Department during regular business hours at (705) 424-9770 or email at llehr@essatownship.on.ca.

DATED this 9th day of January, 2019.

Lisa Lehr
Clerk

THE CORPORATION OF THE TOWNSHIP OF ESSA

BY-LAW 2019 - xx

A By-law to expand the Boundaries of the Angus Business Improvement Area (BIA) established by By-law 2007-30.

WHEREAS Section 209 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, authorizes a municipality to alter the boundaries of an improvement area and the Board of Management for that improvement area is continued as the Board of Management for the altered area; and

WHEREAS Council of the Township enacted By-law 2007-30 on the 16th day of May, 2007 for the purposes of establishing the boundaries of the Angus Business Improvement Area; and

WHEREAS the growth of the commercial sector in Angus has increased beyond the boundaries established by the above mentioned By-law so that Council has determined that the BIA should be expanded to include a larger commercial area for the betterment of the community; and

WHEREAS Notice was provided to the BIA membership in accordance with the *Municipal Act, 2001* outlining the intention of Council to pass this By-law specific to the expansion to the boundary of the Angus Business Improvement Area, and was sent by prepaid mail to every person owning land for the purpose of or in connection with any business in the designated area who was shown on the last revised assessment roll of the Township as being assessed for business assessment within the meaning of the *Assessment Act*; and

WHEREAS no sufficiently signed petition objecting to the passing of the By-law has been received within the time limited to prohibit the passing of the By-law;

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

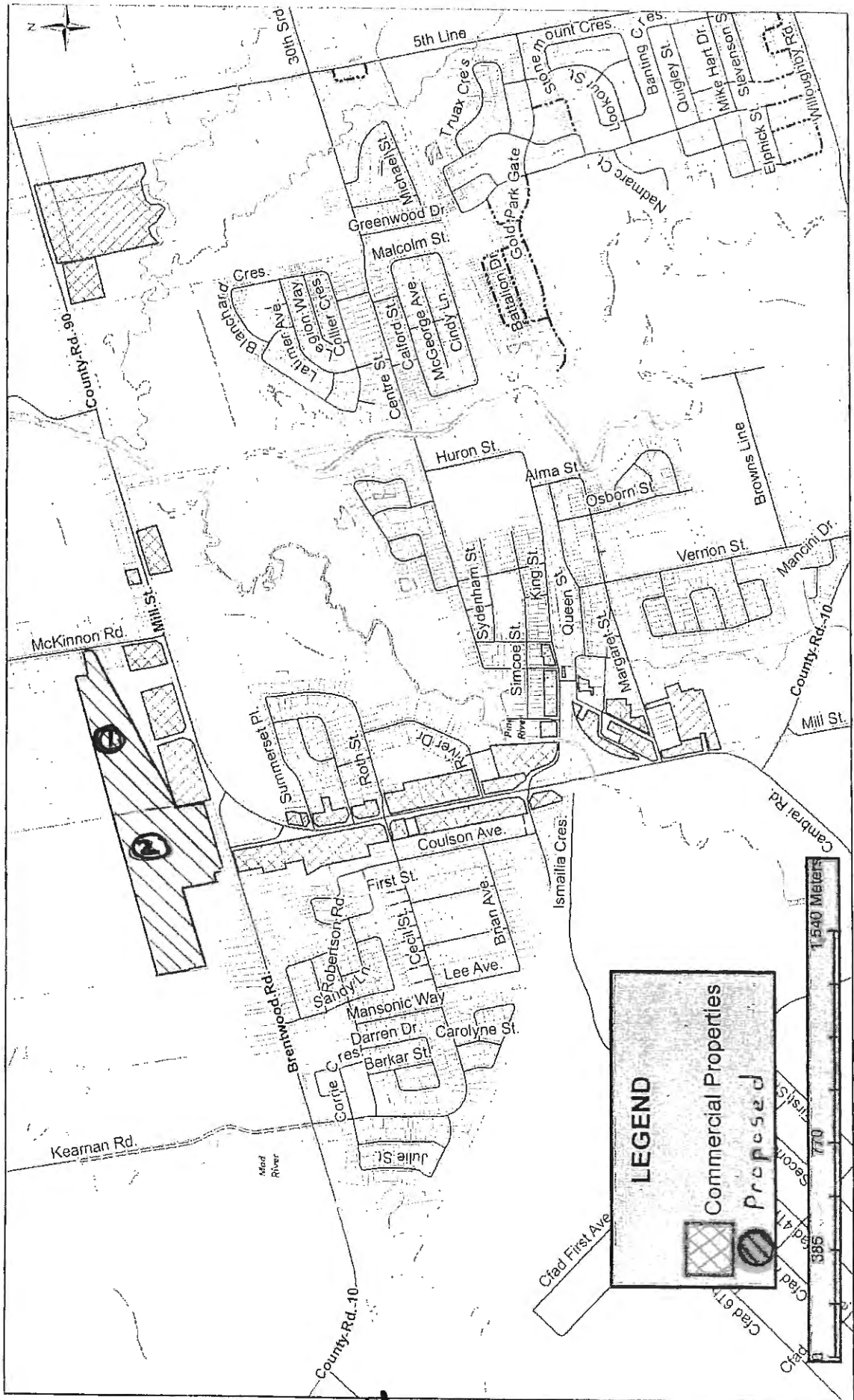
1. That Schedule "A" to By-law 2007-30 be deleted and replaced with Schedule "A" attached hereto, that being the area of lands designated as an improvement area within the meaning of Section 204 of the *Municipal Act*, as amended, of which includes the expanded area.
2. That a Board of Management entrusted with the improvement, beautification and maintenance of public lands, buildings and structures in the improvement area, and for the promotion of the area as a business area be continued as the Board of Management for the altered area be appointed;
3. That the provisions contained in Sections 1, 2, and 3 above shall come into force and effect upon passing of this By-law.

READ A FIRST, AND TAKEN AS READ A SECOND AND THIRD TIME AND FINALLY PASSED on this the xx day of April, 2019.

Sandie Macdonald, Mayor

Lisa Lehr, Clerk

ANGUS BIA





TOWNSHIP OF ESSA STAFF REPORT

STAFF REPORT NO.: PD013-19

DATE: February 20, 2019

TO: Committee of the Whole

FROM: Colleen Healey-Dowdall, Mgr of Planning & Development

SUBJECT: Zoning By-law Amendment – 7546 CR 27

RECOMMENDATION

That Staff Report PD013-19 be received; and

That Council consider holding a public meeting for a Zoning By-law Amendment to rezone lands at 7546 CR 27 to permit an industrial storage building of 7080 square feet which will cover 32% of the 5 acre lot.

BACKGROUND

The Township is in receipt of an application to rezone lands at 7546 CR 27, otherwise described as Part Lot 22, Concession 11. The lands lie between Thornton and the north limit of the Municipality, just north of where Essa Road leaves CR 27 (refer to att'd map). The property is 5 acres in area and sits well back from the County Road, with several rural residences nearby.

The property at 7546 CR 27 is zoned as Agricultural (A) Zone according to the Township's Zoning By-law. This Zone permits agricultural uses and a single-detached dwelling unit, as well as a home based business. The A Zone of the Township's Zoning By-law would allow for a shop of 1500 square feet, covering 8% of a lot (this is a residential lot in the A Zone as per the chart contained in section 6.3). The current request is for 7080 square feet to cover 32% of the lot. Several parking spaces are requested as the shop will be used in conjunction with an irrigation business called Future Green.

The lands are a part of the NVCA's Regulated Area mapping.

COMMENTS AND CONSIDERATIONS

The prospective owners will reside on-site and have located the shop in an attempt to minimize disturbance to neighbours. The owners would operate an irrigation business and would like to include an office in the proposed new shop. The new building would be subject to development charges.

FINANCIAL IMPACT

No cost – applicant is expected to submit the required fees associated with the processing of any applications.

SUMMARY/OPTIONS

Council may:

1. Take no further action.
2. Direct staff to host a public meeting for a Zoning By-law Amendment to rezone lands at 7546 CR 27 to permit an industrial storage building of 7080 square feet which will cover 32% of the 5 acre lot.
3. Other direction by Council.

CONCLUSION

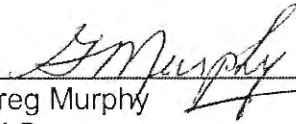
Option #2 is recommended.

Respectfully submitted:

Reviewed by:



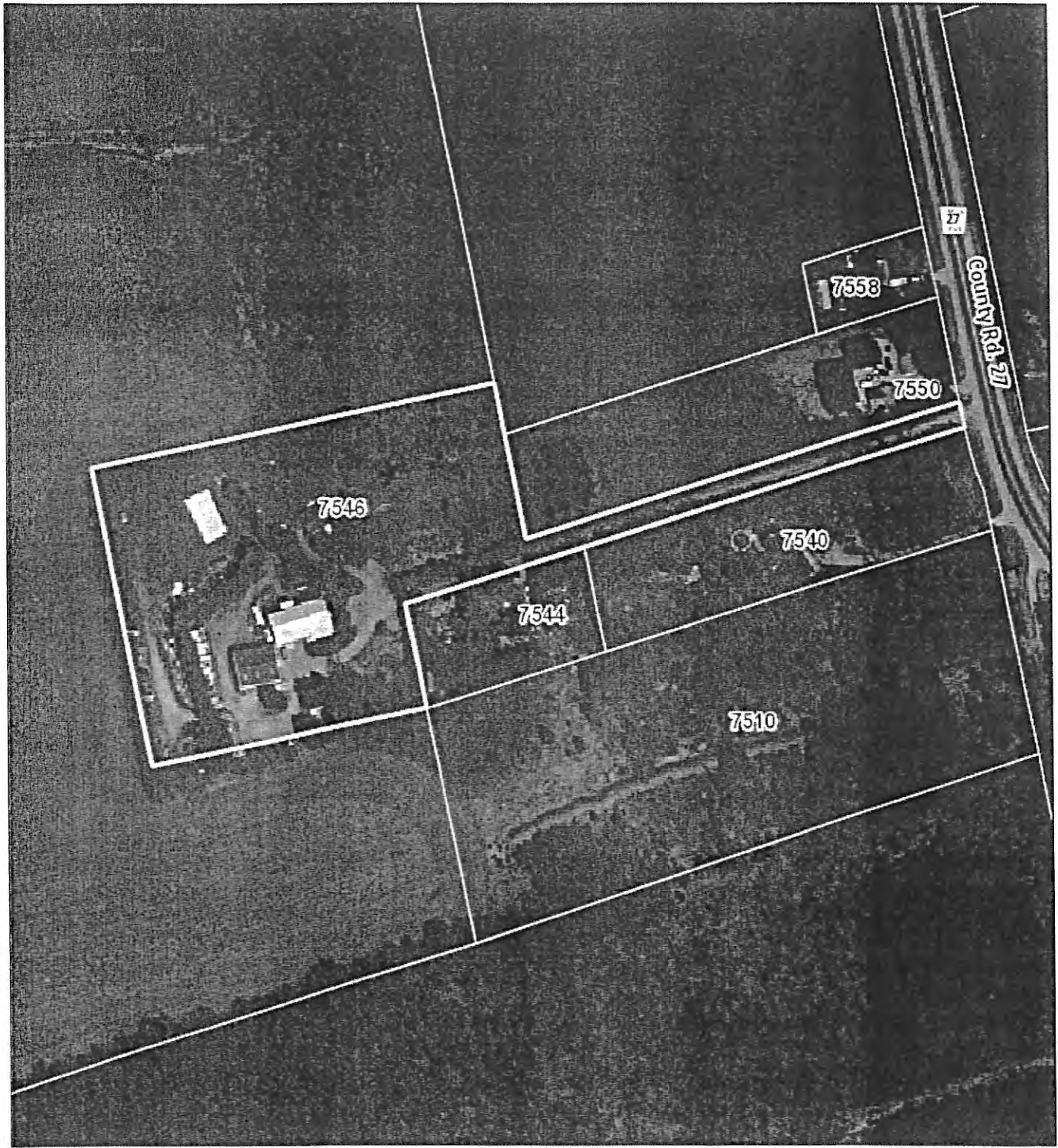
Colleen Healey-Dowdall
Manager of Planning & Development



Greg Murphy
CAO

Attachments:

- Map
- Sketches



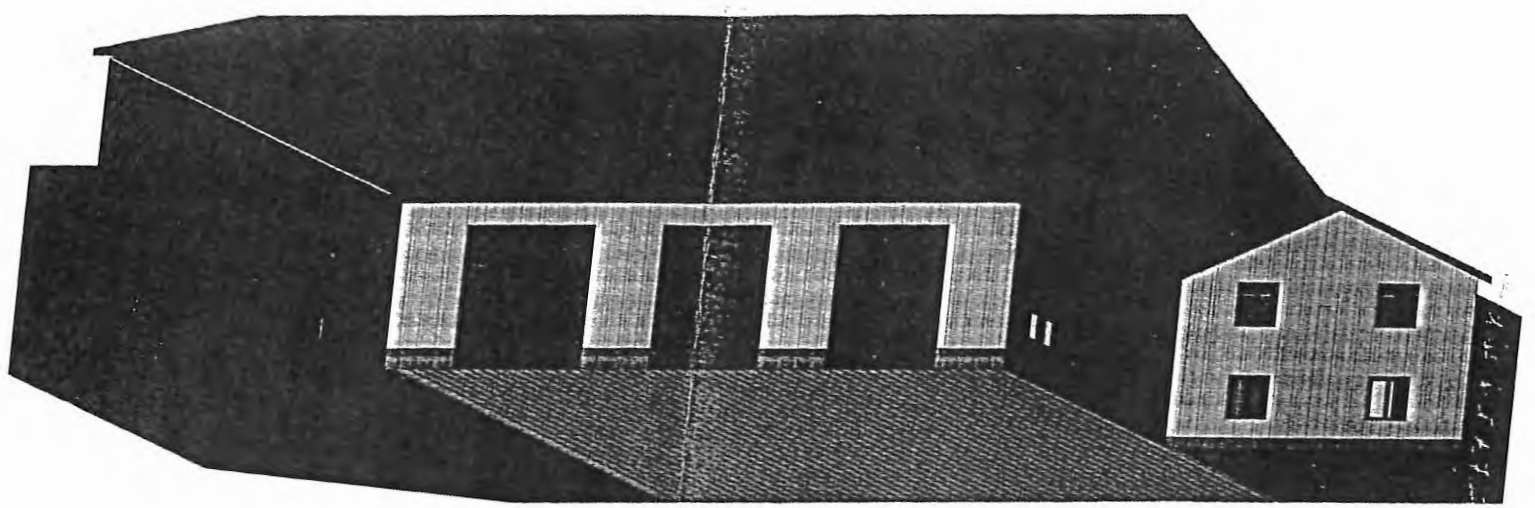
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4a

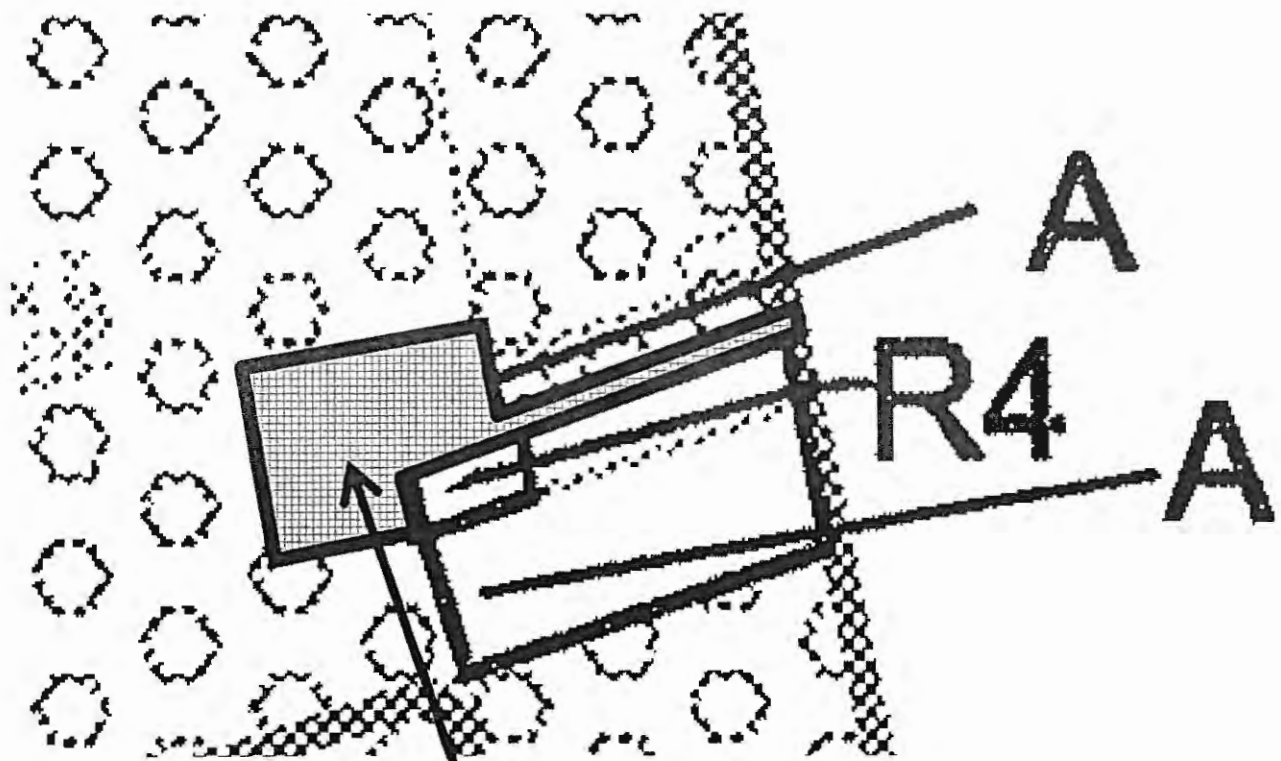
SHAWN GILL GARAGE
7546 COUNTY ROAD 27
THORNTON, ON
ISSUED FOR PERMIT
OCTOBER 25, 2018



1 FRONT PERS
AG00

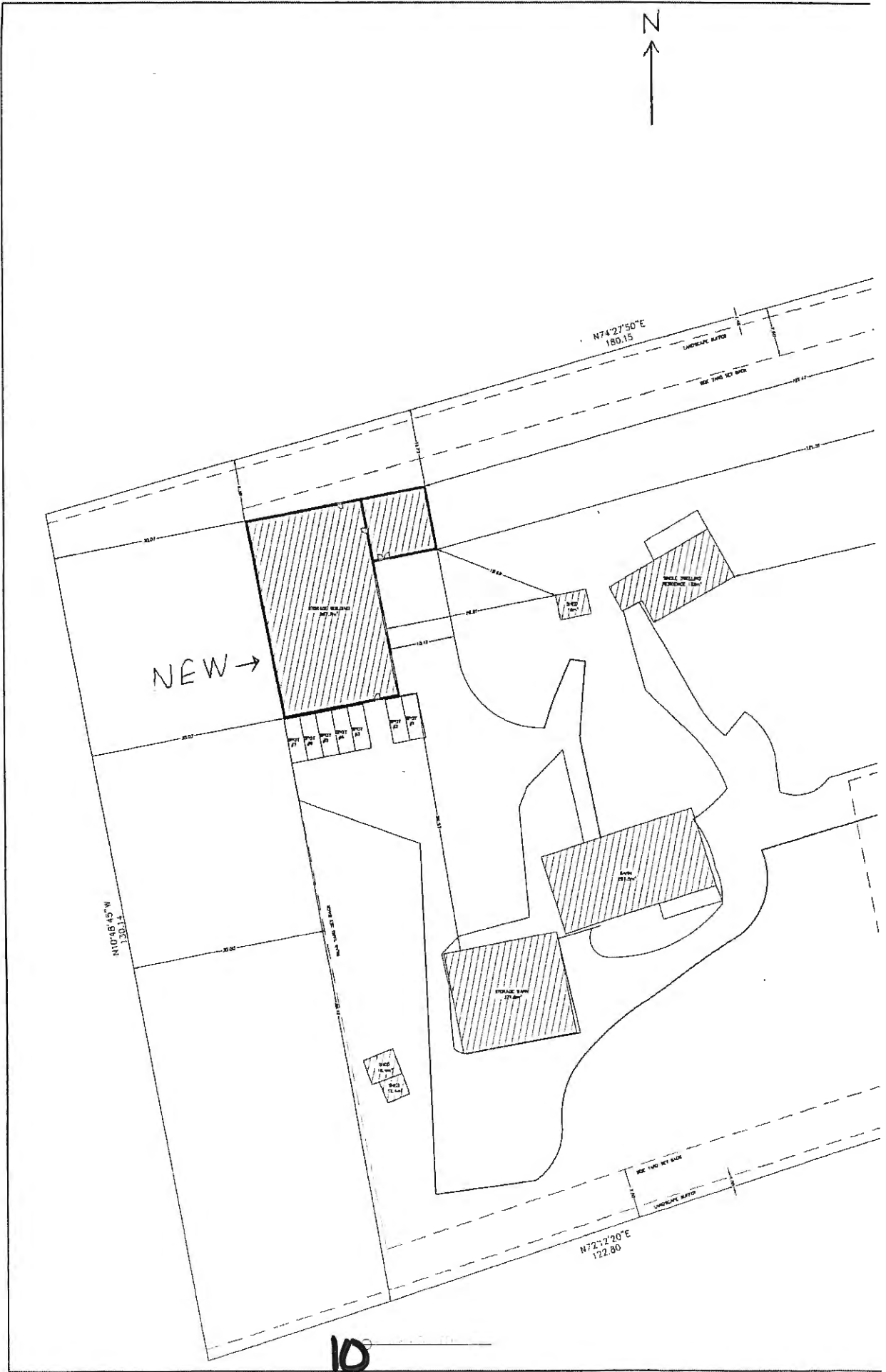
SCHEDULE 1

7546 County Road 27



Lands to be Rezoned from Agricultural (A) Zone
to
Agricultural, Exception (A-14) Zone to Permit an
Industrial Storage with Office Space on Agricultural
Lands

4a





TOWNSHIP OF ESSA STAFF REPORT

STAFF REPORT NO.: PD014-19

DATE: February 20, 2019

TO: Committee of the Whole

FROM: Colleen Healey-Dowdall, Mgr of Planning and Devpmt

SUBJECT: Proposed Zoning By-law Amendment
7994 9th Line, Ivy
Temporary Second Dwelling in Association with Vet Clinic

RECOMMENDATION

That Staff Report PD014-19 be received; and

That Council consider authorizing Staff to schedule a public meeting to collect comments on a proposal for a temporary use to permit a new dwelling next to an existing vet clinic, with the landowners to also (later) apply for an Official Plan Amendment (OPA) to request a severance of land to create two properties, each with a dwelling unit, on the basis that the OPA and land severance applications will take some time to process and the dwelling unit is needing to be relocated immediately.

BACKGROUND

The Township has received an application requesting permission to place a second dwelling unit on lands located at 7994 9th Line just south of the 25th Sideroad in Ivy (refer to att'd letter).

The landowners currently reside on this same property where Dr Emms runs a vet clinic. She has done so for about 30 years and is now thinking about retirement. The current thought is that, the vet clinic would be severed and sold. At the same time, Mr Emms' parents' house, currently in Barrie, is 'needing' a place to be moved to as the land in Barrie has been sold and is subject to redevelopment in the very near future – as per the Emms' letter, they would like to move the Emms' house to Ivy where the Emms will live, with their son and family to move into the existing home.

7994 9th Line is designated as Rural (RL) in the Township's Official Plan (OP) and also as Rural in the County OP. The NVCA Regulates the land where the existing home is located but not the lands to the south where the vet clinic is.

COMMENTS AND CONSIDERATIONS

The lands are zoned as Rural (RL) Zone by the Township's Zoning By-law, By-law number 2003-50, as amended. The RL Zone permits agricultural uses, a vet clinic and a single-detached dwelling. A second dwelling is not a permitted use. The applicant is currently applying to amend the Zoning By-law to allow for a second dwelling. It is their hope that this Amendment would only be for a temporary time period since their goal is to sever the vet clinic with the home, following the approval of an OPA. The OPA is required for a severance since the Township's OP states that Rural properties must be a minimum of 20 ha (50 ac) to be considered for a severance (plus they must have existed in this form since 1985). The subject lands are currently 15 ha not including the neighbouring Hydro One lands.

Even if only on a temporary basis, a public meeting must be held to consider an Amendment. Note that in the past, the Township has required entering into an agreement and the collection of a security deposit to ensure that the terms of the Municipality are satisfied.

FINANCIAL IMPACT

Staff time is estimated to total \$1500 (a meeting has taken place thus far and staff has written one letter and one report; a public meeting could be held and a by-law drafted in the coming weeks) – the cost of the application.

SUMMARY/OPTIONS

Council may:

1. Take no further action, in effect denying the application with reason(s).
2. Instruct staff to schedule a Public Meeting to collect comments on a proposal for a temporary use to permit a new dwelling next to an existing vet clinic, with the landowners to also (later) apply for an OPAt to request a severance of land to create two properties, each with a dwelling unit, on the basis that the OPA and land severance applications will take some time to process and the dwelling unit is needing to be relocated immediately.
3. Request further information from staff.

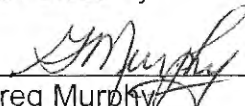
CONCLUSION

Option # 2 is recommended.

Respectfully submitted:


 Colleen Healey-Dowdall
 Manager of Planning
 & Development

Reviewed by:


 Greg Murphy
 CAO

Attachments: letter of applicant

Feb. 7th, 2019.

Attention Colleen Healey:

Regarding the Request to Move a House to Lot 25 , East 1/2 Con 8 , Essa Township.

Colleen:

This letter is to follow up our meeting at your office to make an official request to move a house to the South East corner of our property.

The house is an an 1100 sq. foot dwelling located at 341 Veteran's Lane in Barrie.

This home was built by Roger Emms father in 1955, and was financed through the Veteran's land Act Program.

Roger's father, Ross Emms was deceased about 1 1/2 years ago, and his mother is not able to live on her own and is in a retirement home.

The home and the lot have been purchased by a developer, and the home is slated for demolition to allow for a town house development on the land this spring.

This home has tremendous sentimental value for us, but more importantly, saving this house from demolition would divert 45 tons of building material from landfill.

We plan to hire professional house movers to relocate the home and place it near the Veterinary Clinic (Ivy Veterinary Services) on our farm property.

Our farm succession plan is for Roger and Cathy Emms to retire to this smaller home, and have our son and grandsons continue to live in the existing home.

Our property is zoned rural, and we have approximately 40 acres which we own and farm.

To the west of us and backing our property is approximately 30 acres of Hydro corridor.

Since we purchased our farm 30 years ago, we have had permission to use this additional 30 acres of Hydro corridor land for farming purposes.

We grow oats, soybeans, wheat and hay on this area of land, and we also use some of it to pasture our cattle.

We allow a local apiary, Dickie Bee Honey, to have a bee yard on our property to support pollinators and organic honey production.

The home in question will be demolished, by this spring, if it is not moved by the time the developer chooses to start construction of the town homes.

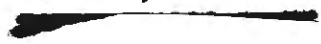


We would appreciate having permission to hire a house mover as soon as we possibly can to save this home from destruction.

We understand that we may need to pursue an official plan amendment in the near future in order to secure a 2 acre severance for the home and the Veterinary Clinic.

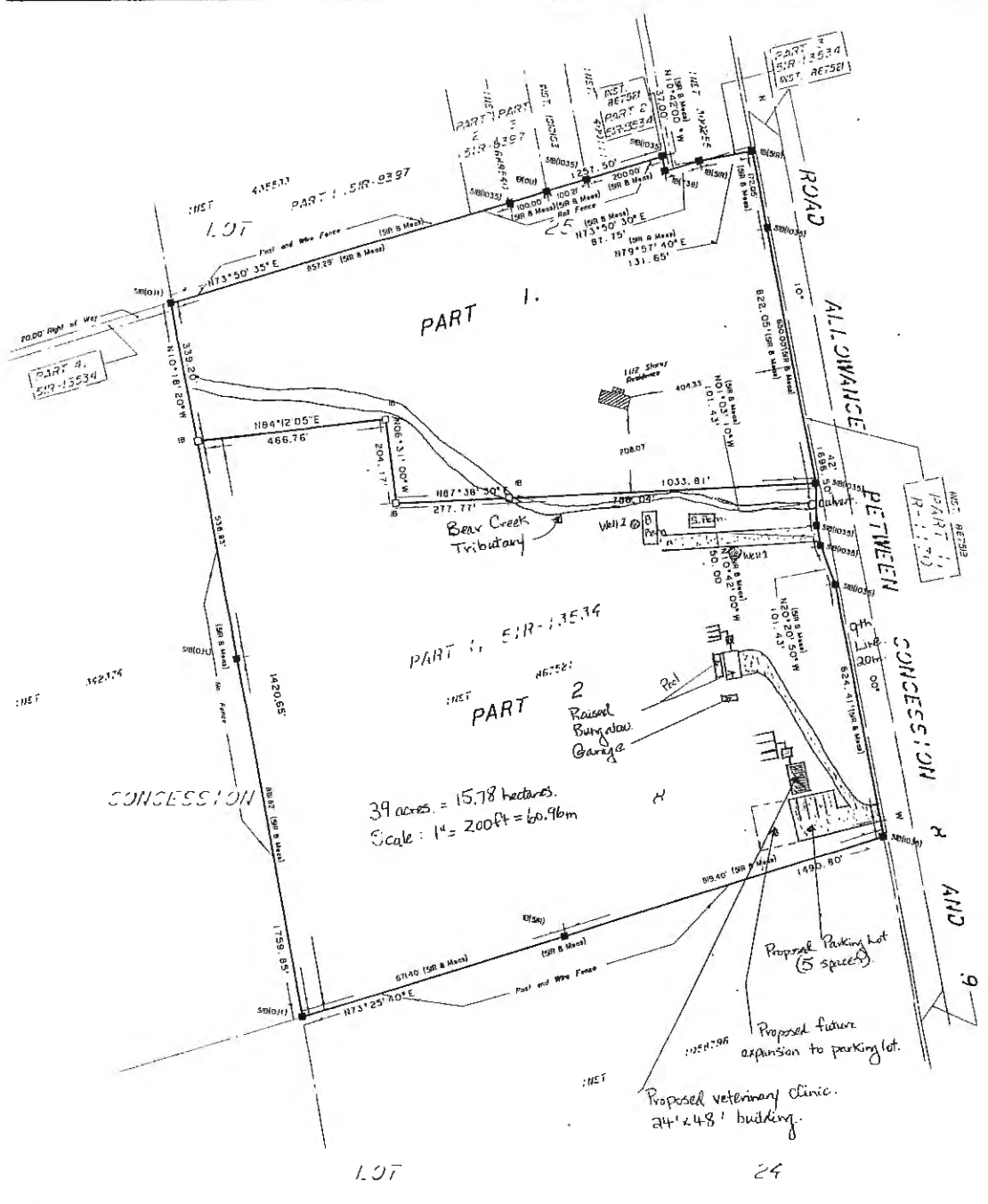
We sincerely appreciate your help with this matter.

Thank you very much,

Roger B. Emms 

Dr. Cathy Emms, B.Sc.Agr., D.V.M.





Ivy Veterinary Services
7994 9th Line Essa,
Thornton ON, L0L 2N0
P: 705-424-8878
F: 705-424-8874
ivyveterinaryservices@gmail.com



Plan: 51-R-19477
 Part 2, E 1/2 Lot 25, Con. 8
 Township of Essa
 County of Simcoe
 Approx. 39 acres = 15.78 hectares
 Property owned by: Dr. Cathy Emms,
 Mr. Roger Emms





TOWNSHIP OF ESSA STAFF REPORT

STAFF REPORT NO.: PD0 15-19

DATE: February 20, 2019

TO: Committee of the Whole

FROM: Colleen Healey-Dowdall, MCIP, RPP
Mgr of Planning and Devpmt

SUBJECT: Proposed Economic Development Protocol

RECOMMENDATION

That Staff Report PD015-19 be received; and

That Council consider entering into a Lead Handling Protocol agreement with the County of Simcoe concerning economic development inquiries.

BACKGROUND

The County of Simcoe has proposed a policy outlining the protocol to be followed when following up with economic development leads/inquiries (refer to att'mt). As Council is aware, this Manager is the Economic Development Officer/Manager for Essa. As such, this Manager has been working with the County of Simcoe Economic Development staff in carrying out the responsibilities of this function.

COMMENTS AND CONSIDERATIONS

The proposed protocol sent to each municipality in Simcoe County outlines the procedure which is followed when an investment inquiry is made. This process has been carried out in this manner for the past few years and staff at both levels of government work very well together. As such, this office recommends continuing on in this manner, and that Council consider to enter into the formal agreement as proposed with the County of Simcoe.

FINANCIAL IMPACT

Staff time to devote to economic development inquiry/matters. This dept has included economic development in its role for the past 20 years. The cost is hard to quantify since, as mentioned by County staff, it is hard to measure the impact of the economic development function.

4c

SUMMARY/OPTIONS

Council may:

1. Take no further action.
2. Consider entering into a Lead Handling Protocol agreement with the County of Simcoe concerning economic development inquiries.
3. Request further information from staff.

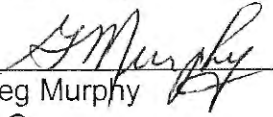
CONCLUSION

Option # 2 is recommended.

Respectfully submitted:


Colleen Healey-Dowdall, MCIP, RPP
Manager of Planning
& Development

Reviewed by:


Greg Murphy
CAO

Attachments: Proposed Protocol

Colleen Healey

From: Crema, Emily <Emily.Crema@simcoe.ca>
Sent: January 9, 2019 2:14 PM
To: Colleen Healey
Subject: Ratification of the Lead Handling Protocol
Attachments: Lead Handling Protocol.pdf

Dear Colleen,

As you may recall in recent Regional EDO Network meetings, a Lead Handling Protocol was created to support overall efforts to improve investment readiness and we are seeking your help to get it ratified with your municipality. The goal of the Protocol is to help reinforce the "team" approach we are trying to take to investment attraction.

Ratification or adoption of the Protocol requires the signatures from both the County of Simcoe CAO, and the area municipality CAO (or the head of the organization representing the municipality - e.g. Chair of the Board for the Economic Development Corporation of North Simcoe). It would be appreciated if you could have this protocol signed by your CAO and return it to me at your earliest convenience. Once we have your signed copy back, we will have it signed by our CAO. A final signed version will then be shared with you.

In addition to the attached Lead Handling Protocol which outlines the principles and roles and responsibilities, some background information is included below for your information. If you have any additional questions or concerns, feel free to contact me.

Thanks,
Emily

Background:

In an effort to avoid duplication of services, County EDO staff meet annually with area municipalities and partners to get input on the annual work plan for the EDO. The primary principle that has emerged through this process is to ask 'is this activity better addressed through an individual or local approach or would it be best addressed through a team approach?' When it is determined that a broader team approach is required, it is brought forward for consideration for implementation by the County EDO. Two main activity areas which have been identified through this process include sector development and investment attraction.

In the area of investment attraction, the County has undertaken many initiatives to support foreign direct investment and investment related inquiries to our region. As a result of these increased business attraction activities, the County is generating and pursuing an increasing number of qualified leads and as such, it is important that the County EDO and its partners develop and adopt a protocol to provide guidance and structure on how to handle investment inquiries. It is important to note that securing investment leads provides a regional benefit to the entire area and not solely the community where the business locates. Further, investment attraction is generally a long-term initiative and as such, it may take years to see results of the activities undertaken at present.

The Lead Handling Protocol identifies the roles and responsibilities of the County of Simcoe EDO and municipal partners when dealing with investment inquiries. The protocol identifies general principles to abide by from a client centric approach and details the process for handling and sharing leads and information.

In 2018, following consultation with area municipalities (e.g. presentations to Regional EDO network and CAOs), County Council approved the Lead Handling Protocol as per Item EDS 18-389. Adoption requires signatures from both the County of Simcoe CAO and the area municipality CAO or the head of the organization representing the municipality (e.g. Chair of the Board for the Economic Development Corporation

4c

of North Simcoe). Ratification by the CAOs (or head of the organization representing the municipality) helps reinforce that economic development requires a larger team approach and recognizes that it extends beyond those staff that may act as the lead economic development contact for the individual municipality. County of Simcoe EDO staff will administer the document and help secure the signing by both parties.

Emily Crema
Economic Development Officer
County of Simcoe
1110 Highway 26, Midhurst, Ontario L9X 1N6
Phone: 705.726.9300 ext.1525
Fax: 705.726.9832
email: emily.crema@simcoe.ca
www.simcoe.ca

Simcoe County Lead Handling Protocol

Introduction

The County of Simcoe Economic Development Office (EDO) is committed to supporting the economic development, growth and prosperity of the region. Playing a leadership role with respect to investment attraction to the region, it is important that a Lead Handling Protocol is developed to provide guidance, transparency and structure for the handling of investment inquiries in a fair and efficient manner that advances the overall goal of growing Simcoe County's economy. Securing investment leads provides a regional economic benefit to the entire area and not solely the community where the business locates. In addition, the protocol covers efforts on keeping existing companies within our area if they decide to relocate to a different municipality. It is important to note that investment attraction is generally a long-term initiative and as such, it may take years to see results of the activities undertaken at present.

Principles of Lead Handling Protocol

In order to provide quality service with regards to investment attraction and foreign direct investment, the County of Simcoe and its partners need to exhibit a professional and coordinated approach. The following principles will be endorsed in the lead handling process:

- A spirit of cooperation, teamwork and trust shall form the basis of this protocol
- The protocol will have a client-driven focus – the needs of the client must come first
- Confidentiality – respect the wishes of the client regarding confidentiality. Information shared among partners shall remain in confidence
- Timely responses to requests for information and participation in meetings with clients and partners, typically within 48 hours, unless otherwise specified by the client.
- Take guidance from the client on what information or sites they wish to investigate while at the same time always striving to promote all of Simcoe County's assets and opportunities

Lead Handling Process

Leads are obtained from a variety of sources and through a variety of means. Generally, lead sources can be broken down into three main categories:

- Direct contact by the investor
- Referrals (e.g. from federal, provincial and municipal governments, realtors, trade associations, consultants, local companies, etc.)
- Marketing Initiatives (e.g. advertising, trade shows, conferences, outbound activities, etc.)

Regardless of the type of lead, an efficient, well-coordinated process must be in place. The following section describes the process for how leads will be handled.

When initial contact is made with the County of Simcoe

The County of Simcoe EDO will take the lead and will:

1. Contact client or representative to clarify information requested and discuss business requirements.

2. Nurture lead and provide timely follow-up to ensure client or representative has required information to make business related decisions.
3. Serve as resource to assist client during start-up and on-going operations.

In addition:

4. Individual municipalities/partners will be available as a resource to assist in responding to business inquires. Any client information shared by the County of Simcoe will remain strictly confidential.
5. Where an area has been selected, the County of Simcoe EDO will request permission from client to engage the local municipality. Note: in cases where the client does not grant permission to engage the local municipality, the County of Simcoe EDO will make every effort to keep the municipality informed while respecting confidentiality and the wishes of the client.
6. Any inquiry received by the Simcoe County EDO, which cannot be accommodated within the region, will be referred to appropriate external partners (federal, provincial, and surrounding regional partners) for further assistance.

Where required, the following Request For Information (RFI) process will be followed to assist with site selection:

1. County of Simcoe EDO will complete an RFI template to outline required information and send to appropriate municipalities and realtors as identified by client or representative.
2. All parties in receipt of the RFI have the opportunity to collect required information and submit a response to the County of Simcoe EDO.
3. All information is compiled into a single package by the County of Simcoe EDO and submitted to the client.
4. County of Simcoe EDO to follow-up with client and provide status updates to identified municipalities, realtors and/or properties owners as appropriate.
5. Once specific sites are shortlisted for further evaluation and the client wishes to perform site visits, the relevant municipality will be asked to be engaged (subject to approval from the client). Any individual involved in the process must take every precaution to protect the client's confidentiality. A non-disclosure agreement may be requested by the client.

When initial contact made with individual municipality / partner

The individual municipality/partner will take the lead and will respond directly to the client, or may request the County of Simcoe EDO take the lead on their behalf. Further:

1. The County of Simcoe EDO will be available as a resource to assist in responding to and developing the site selection opportunity. Any assistance or information provided by the County EDO will be customized to the individual municipality/partner and to best meet the client's needs. Any client information shared by the individual municipality/partner will remain strictly confidential.
2. If a client, in dealing with a specific municipality/partner, indicates an interest in other Simcoe County municipalities, the County of Simcoe EDO can coordinate the extended search parameters.
3. It is encouraged that any inquiry received by a member municipality/partner, which they cannot accommodate, be referred to the County for further site searches in order to try and keep the investment local.

Existing Business Looking to Relocate

When the County of Simcoe EDO receives an inquiry from an existing business expressing an interest in relocating within the region, the County of Simcoe EDO will:

1. Inquire as to whether the company has been in contact with the local municipality in an effort to resolve issues and remain in the community.
 - a. If YES – the County of Simcoe EDO will contact the local municipality and where possible provide assistance in addressing the business' needs, as appropriate.
 - b. If NO – the County of Simcoe EDO will encourage the company to contact the local municipality or request permission to allow the County EDO to initiate contact.
2. If the client's needs or requirements are unable to be met or the client indicates they do not want to make contact with the local municipality, the County of Simcoe EDO will inform the local municipality (where authorized by the client) and assist the client in a manner similar to other potential investors.

Trade Shows & Outbound Activities

County of Simcoe led participation in trade shows and outbound activities can be an excellent way to generate leads. Going forward, there may be opportunities for interested municipalities to participate in County of Simcoe investment attraction initiatives. Any participating partners are expected to be representing Simcoe County and not only their local jurisdiction. Participation numbers will be determined on a case-by-case basis with expectations that the cost of participation will be shared among the County and partners. Follow up with leads generated through County of Simcoe led activities will be coordinated by the County of Simcoe EDO.

For the purpose of the Lead Handling Protocol, Simcoe County refers to the 16 member municipalities and the separated cites of Barrie and Orillia.

We, the signatories below, agree to the principles and processes outlined above in the Simcoe County Lead Handling Protocol.

Signature

Signature

Name

Name

Title & Organization
(Municipality/City)

Title & Organization
(Simcoe County)

Date

Date



TOWNSHIP OF ESSA STAFF REPORT

STAFF REPORT NO.: PD016-19

DATE: February 20, 2019

TO: Committee of the Whole

FROM: Bev Mansbridge, Planning Technician

SUBJECT: Zoning By-law Amendment to Prohibit Dwellings on Farmland due to Farm Consolidations

RECOMMENDATION

That Staff Report PD016-19 be received; and

That Council consider authorizing Staff to schedule a public meeting to collect comments on a Zoning By-law Amendment to prohibit dwellings on farmlands where surplus dwelling units have been severed due to farm consolidations.

BACKGROUND

Approval of several severances throughout 2018 permitted the severance of surplus dwellings (farm consolidations) in an agricultural zone. In this regard, following the Committee of Adjustment's decision, the severance is granted upon meeting the condition that a rezoning of the farmland to no longer permit a dwelling unit take effect, in accordance with the Provincial Policy Statement (PPS).

The Amendment would rezone the following lands from an Agricultural (A) Zone to Agricultural Exception (A-1) Zone where no future dwellings could be constructed. The farmlands to be rezoned to prohibit dwellings include:

- 1) Conc 6, Part Lot 3 (around 5349 6th Line);
- 2) Conc 10, Part Lots 22 & 23 (around 7623 & 7747 10th Line);
- 3) Conc 7, W Part Lot 9 (around 6135 County Road 56); and
- 4) Conc 8, W Half Lot 14 (around 6638 9th Line.

COMMENTS AND CONSIDERATIONS

As a condition to severing a surplus dwelling as a result of farm consolidation, a rezoning of the surrounding lands must be imposed as a condition for such severances. The Municipality's Committee of Adjustment, as guided by the Provincial Policy Statement (PPS) must protect prime agricultural lands. The Municipality must schedule a public meeting to be held for public comments and input of all rezoning applications.

FINANCIAL IMPACT

Cost of notice including mail out to those affected. Approximate cost of \$500 including staff time and postage. Each of the applicants has paid an application fee to assist with this cost. Fees could increase to ensure that future costs are offset.

SUMMARY/OPTIONS

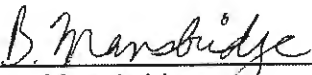
Council may:

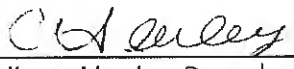
- 1. Take no further action.
- 2. Instruct staff to schedule a Public Meeting.
- 3. Request further information from staff.

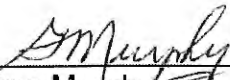
Respectfully Prepared:

Respectfully submitted:

Reviewed by:

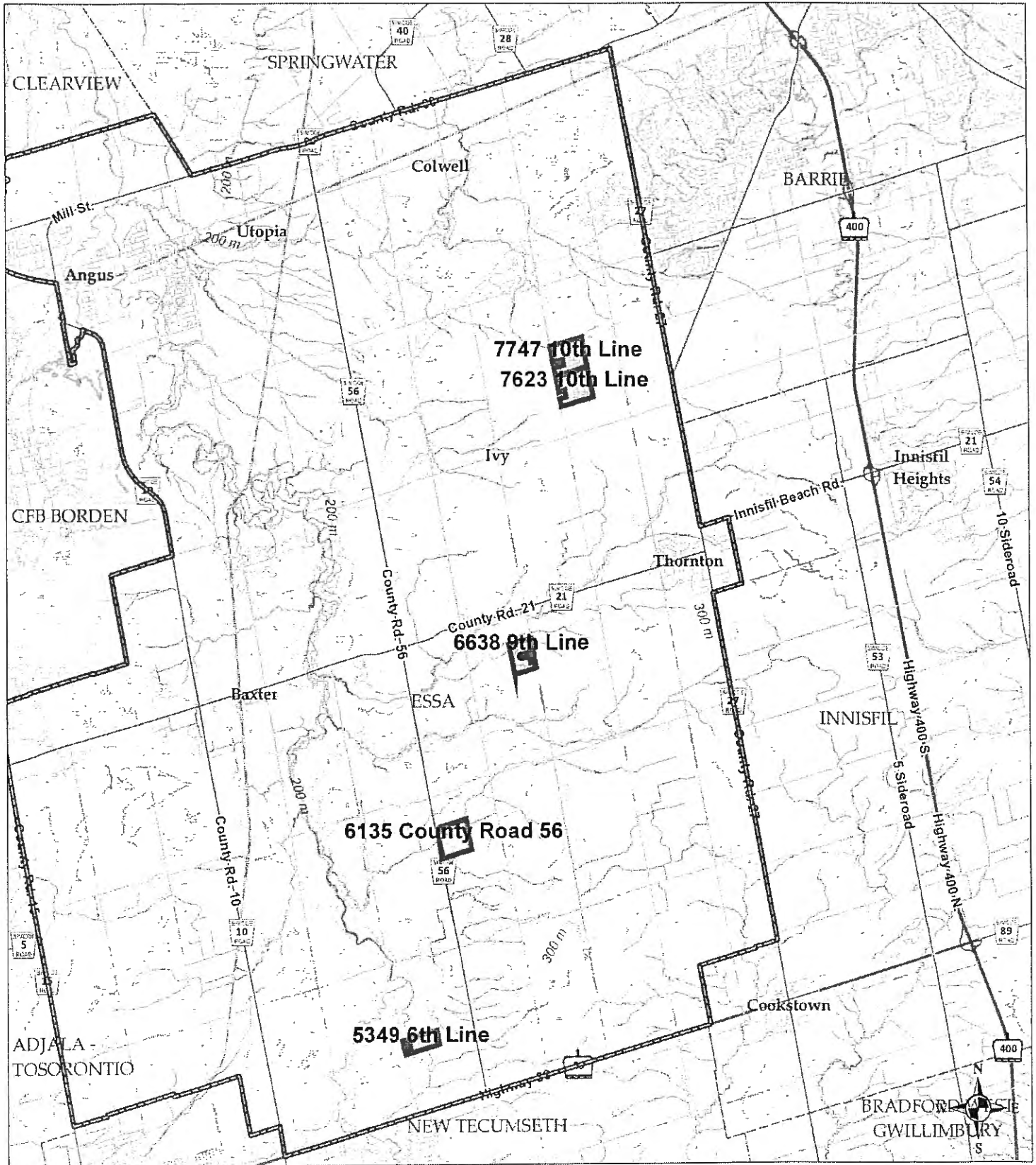

 Bev Mansbridge
 Planning Technician


 Colleen Healey Dowdall
 Manager of Planning
 & Development


 Greg Murphy
 CAO

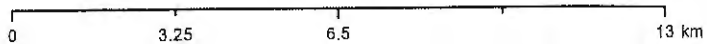
Attachments: Map of Proposed Zoning Amendments

ZONING OF AGRICULTURAL LANDS TO A-1 ZONE



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1:144,448



February 12, 2019

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TOWNSHIP OF ESSA STAFF REPORT

STAFF REPORT NO.: PW005-19
DATE: February 20, 2019
TO: Committee of the Whole
FROM: Dan Perreault, Manager of Public Works
SUBJECT: 2019 Equipment Rates

RECOMMENDATION

That Staff Report PW005-19 be received; and

That the proposed increase to the Public Works Department equipment rates be considered at a Public Meeting for the increase of Township fees.

BACKGROUND

For the past several years, Staff has reviewed the equipment rates yearly and has increased these rates based on a 5% blanket increase to the equipment rates and the adjusted wages & benefits for staff. In late 2018, Staff considered a substantial increase to the equipment rates based on a review of the industry standard rates set out by the Ministry of Transportation Equipment Rate Schedule.

COMMENTS AND CONSIDERATIONS

Equipment and Staff time is recuperated from Developers, Service Groups, Private Residents and other Township Departments when Roads Staff are asked to perform services with Township equipment. The costs to recuperate these services are based off our Equipment Rental Rates Schedule (Attachment No.1 - Draft 2019 & Attachment No.2 – 2018 Rates).

The Township has entered into Winter Maintenance Agreements with developers, who are responsible for the maintenance and repair of developments that have yet to be assumed by the Township. The Township has the equipment to maintain these roads properly and as per the Township Level of Service Standards and therefore "chargeback" Township equipment time and wages. The Township will also perform grading of private roads, driveways, etc. and these costs too are recuperated.

Roads staff will perform work for other departments within the Township, the costs to perform these tasks are recuperated through internal department to department transfer, no revenue is realized for these tasks.

FINANCIAL IMPACT

Increase to the equipment rates will provide an increase in revenue.

SUMMARY/OPTIONS

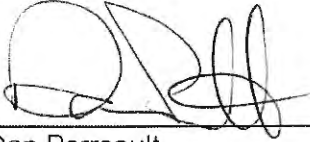
Council may:

- 1. Take no further action;
- 2. Consider a proposed increase to the Public Works Department equipment rates at a Public Meeting for Township fee increases.
- 3. Do not consider an increase to the Public Works Department equipment rates for 2019.
- 4. Consider an increase of 5% to the existing equipment rates and 2019 wage increases.

CONCLUSION

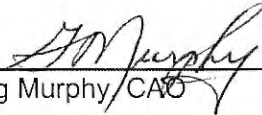
Staff recommends that Option #2 be approved.

Respectfully submitted,



Dan Perreault
Manager of Public Works

Reviewed by:



Greg Murphy/CAO

Attachment:

- 1. Draft proposed 2019 Equipment Rates
- 2. 2018 approved Equipment Rates

ATTACHMENT NO.1

Township of Essa
2019 EQUIPMENT RENTAL RATES

UNIT	EQUIPMENT	INTERNAL RATES		EXTERNAL RATES		TOTAL INTERNAL	TOTAL EXTERNAL
		EQUIPMENT	WAGES & BENEFITS	EQUIPMENT	WAGES & BENEFITS		
#9	GRADERS	2001 Volvo	94.36	35.47	134.80	35.47	170.27
		1999 Champion	94.36	35.47	134.80	35.47	170.27
#20	SNOW PLOW/SANDING TRUCKS	2006 Sterling Tandem	74.83	33.81	106.90	33.81	140.71
		2019 Western Star Tandem	74.83	33.81	106.90	33.81	140.71
		2005 Sterling Tandem	74.83	33.81	106.90	33.81	140.71
		2015 Western Star	74.83	33.81	106.90	33.81	140.71
		2007 Sterling Tandem	74.83	33.81	106.90	33.81	140.71
		2008 Sterling Tandem	74.83	33.81	106.90	33.81	140.71
		2016 Western Star	74.83	33.81	106.90	33.81	140.71
		2012 Freightliner	74.83	33.81	106.90	33.81	140.71
		2008 Volvo Tandem	74.83	33.81	106.90	33.81	140.71
#21	DUMP TRUCKS	2006 Sterling Tandem	74.83	33.81	96.15	33.81	129.96
		2004 Sterling Tandem (Complete)	74.83	33.81	96.15	33.81	129.96
		2005 Sterling Tandem	74.83	33.81	96.15	33.81	129.96
		2015 Western Star	74.83	33.81	96.15	33.81	129.96
		2007 Sterling Tandem	74.83	33.81	96.15	33.81	129.96
		2009 Sterling Tandem/Water Truck	74.83	33.81	96.15	33.81	129.96
		2016 Western Star	74.83	33.81	96.15	33.81	129.96
		2012 Freightliner	74.83	33.81	96.15	33.81	129.96
		2008 Volvo Tandem	74.83	33.81	96.15	33.81	129.96
#19/10	OTHER EQUIPMENT	Loaders: 2017 Case/2006 Cat	58.80	35.47	84.00	35.47	119.47
		Backhoe - 2002 JCB	37.66	35.47	53.80	35.47	89.27
		2010 Kubota Tractor with Flail Mower	38.85	35.47	55.50	35.47	90.97
		2006 Dozer	49.98	35.47	71.40	35.47	106.87
		Trackless	38.85	33.81	55.50	33.81	89.31
		2005 Gradall	168.69	35.47	240.85	35.47	276.32
		2016 Freightliner Sweeper Truck	92.33	35.47	131.90	35.47	167.37
		2016 Freightliner Vacuum Truck	145.74	35.47	208.20	35.47	243.67
		2004 Float (Tri-axle) Chipper	20.00		20.00		20.00
			52.50		52.50		52.50
		#8, #18	PICK UP TRUCKS	2003 Dodge/2011 GMC 1 ton	60.26	33.81	60.25
2018 1/2 Ton Chevrolet (Supervisor)	30.65			49.01	30.65	36.22	66.87
2016 1/2 Ton Chevrolet	30.65			33.81	30.65	33.81	64.46
2010 Ford F150 1/2 ton (Manager)	30.65			68.87	30.65	68.87	99.52

Revised: 12/18/18 Wofks: F02 Accounts Receivable/ESSA EQUIPMENT RENTAL RATE INCREASES DRAFT

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Township of Essa 2018 EQUIPMENT RENTAL RATES

UNIT		ESSA		WINTER RATE	2018		TOTAL INTERNAL	TOTAL EXTERNAL	TOTAL WINTER
		INTERNAL	EXTERNAL		WAGES	BENEFITS			
GRADERS									
#9	01 Volvo	33.30	48.88	69.65	26.02	8.33	59.32	83.23	104.00
#11	99 Champion	33.30	48.88	69.65	26.02	8.33	59.32	83.23	104.00
DUMP/SNOW PLOW TRUCKS									
#20	06 Sterling Tandem	26.64	43.29	62.20	24.82	7.94	51.46	76.05	94.96
#21	04 Sterling Tandem	26.64	43.29	62.20	24.82	7.94	51.46	76.05	94.96
#22	05 Sterling Tandem	26.64	43.29	62.20	24.82	7.94	51.46	76.05	94.96
#23	15 Western Star	26.64	43.29	62.20	24.82	7.94	51.46	76.05	94.96
#24	07 Sterling Tandem	26.64	43.29	62.20	24.82	7.94	51.46	76.05	94.96
#25	09 Sterling Tandem/Water Truck	26.64	43.29	62.20	24.82	7.94	51.46	76.05	94.96
#26	16 Western Star	26.64	43.29	62.20	24.82	7.94	51.46	76.05	94.96
#28	2012 Freightliner	26.64	43.29	62.20	24.82	7.94	51.46	76.05	94.96
#29	08 Volvo Tandem	26.64	43.29	62.20	24.82	7.94	51.46	76.05	94.96
SANDERS									
#20	06 Sterling Tandem	26.64		61.93	24.82	7.94	51.46	N/A	94.69
#21	04 Sterling Tandem (Complete)	26.64		61.93	24.82	7.94	51.46	N/A	94.69
#22	05 Sterling Tandem	26.64		61.93	24.82	7.94	51.46	N/A	94.69
#23	15 Western Star	26.64		61.93	24.82	7.94	51.46	N/A	94.69
#24	07 Sterling Tandem	26.64		61.93	24.82	7.94	51.46	N/A	94.69
#25	09 Sterling Tandem	26.64		61.93	24.82	7.94	51.46	N/A	94.69
#26	2016 Western Star	26.64		61.93	24.82	7.94	51.46	N/A	94.69
#28	2012 Freightliner	26.64		61.93	24.82	7.94	51.46	N/A	94.69
#29	08 Volvo Tandem	26.64		61.93	24.82	7.94	51.46	N/A	94.69
LOADER/BACK-HOE/DOZER									
#19/10	Loader - 2017 Case/1997 Cat	26.64	33.96	0.00	24.82	7.94	51.46	66.72	N/A
#4	BackHoe - 02 JCB	26.64	37.97	0.00	26.02	8.33	52.66	72.32	N/A
#5	Tractor with Flail Mower	26.64	37.97	0.00	26.02	8.33	52.66	72.32	N/A
#12	Dozer	26.64	56.87	0.00	24.82	7.94	51.46	89.63	N/A
14/15/17	Trackless	26.64	37.97	0.00	24.82	7.94	51.46	70.73	N/A
16	Gradall	33.30	56.87	0.00	26.02	8.33	59.32	91.22	N/A
27	Sweeper/Vac Truck	33.30	56.87	0.00	26.02	8.33	59.32	91.22	N/A
PICK-UP TRUCKS									
#8, #18	1 Ton	10.27	10.27	0.00	24.82	7.94	35.09	43.03	N/A
#7	1/2 Ton Chevrolet - 18	8.54	8.54	0.00	35.98	11.51	44.52	56.03	N/A
#3	1/2 Ton Ford - 16	8.54	8.54	0.00	28.26	9.04	36.80	45.84	N/A

Revised: 02-Nov-18

Note: Increase of wages only by 1.7% for 2018

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ATTACHMENT NO.2



TOWNSHIP OF ESSA STAFF REPORT

STAFF REPORT NO.: TR004-19
DATE: February 20, 2019
TO: Committee of the Whole
FROM: Carol Traynor, Manager of Finance
SUBJECT: Proposed 2.38% Increase in Water User Fee Rate

RECOMMENDATION

That Staff Report TR-004-19 be received; and

That Council consider an annual 2.38% rate increase on the effective dates listed in the chart below, and that the 2.38% increase for fixed water rates apply to all pipe sizes; and

Effective Date	Water Rates – Volumetric Cost per m3	Water Rates – Fixed Part Meter size – 15mm
January 1, 2019	\$1.40	\$61.61
January 1, 2020	\$1.43	\$63.07
January 1, 2021	\$1.46	\$64.57
January 1, 2022	\$1.49	\$66.11

That a by-law be prepared for the consideration of Council.

BACKGROUND

At the November 4th, 2015 Committee of the Whole meeting Council approved the Township of Essa Drinking Water System Financial Plan for 2015 to 2022, as prepared by Sharratt Water Management Ltd dated October 23, 2015.

The Financial Plan lays out how the Township will generate the required funds to meet the expenditure requirements detailed in the operating plan. The funding plan relies primarily on user fees, capital levies, connection fees and various sundry charges. Development charges will fund projects that accommodate growth.

Based on the funding plan, the required user fees and water rates are projected to increase at 2.38% in inflated dollars or about .38% per annum above inflation for the 2016-2022 periods. The intent of the operating plan is to ensure that funding will be available, when needed, at least for the projected capital and major maintenance costs between 2016 and 2022, and preferably a substantial time beyond. [Attachment Sec. 3.3 – Required User Fees]



History of Water/Sewer Rates for Residential service – 5/8” meter:

Effective Date	Water Rates – Volumetric Cost per m3	Water Rates – Fixed Part Meter size – 15mm
July 1, 2016	\$1.31	\$57.41
January 1, 2017	\$1.34	\$58.78
January 1, 2018	\$1.37	\$60.18

FINANCIAL IMPACT

Residential water and sewer service rates:

2.38% increase in water service volumetric rate of \$1.37/m³ = \$1.40/m³. **[Increase in the water service volumetric rate = \$0.03m³]**

2.38% increase in the water service fixed rate for a 5/8” meter of \$60.18/annum = \$61.61/annum. **[Increase in the water service fixed part rate = \$1.43]**

The sewer service rate will continue to be 95% of the water fixed and volumetric charge.

On average, a homeowner with 4 occupants, may consume 20m³ per month of water and therefore would pay:

Based on current rates:
 $\$60.18 + [240\text{m}^3 \times 1.37\text{m}^3] = \388.98
 Plus sewer charges of \$369.53
 TOTAL = \$758.51/year

Based on proposed increase in rates:
 $\$61.61 + [240\text{m}^3 \times 1.40\text{m}^3] = \397.61
 Plus sewer charges of \$377.73
 TOTAL = \$775.34/year

Increase to a homeowner with 4 occupants with water and sewer service = \$ 16.83/year
Increase to a homeowner with 4 occupants with water service = \$ 8.63/year

It is recommended that the fixed part charge for all sizes of water meters increase by 2.38% as follows: 1” meter = \$86.26, 1.5” meter = \$110.90, 2” meter = \$178.67, 3” meter = \$688.70

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SUMMARY/OPTIONS

Council may:

1. Take no action
2. Approve an increase in the water volumetric and the fixed part rates of 2.38% effective January 1, 2019 and an additional increase of 2.38% effective January 1, 2020 and January 1, 2021 and January 1, 2022.
3. Direct staff to proceed as deemed appropriate by Council

CONCLUSION

Option # 2 is recommended in order to continue the well managed and good financial conditions of the Essa Township water and sewer systems.

Respectfully submitted:

Reviewed by:



Carol Traynor
Manager of Finance



Greg Murphy
CAO

Attachment: Excerpt from Water Financial Plan Sec. 3.3 – Required User Fees [1 page]

3.0 Funding Plan

The funding plan lays out a plan on how the Township will generate the required funds to meet the expenditure requirements detailed in the operating plan. The funding plan is detailed in the appendices to this Financial Plan report. The funding plan proposed will rely primarily on user fees, with some funds provided from government grants in 2015 and 2016, capital levies, connection fees and various sundry charges. Development charges will fund projects that accommodate growth. Some key assumptions and results are presented below.

3.1 Government Grants

No allowance has been made for government grants in the 2016-2022 periods. Should grants be obtained, the funds displaced would likely be placed in the reserves.

3.2 Debt

The current debt will be serviced and a new \$1.78 million loan over 15 years at a projected 5.5% is proposed in 2021 to help fund a reservoir expansion. This loan will be serviced entirely from development charge funds.

3.3 Required User Fees



Based on this funding plan, the Essa user fees and water rates are projected to increase at 2.38% in inflated dollars or about .38% per annum above inflation for the 2016-2022 periods. This is based on the need to generate adequate revenue to cover capital renewal and major maintenance along with an assumption that most operating as well as capital and major maintenance costs will inflate at 2.0% per annum, with energy costs increasing at 5% per annum.

4.0 Continuous Improvement

Provincial regulation 453/07 requires that the Financial Plans be updated every 5 years, along with the request for the renewal of the Drinking Water Licence. This on-going update will assist in revisiting the assumptions made to develop the operating and funding plans as well as re-assessing the need for capital renewal and major maintenance expenditures.





Summary of Results – RFQ-2019-001 - JANITORIAL SERVICES (2019-2022)
Angus and Thornton OPP Offices

Amount Paid in Previous Years:
 2016-2018 - \$10,288.08 + H.S.T per year
 *Please note the rate also included the Thornton Library.

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	Reliable Cleaning 705-627-5110 Docs Rec'd: February 13, 2019 9:15 a.m.			SQM Janitorial Services Inc. 905-565-8585 Docs Rec'd: February 13, 2019 10:51 a.m.			Diamond Shine 905-619-2899 Docs Rec'd: February 11, 2019 2:44 p.m.			Major Clean 705-727-9050	AA Cleaning 705-571-1128	Cheema 905-951-7156	Pristine Clean Inc. 705-627-3877
Location	Year 1	Year 2	Year 3	Year 1	Year 2	Year 3	Year 1	Year 2	Year 3	No Submission	No Submission	No Submission	No Submission
Thornton	\$5,242.00	\$5,346.85	\$5,453.80	\$1,428.90	\$1,428.90	\$1,428.90	\$1,680.00	\$1,680.00	\$1,680.00				
Angus	\$10,653.00	\$10,866.05	\$11,083.40	\$7,778.40	\$7,778.40	\$7,778.40	\$9,120.00	\$9,120.00	\$9,120.00				
TOTAL	\$15,895.00	\$16,212.90	\$16,537.20	\$9,207.30	\$9,207.30	\$9,207.30	\$10,800.00	\$10,800.00	\$10,800.00				

Bids were opened on February 13, 2019 at 12:10 p.m. by:

Lisa Lehr, Clerk
 Krista Pascoe, Deputy Clerk

Recommendation: Be it resolved that the summary of results for RFQ-2019-001 "2019-2022 Janitorial Services – OPP Offices" be received; and That the tender as submitted by SQM Janitorial Services Inc. at a cost of \$9,207.30 (plus H.S.T.) per year be accepted as per Township specifications, contingent upon satisfactory confirmation of W.S.I.B. coverage and liability insurance being received by the municipality, in addition to the requirements set forth in the project description outlined in the tender document; and That the Clerk be authorized to execute the subject agreement for the works to commence.

Respectfully submitted,

 Lisa Lehr,
 Clerk

Reviewed by,

 Greg Murphy,
 Chief Administrative Officer

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TOWNSHIP OF ESSA STAFF REPORT

STAFF REPORT NO.: C008-19
DATE: January 16, 2019
TO: Committee of the Whole
FROM: Lisa Lehr, Clerk
SUBJECT: Bill 68 Requirement – Tree Canopy Policy

RECOMMENDATION

That Staff Report C008-19 be received for information.

BACKGROUND

The Modernizing of Municipal Legislation Act (aka Bill 68) amended section 270 of the *Municipal Act, 2001*, to include the following

270 (1) A municipality shall adopt and maintain policies with respect to the following matters:

- 7. The manner in which the municipality will protect and enhance the tree canopy and natural vegetation in the municipality.*

The implementation date for this requirement is March 1, 2019.

COMMENTS AND CONSIDERATIONS

The Clerk recently discussed this mandatory requirement with the Manager of Planning and Development.

A memorandum (Attachment No. 1) has been provided by the Manager of Planning and Development advising that the Township of Essa has already met this requirement through provisions contained in section 21.3.5 of the Township's Official Plan.

FINANCIAL IMPACT

There is no financial impact.

SUMMARY/OPTIONS

Council may:

1. Take no further action.
2. **Receive Report C008-19.**

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CONCLUSION

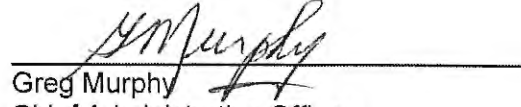
This report is for Council's information only, to advise of Essa's compliance.

Respectfully submitted:

Reviewed by:



Lisa Lehr
Clerk



Greg Murphy
Chief Administrative Officer

Attachments:

1 – Memorandum from Manager of Planning and Development dated February 5, 2019 "Tree Canopy Requirements of Bill 68"

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Attachment No. 1

Corporation of the Township of Essa
5786 Simcoe County Road 21
Utopia, Ontario
L0M 1T0



Telephone: (705) 424-9770
Fax: (705) 424-2367
www.essatownship.on.ca
email: chealey@essatownship.on.ca
email: bmansbridge@essatownship.on.ca
email: apiskopos@essatownship.on.ca

MEMORANDUM

To: Lisa Lehr, Clerk
From: Colleen Healey-Dowdall, Manager of Planning & Development
Subject: Tree Canopy Requirements of Bill 68
Date: February 5, 2019

Dear Lisa,

Further to our discussion of last week, this will confirm that I am of the opinion that our Municipality is already, currently meeting with the requirement of Bill 68, Modernizing Ontario's Municipal Legislation Act, in the way of the tree canopy requirements/natural vegetation; as required to be in place this coming March 1st.

More specifically, the Province has mandated that with respect to the tree canopy/natural vegetation, we are to have in place a policy. There is no detail whatsoever on what the required policy must contain/state.

It is my opinion, as well as that of other local Planners, that the current policy in place in our Municipality, by way of our Official Plan, Section 21.3.5, meets with the requirements of the Province. Our Official Plan defines "woodlands" and states that we are to protect these treed areas which provide us with the benefits of health, environmental quality, erosion control, clean groundwater, and wildlife habitat. The Official Plan states that development proposed where woodlands are located must be evaluated based on specified criteria by a qualified forester. As well, the Township aims to increase its forest over which is currently at about 25% according to the NVCA's assessment.

I trust this helps.

Yours truly,

Colleen Healey-Dowdall, MCIP, RPP
Manager Planning & Development
CH/ap



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TOWNSHIP OF ESSA STAFF REPORT

STAFF REPORT NO.: C009-19
DATE: January 16, 2019
TO: Committee of the Whole
FROM: Lisa Lehr, Clerk
SUBJECT: Proposed Amendment to C09-2010 "Council Code of Conduct" – Inclusion of Section Regarding Integrity Commissioner, and DRAFT Complaint Procedure

RECOMMENDATION

That Staff Report C009-19 be received; and
That Council consider approving the draft amendments to C09-2010 "Council Code of Conduct", for the inclusion of provisions regarding the Integrity Commissioner; and
That Council approve the Complaint Procedure attached as Appendix "1" to the Policy.

BACKGROUND

Effective March 1, 2019, municipalities are mandated to have a Council Code of Conduct in place. Additionally, they are required to appoint an Integrity Commissioner.

The Township of Essa implemented C09-2010 "Council Code of Conduct" in 2010.

Moreover, at its meeting of February 21, 2018, Council passed By-law 2018-19, appointing Principles Integrity as its Integrity Commissioner.

As such, the municipality is in compliance with sections 223.2 and 223.3 of the Municipal Act, 2001, as amended.

COMMENTS AND CONSIDERATIONS

Upon review of the current of C09-2010, the Clerk has determined that there is a need to update the current "Council Code of Conduct" for the inclusion of provisions relating to the Integrity Commissioner, their role, etc., and additionally, a complaint procedure, in order to ensure that transparency and accountability measures are in place for both the public and members of Council.

The Clerk is recommending that the changes, as outlined in Attachment No. 1, be made to C09-2010 "Council Code of Conduct" so as to ensure that the Policy is in compliance with all recent mandated requirements:

FINANCIAL IMPACT

There is no financial impact.

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SUMMARY/OPTIONS

Council may:

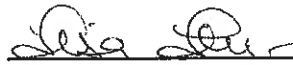
1. Take no further action.
2. **Approve the proposed amendments to C09-2010 "Council Code of Conduct" as recommended in relation to the inclusion of provisions regarding the Integrity Commissioner.**
3. Amend C09-2010 "Council Code of Conduct" as deemed appropriate by Council.
4. **Approve the DRAFT Complaint Procedure as attached.**
5. Amend the DRAFT Complaint Procedure as deemed appropriate by Council.

CONCLUSION

Staff recommends that Council approve Option Nos. 2 and 4.

Respectfully submitted:

Reviewed by:



Lisa Lehr
Clerk



Greg Murphy
Chief Administrative Officer

Attachments:

- 1 – C09-2010 Council Code of Conduct with Proposed Amendments (bolded)
- 2 – DRAFT Complaint Procedure and Form



THE CORPORATION OF THE TOWNSHIP OF ESSA
COUNCIL CODE OF CONDUCT

POLICY: Council Code of Conduct	COUNCIL APPROVAL DATE: 15 DECEMBER 2010 RES. NO: CW 234-2010
POLICY NO: C09-2010	REVISED DATE: RES. NO:

1. PREAMBLE:

The Council of the Township of Essa is committed to achieving the highest standards of conduct which is essential to maintaining and ensuring public trust and confidence in the Township's planning, administration and operations. Members of Council of the Township of Essa will act in an accountable and responsible manner with integrity, transparency and fairness in its decision making processes.

2. PURPOSE:

The Township of Essa Council Code of Conduct has been developed to:

- Set out clear expectations of the conduct of members of Council;
- Provide information to the public as to the conduct they can expect from Council; and
- Provide guidance to members of Council in the execution of their duties as elected officials.
- Outline a process to be followed for the filing of a complaint in relation to an alleged breach in the Code of Conduct by a member of Council.

3. APPLICATION:

The Council Code of Conduct shall apply to all members of Council. It is the responsibility of all members of Council to be aware of and comply with the Code.

4. POLICY STATEMENT/GUIDELINES:

4.1 Rationale and Legislative Authority

This Code of Conduct operates along with and as a supplement to the existing statutes governing conduct. Five pieces of Federal and Provincial legislation govern the conduct of members of Council, those being:

- The *Criminal Code of Canada*;
- The *Municipal Conflict of Interest Act*, as amended;
- The *Municipal Elections Act*, 1996, as amended;
- The *Municipal Freedom of Information and Protection of Privacy Act*; and,
- The *Municipal Act*, 2001, as amended.

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4.2 Specific Policy

(a) Roles and Obligations

Council members recognize their mandate includes a duty to:

- Fairly represent the diversity of community views in developing an overall strategy for the future of the Township.
- Set objectives and determine strategies to achieve the goals of the Township Strategic Plan.
- Achieve sound financial management, planning and accountability.
- Be aware of and understand statutory obligations imposed on Council as a whole, as well as each individual member of Council.

(b) Confidentiality

Authorized under Section 239 of the *Municipal Act, 2001*, where a matter discussed at an in-camera (closed) meeting remains confidential; no member shall disclose the content of that matter, or the substance of the deliberations of an in-camera meeting. Members shall not permit any persons, other than those who are entitled thereto, to have access to confidential information. Members shall not disclose or release by any means to any member of the public either in verbal or written form any confidential information acquired by virtue of their office, except when required to do so by law.

Particular care should be exercised in ensuring the confidentiality of the following types of information:

- The security of the property of the municipality or local board;
- Personnel matters about an identifiable individual, including municipal employees;
- A proposed or pending acquisition or disposition of land by the municipality or local board;
- Labour relations or employee negotiations;
- Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality;
- Advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
- A matter in respect of which a council, board, committee or other body may hold a closed meeting under another Act;
- Items under negotiation, or personnel matters;
- Information that infringes on the rights of others (e.g. sources of complaints where the identity of a complainant is given in confidence);
- Price schedules in contract tender or Request For Proposal submissions as specified;
- Information deemed to be "personal information" under the *Municipal Freedom of Information and Protection of Privacy Act*;
- Statistical data required by law not to be released (e.g. certain census or assessment data); and,
- Any and all statements that have been provided in confidence.

The above list is provided as an example and is not exclusive. Requests for information will be referred to appropriate staff to be addressed as either an

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informal request for access to municipal records or as a formal request under the *Municipal Freedom of Information and Protection of Privacy Act*.

(c) Conflict of Interest / Improper Use of Influence

Members of Council will recognize their obligation to follow and respect the provisions of the *Municipal Conflict of Interest Act*. The onus is on the member of Council to disclose any possible conflicts of interests and to follow the "CONFLICT OF INTEREST" Procedure (C09-2010-C) as attached to this Policy as Appendix 1. Members of Council shall provide the

Clerk with a completed "Disclosure of Pecuniary Interest Form" as attached to the Procedure set forth, and the municipality shall record the declaration of the conflict in the required registry.

No member shall use the influence of his/her office for any purpose other than for the exercise of his/her official duties. No member shall seek or obtain by reason of his/her office any personal privilege or private advantage with respect to Township services not otherwise available to the general public and not consequent to his/her official duties.

(d) Council-Staff Relations

Members of Council shall acknowledge and respect the fact that staff work for the Township as a corporate body and are responsible for making recommendations that reflect their professional expertise and corporate objective, without due influence from any individual member. Members shall respect the fact that staff carry out direction of Council as a whole and administer the policies of the Township.

In accordance with the "COUNCIL-STAFF RELATIONS" Policy (C11-2019), as passed by By-law No. 2019-10 and attached to this Policy as Appendix 2, members of Council shall refrain from publicly criticizing individual members of staff in a way that casts aspersions on their professional competence and credibility, and they shall refrain from using their position to improperly influence members of staff in their duties or function or to gain an advantage for themselves or others. It is expected that all members of Council shall comply with all provisions contained in the Council-Staff Relations Policy.

Members of Council shall use the following Administrative Protocols in accordance with section "G" of Council-Staff Relations Policy C11-2019:

1. All requests from Council for reports shall be introduced under "Other Business".
2. Members of Council are not to direct subordinate staff in a supervisory capacity. Staff are supervised and directed by their Department Manager and/or the Chief Administrative Officer.
3. Council members are to filter questions/concerns by email or telephone to the Chief Administrative and/or the Department Manager.

(e) Conduct at Meetings

During Council, Committee of the Whole or any other advisory committee meetings, or working group meetings, members shall conduct themselves with decorum and in accordance with the Township's Procedural By-Law. Respect for

delegations and for fellow Council members and staff requires that all members show courtesy and not distract from the business of Council during presentations and when other members have the floor. In addition to this, meetings shall provide a platform for transparent and healthy debate among members.

(f) Acceptance of Gifts

Council members shall comply with the *Municipal Conflict of Interest Act* and must not accept a gift or personal benefit that is connected with their performance of the duties of office. This does not include gifts or personal benefits received as a matter of the protocol or social obligations that normally accompany the responsibility of office.

(g) Expenses

Members of Council shall comply with the provisions of the Township's applicable policies relative to per diem payments and expenses governing reimbursement for attendance at conferences, seminars, training courses and workshops.

(h) Use of Township Property, Services & Other Resources

Members shall not use any Township property, equipment, services, or supplies other than for purposes connected with the discharge of their official duties or associated community activities having the sanction of Council.

Members shall not obtain financial gain from the use of Township developed intellectual property, computer programs, technological innovation, or other kinds of property, while an elected official or thereafter. All such property remains the exclusive property of the Township.

(i) Conduct of a Political Nature

Members shall comply with the Township Policy C08-2010, Use of Corporate Resources during Elections. No member shall use Township facilities, services or property for his or her re-election campaign. Further, no member shall use the services of Township employees for his or her re-election campaign, during hours in which the employees are in the paid employment of the Township.

(j) Discreditable Conduct

Members shall abide by the provisions of the Human Rights Code and, in doing so, shall treat every person with dignity, understanding and respect for the right to equality and the right to an environment that is safe and free from harassment and discrimination.

Harassment may be defined as any behaviour by any person that is directed at or is offensive to another person on the grounds of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, age, handicap, sexual orientation, marital status or family status and other grounds under the provisions of the Ontario Human Rights Code.

Members shall comply with Township Policy HR08-01, Workplace Harassment and Discrimination Policy. Discrimination or harassment of another member, staff or any member of the public is misconduct. All persons shall be treated fairly in the

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workplace in an environment free of discrimination and or personal and harassment.

(k) Public Input

Council will periodically use formal and informal opportunities to seek public input as a component of the decision making process which have broad impacts on the community. The purpose of the exercise will be to provide stakeholders with a mechanism to provide opinions and advice so that the widest range of views and information is available before final decisions are made.

Council may, from time to time, establish committees to provide advice on specific issues. Such committees shall not be established without the sanction of Council.

(l) Professional Development

Members of Council have an obligation to promote, support, pursue and partake in opportunities for professional development.

4.3 Limitation

Nothing in this Policy shall preclude a member of Council from performing their job as Mayor, Deputy Mayor, or Councillor, nor inhibit them from representing the interests of the constituents who elected them.

5. IMPLEMENTATION

Council members are expected to formally and informally review their adherence to the provisions of the Code on a regular basis or when so requested by Council.

6. ENFORCEMENT

~~That, in accordance with the Act, the Township Clerk be authorized and directed to take the necessary action to give effect to this policy.~~

6. INTEGRITY COMMISSIONER

The Township of Essa appointed an Integrity Commissioner in accordance with the mandated requirement set forth in the *Municipal Act, 2001*. The roles and responsibilities of the Integrity Commissioner are outlined in the appropriate By-law / Agreement and are in accordance with those mandated in Part V.1 of the *Municipal Act, 2001*.

6.1 Acting on Advice of Integrity Commissioner

Any written advice given by the Integrity Commissioner to a member binds the Integrity Commissioner in any subsequent consideration of the conduct of the member in the same matter, as long as all relevant facts were disclosed to the Integrity Commissioner, and the member adhered to the advice given by the Integrity Commissioner.

6.2 Reprisals and Obstruction

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It is a violation of the Code of Conduct to obstruct the Integrity Commissioner in the carrying out of his/her responsibilities.

No member shall threaten or undertake any active reprisal against a person initiating an inquiry or complaint under the Code of Conduct, or against any person who provides information to the Integrity Commissioner in any investigation.

It is a violation of the Council Code of Conduct to destroy documents or erase electronic communications or refuse to respond to the Integrity Commissioner where a formal complaint has been lodged under the Code of Conduct.

7. COMPLAINTS

Council shall be aware that, where an allegation of a perceived breach in the Council Code of Conduct has occurred, the complainant can file a complaint outlining the alleged breach either informally or formally, as the case may be, in accordance with the Complaint Procedure attached hereto as Appendix 3.

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APPENDIX "3" TO C09-2010

**COUNCIL CODE OF CONDUCT
COMPLAINT PROCEDURE**

In accordance with Part V.1 of the *Municipal Act*, the Township of Essa appointed an Integrity Commissioner whose roles and responsibilities are set forth and carried out in accordance with the mandated requirements set forth in Part V.1 of the *Municipal Act*, 2001, as amended.

Part A INFORMAL COMPLAINTS

1. Process

- 1.1 Any individual who has identified or witnessed behaviour or activity by a member of Council that appears to be in contravention of the Council Code of Conduct may address their concern(s) in the following informal manner:
 - a) Advise the member that the behaviour or activity contravenes the Council Code of Conduct;
 - b) Encourage the member to stop the prohibited behaviour or activity;
 - c) Keep a written record of the incidents including dates, times, locations, other persons present, and any additional information relevant to the behaviour or activity;
 - d) If applicable, confirm to the member your satisfaction with the response of the member, or if applicable, advise the member of your dissatisfaction with their response;
 - e) Consider the need to pursue the matter in accordance with the formal complaint procedure outlined in Part B, or in accordance with another applicable judicial or quasi-judicial process or complaint procedure.
- 1.2 All individuals are encouraged to initially pursue this informal procedure as a means of stopping and remedying a behaviour or activity that is prohibited by the Code of Conduct.

Part B FORMAL COMPLAINTS

1. Process

- 1.1 Any individual who has identified or witnessed behaviour or activity by a member of Council that appears to be in contravention of the Council Code of Conduct may address their concerns through the formal complaint process.
- 1.2 All Formal complaints must be made using the Complaint Form attached to this Procedure, and are required to be submitted by an identifiable individual.
- 1.3 The complaint shall set out reasonable and probable grounds for the allegation that the member has contravened the Code, and shall include the name of the member, the provision of the Code allegedly contravened, facts constituting the alleged contravention, the names/contact information of witnesses, and contact information for the complainant.

2. Classification by Integrity Commissioner

- 2.1 Upon receipt of a request, the Integrity Commissioner shall make an initial classification in order to determine if the matter is, on its face, a complaint with respect to non-compliance with the Code and not covered by other legislation, a complaint with respect to the Municipal Conflict of Interest Act or other relevant Council policies.
- 2.2 If the complaint, on its face, is not a complaint with respect to non-compliance with the Code or another Council policy governing ethical behaviour or the *Municipal Conflict of Interest Act*, or if the complaint is covered by other legislation, the Integrity Commissioner shall advise the complainant in writing.
- 2.3 The Integrity Commissioner may report to Council that a specific complaint is not within the jurisdiction of the Integrity Commissioner.
- 2.4 The Integrity Commissioner shall report annually to Council on complaints not within the jurisdiction of the Integrity Commissioner, but where possible, shall not disclose information that could identify a person concerned.

3. Investigation by Integrity Commissioner

3.1 Rejected

- 3.1.1 If upon review of a complaint, the Integrity Commissioner is of the opinion that the complaint is frivolous, vexatious or not made in good faith, or that there are no grounds or insufficient grounds for an investigation, the Integrity Commissioner will not conduct an investigation and shall communicate this in writing to the complainant and the member identified on the Complaint Form.

Where the Integrity Commissioner rejects or terminates an investigation, reasons shall be provided.

- 3.1.2 No investigation shall be commenced or continued, nor shall the Integrity Commissioner report to Council respecting an investigation, within the election period described within sections 223.4 and 223.4.1 of the *Municipal Act*, except as described in those sections.

3.2 Proceed

3.2.1 Investigation of Formal Complaint

- a) If at any time following the receipt of a formal complaint or during the investigation process, the Integrity Commissioner believes that an opportunity to resolve the matter may be successfully pursued without a formal investigation, and both the complainant and the member agree, efforts may be made to achieve an informal resolution.
- b) The Integrity will provide the complaint and supporting material to the member whose conduct is in question and provide the member with a reasonable opportunity to respond. The

complainant name shall be provided as part of such documents, unless it has been determined by the Integrity Commissioner that it would not be in the public's best interest to do so.

- c) If necessary, after reviewing the written materials, the Integrity Commissioner may speak to anyone relevant to the complaint, access and examine any information described in subsections 223.4(3) and (4) of the *Municipal Act*, and may enter any Township work location relevant to the complaint for the purposes of investigation and settlement.
- d) The Integrity Commissioner shall not issue a report finding a violation of the Code of Conduct on the part of any member UNLESS the member has had reasonable notice of the basis for and an opportunity to comment on the proposed findings.
- e) The Integrity Commissioner may make interim reports to Council where necessary and as required to address any instances of interference, obstruction or retaliation encountered during the investigation.
- f) The Integrity Commissioner shall report to the complainant and the member of Council generally no later than 90 days after the filing of the complaint.
- g) Where the complaint is sustained in whole or in part, the Integrity Commissioner shall also report to Council outlining the findings, the terms of any settlement, or recommended corrective action(s).
- h) Where the complaint is dismissed, the Integrity Commissioner shall not report to Council except as part of an annual or other periodic report.
- i) Any recommended corrective action must be permitted in law, and shall be designed to ensure that the inappropriate behaviour or activity does not continue.
- j) If the Integrity Commissioner has determined that there has been no contravention of the Code of Conduct, or that a contravention occurred although the member took all reasonable measures to prevent it, or that a contravention occurred that was trivial or committed through inadvertence or an error of judgement made in good faith, the Integrity Commissioner shall so state in the report and shall recommend that no penalty be imposed. The Clerk shall process the report for the next meeting of Council.

3.2.2 Public Inquiries Act

- a) The Integrity Commissioner may, in exceptional circumstances, elect to exercise the powers of a Commission under Parts I and II of the *Public Inquiries Act*, as contemplated by subsection 223.4(2).

- b) If the Integrity Commissioner elects to conduct an inquiry under the *Public Inquiries Act*, a report will be provided to Council prior to proceeding, setting out the reasons for the investigation and providing an estimate of the expected cost and time that the investigation will require, and providing an opportunity for Council to respond to the reasonableness of the expenditure of public funds for the purpose of such Commission.
- c) When the *Public Inquiries Act* applies to an investigation of a complaint, the Integrity Commissioner shall comply with the procedures specified in that Act and this Complaint Procedure, but if there is a conflict between a provision of this Complaint protocol and a provision of the *Public Inquiries Act*, then the *Public Inquiries Act* shall prevail.

3.3 Council Review

3.3.1 Council shall consider and respond to the Report of the Integrity Commissioner within 90 days after the day the report is laid before Council.

3.3.2 In responding to the Report, Council may vary a recommendation that imposes a penalty, subject to subsection 223.4(5) of the *Municipal Act*, but shall not refer the recommendation other than back to the Integrity Commissioner.

3.3.3 Upon receipt of recommendations from the Integrity Commissioner, Council may, in circumstances where the Integrity Commissioner has determined there has been a violation of the Code of Conduct, impose either of two penalties:

- a) A reprimand; or
- b) Suspension of the remuneration paid to the member in respect of his/her services as a member of Council, as the case may be, for a period of up to 90 days;

And may also take the following actions:

- c) Removal from membership of a committee;
- d) Removal as a Chair of a Committee;
- e) Repayment or reimbursement of monies received;
- f) Return of property or reimbursement of its value.

3.3.4 All reports from the Integrity Commissioner to Council shall be made available to the public, and:

- a) Any references by the Integrity Commissioner in an annual or other periodic report to a complaint or an investigation shall not disclose confidential information that could identify a person concerned.
- b) In a report to Council on whether a member has violated the Code of Conduct, the Integrity Commissioner shall only disclose such matters as in the Integrity Commissioner's opinion are necessary for the purposes of the report.

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3.4 Confidentiality

- 3.4.1 A complaint will be processed in compliance with the confidentiality provisions contained in sections 223.5 and 223.6 of the Municipal Act.
- 3.4.2 The Integrity Commissioner and every person acting under his/her instructions shall preserve secrecy with respect to all matters that come to his or her knowledge in the course of any investigating, except as required by law in a criminal proceeding.

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**SCHEDULE "A" TO C09-2010
Alleged Breach in Code of Conduct - Complaint Form**

I, _____, hereby request the Integrity Commissioner for the Township of Essa to conduct an inquiry about whether or not the following Member(s) of Council, or a local board of Council, has contravened the Code of Conduct or the *Municipal Conflict of Interest Act*:

I have reasonable and probable grounds to believe that the above member(s) has contravened the Code of Conduct and/or the *Municipal Conflict of Interest Act* by reason of the following [***please include date, time, location of conduct, the Rules convened, and particulars including names of all persons involved, all witnesses, and information as to how they can be reached*** (attach additional pages as needed)].

**I hereby request the Integrity Commissioner to conduct an inquiry with respect to the above conduct.
Attached are copies of documents and records relevant to the requested inquiry.**

Date _____ Signature _____
Name _____
Address: _____
Email: _____
Phone Number _____

Email completed Complaint to Principles Integrity at: postoffice@principlesintegrity.org



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TOWNSHIP OF ESSA STAFF REPORT

STAFF REPORT NO.: C010-19
DATE: February 20, 2019
TO: Committee of the Whole
FROM: Lisa Lehr, Clerk
SUBJECT: Bill 68 – DRAFT Pregnancy and Parental Leave Policy for Members of Council

RECOMMENDATION

That Staff Report C010-19 be received; and
That Council approve DRAFT Policy C010-2019 "Pregnancy and Parental Leave for Members of Council", as attached;
and
That the appropriate By-law be presented to Council for consideration of adoption in its Regular Meeting.

BACKGROUND

Prior to the Modernizing of Municipal Legislation Act (Bill 68), section 259 (1) (c) of the *Municipal Act*, 2001 stated that a member's seat becomes vacant if the member (of Council) is absent from Council meetings for three successive months without being authorized to do so by a Council resolution. In accordance with this section a member of Council was required to obtain a resolution of Council for an extended leave of absence due to pregnancy, birth or adoption of a child by the member.

Implementation of Bill 68 has now provided that a resolution of Council is no longer required to be obtained to grant such an extended leave of absence for a member, if the absence is related to pregnancy or parental leave for twenty (20) consecutive weeks or less. As such, the *Municipal Act*, 2001 has been amended to include the following exception to the rules when a Council member's seat becomes vacant:

259 (1.1) *Clause (1) (c) does not apply to vacate the office of a member of council of a municipality who is absent for 20 consecutive weeks or less if the absence is a result of the member's pregnancy, the birth of the member's child or the adoption of a child by the member.*

Additionally, Bill 68 amended section 270(1) of the *Municipal Act*, 2001 to include the following provision with respect to the requirement by municipalities to adopt and maintain policies, with a date of effect as March 1, 2019:

270 (1) *A municipality shall adopt and maintain policies with respect to the following matters:*
8. Pregnancy leaves and parental leaves of members of council.

As such, it is necessary for the Township of Essa to implement such a Policy in respect of this.

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COMMENTS AND CONSIDERATIONS

The Township of Essa recognizes a member of Council's right to take leave for the member's pregnancy, birth of the member's child, or the adoption of a child by the member, as required by and in accordance with Section 270 of the *Municipal Act*, 2001.

Additionally, it is also recognized that the member of Council's seat shall not be deemed to be vacant due to a related absence of 20 consecutive weeks for such reason.

The Township of Essa has no previous Policy in place with respect to parental/pregnancy leave for a member of Council. As such, DRAFT Policy C010-2019 "Pregnancy and Parental Leave Policy for Members of Council" (Attachment No. 1) is attached for Council's consideration.

Implementation of the DRAFT Policy, once approved by Council, shall bring the municipality into compliance with the requirement in section 270 (1) para 8 of the *Municipal Act*, 2001, as amended.

FINANCIAL IMPACT

There is no financial impact.

SUMMARY/OPTIONS

Council may:


1. Take no further action.
2. **Approve DRAFT Policy xxx "Council Pregnancy and Parental Leave" as attached.**
3. Amend DRAFT Policy xxx "Pregnancy and Parental Leave for Members of Council" as deemed appropriate by Council.
4. **Direct staff to bring the appropriate By-law forward for Council's adoption.**

CONCLUSION

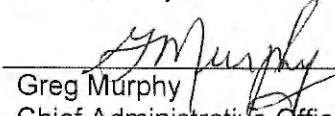
It is recommended that Council approve Option Nos. 2 and 4.

Respectfully submitted:

Reviewed by:



 Lisa Lehr
 Clerk



 Greg Murphy
 Chief Administrative Officer

Attachments

- 1 -- Draft By-law and Policy C010-2019 "Pregnancy and Parental Leave for Members of Council"

Attachment No. 1

THE CORPORATION OF THE TOWNSHIP OF ESSA

BY-LAW 2019 – xx

Being a By-law to adopt a Policy for the “Pregnancy and Parental Leave for Members of Council”.

WHEREAS section 5 (1) of the Municipal Act, 2001, as amended, provides that the powers of a municipal corporation are to be exercised by its Council; and

WHEREAS section 5 (3) of the Act states that municipal power, including a municipality’s capacity, right, powers and privileges, shall be exercised by By-law, unless the municipality is specifically authorized to do otherwise; and

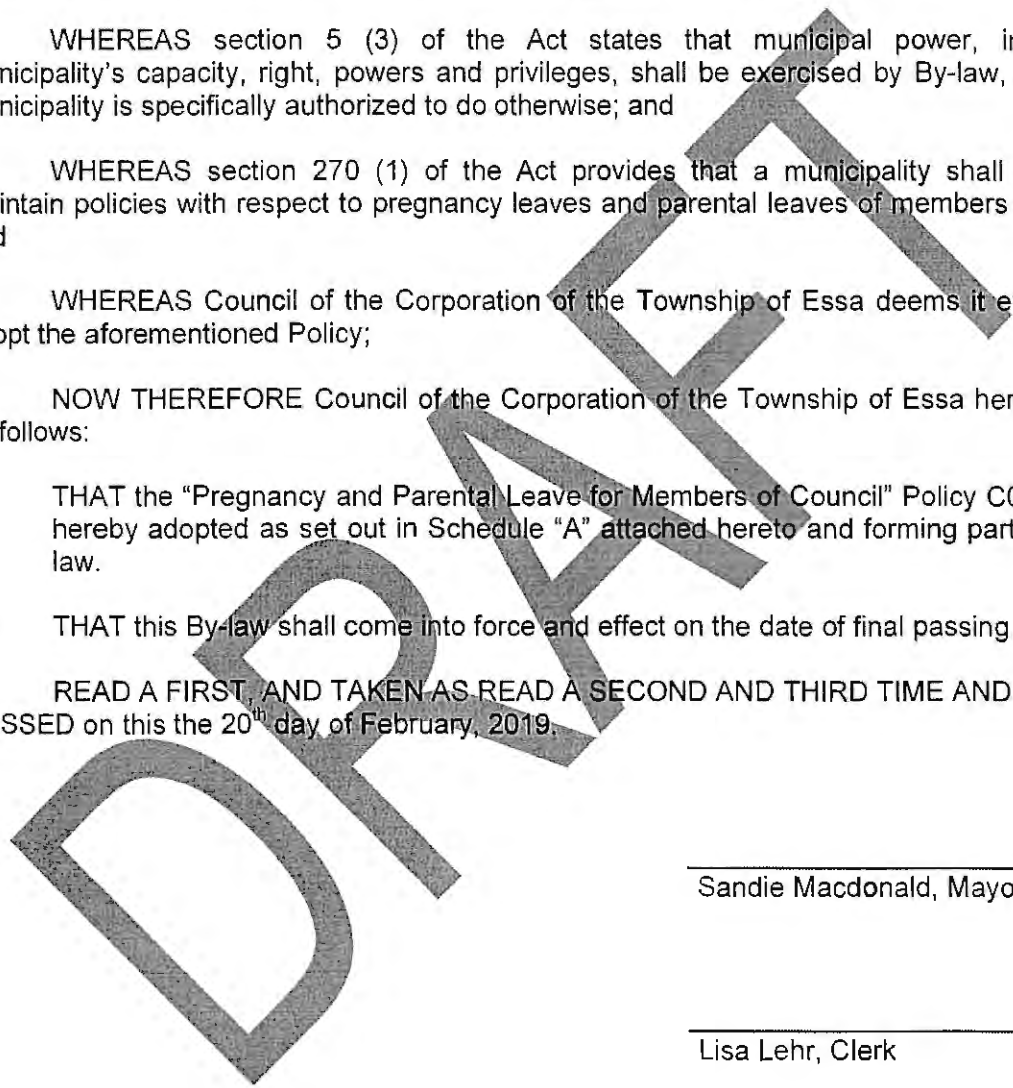
WHEREAS section 270 (1) of the Act provides that a municipality shall adopt and maintain policies with respect to pregnancy leaves and parental leaves of members of Council; and

WHEREAS Council of the Corporation of the Township of Essa deems it expedient to adopt the aforementioned Policy;

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

1. THAT the “Pregnancy and Parental Leave for Members of Council” Policy C010-2019 is hereby adopted as set out in Schedule “A” attached hereto and forming part of this By-law.
2. THAT this By-law shall come into force and effect on the date of final passing thereof.

READ A FIRST, AND TAKEN AS READ A SECOND AND THIRD TIME AND FINALLY PASSED on this the 20th day of February, 2019.



Sandie Macdonald, Mayor

Lisa Lehr, Clerk

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Township of Essa
Policy No. C010-2019
PREGNANCY AND PARENTAL LEAVE-MEMBERS OF COUNCIL

SUBJECT: PREGNANCY AND PARENTAL LEAVE FOR MEMBERS OF COUNCIL	Date issued: February 20, 2019	Effective Date: March 1, 2019	Resolution No: DRAFT ONLY
SCOPE: Members of Council	Revised: n/a NEW POLICY		BY-LAW NO.: 2019-xx Schedule "A"

1. POLICY STATEMENT

The Township of Essa recognizes a member of Council's right to take leave for the member's pregnancy, birth of the member's child, or the adoption of a child by the member, as required by and in accordance with Section 270 of the *Municipal Act, 2001*, as amended.

2. PURPOSE

This Policy provides guidance on how the Township of Essa addresses a member's pregnancy or parental leave in a manner that respects a member's statutory role as an elected official.

3. SCOPE

This Policy applies to only to members of Council who are absent from meetings of Council for at least three consecutive months as a result of the member's pregnancy, the birth of the member's child, or the adoption of a child by the member.

4. DEFINITIONS

Pregnancy and/or Parental Leave – means an absence of 20 consecutive weeks or less, as a result of a member's pregnancy, the birth of a member's birth, or the adoption of a child by the member, in accordance with Section 259 (1.1) of the *Municipal Act, 2001*.

5. POLICY REQUIREMENTS

5.1 The office of a member of Council shall not become vacant if a member is absent for twenty (20) consecutive weeks or less, if the absence is a result of the member's pregnancy, the birth of the member's child, or the adoption of a child by the member.

5.2 Council of the Corporation of the Township of Essa supports a member of Council's right to pregnancy and/or parental leave in keeping with the following principles:

- (1) A member is elected to represent his or her constituents.
- (2) A member's pregnancy and/or parental leave does not require Council approval and his or her office cannot be declared vacant as a result of the leave.
- (3) A member will continue to receive communication from the Township of Essa, as if the member was not on leave.
- (4) A member reserves the right to participate as an active member of Council at any time during his or her leave.
- (5) A member shall continue to receive all remuneration, reimbursements and benefits afforded to all members of Council.

6. RESONSIBILITIES

- 6.1 Where a member of Council will be absent due to a pregnancy and/or parental leave, the member shall provide written notice to the Chief Administrative Officer and/or Clerk, indicating the duration of leave including the expected start and return dates.
- 6.2 It is understood that under emergent circumstances, a member may not be able to submit the appropriate notice before the leave commences. Each member shall nonetheless endeavor to provide the appropriate notice in advance of any leave, or as soon as possible after commencing the pregnancy and/or parental leave.
- 6.3 Notwithstanding, at any point in time during a member's pregnancy or parental leave, the member may provide written notice to the Chief Administrative Officer and/or Clerk of their intent to lift any of the temporary appointments to exercise their statutory role. The member shall provide written notice to the Chief Administrative Officer and/or Clerk of any changes to their return date.
- 6.4 The Mayor may make temporary appointments to any committees, boards, task forces, etc., that are constituted by the Township of Essa and where the member is the only member of Council on that body.

7. RESPONSIBILITIES

- 7.1 Members of Council and Township staff are responsible for adhering to the parameters of this Policy.

8. COMPLIANCE

- 8.1 The Integrity Commissioner may investigate complaints against members related to this Policy.

9. POLICY MANAGEMENT

- 9.1 Staff are authorized and directed to take the necessary action to give effect to this Policy.
- 9.2 The Clerk and/or designate are delegated the authority to make administrative changes to this Policy that may be required from time to time due to legislative changes or if, in the opinion of the Clerk or designate, the amendments to not change the intent of the Policy.

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TOWNSHIP OF ESSA STAFF REPORT

STAFF REPORT NO.: C011-19

DATE: January 16, 2019

TO: Committee of the Whole

FROM: Lisa Lehr, Clerk

SUBJECT: Request for Council Approval – Essa and District Agricultural Society to Host the Huronia Harley Davidson H.O.G. Motorcycle Rally July 17-21, 2019

RECOMMENDATION

That Staff Report C011-19 be received; and
 That Council consider approving the request of the Essa and District Agricultural Society to host the Harley Davidson H.O.G. Motorcycle Rally, from Wednesday July 17 to Sunday July 21, 2019, on the property known as the Essa Agriplex located at 7505 10th Line, Essa.

BACKGROUND

At its meeting of February 6, 2019, Ryan Johnson, General Manager of the Essa Agriplex, was in attendance with representatives from the Huronia Harley Owners Group (H.O.G.) Chapter 9109 to provide Council with a presentation on a proposed Motorcycle Rally set to tentatively take place July 17-21, 2019 (Wednesday to Sunday inclusively) in the Township of Essa. The intent of the delegation was to provide Council with information on the Harley Owners Group (H.O.G.), the specifics involved in the event itself, and to request the permission from Council for the Essa and District Agricultural Society to host a one-off non-traditional event on their property (Letter requesting permission-Attachment No. 1).

The representatives from the Huronia H.O.G. Chapter 9109 advised Council that there are no motorcycle gangs affiliated with the Motorcycle Rally, and that the participants and/or visitors are Harley Davidson Motorcycle owners and members of the varying Chapters of H.O.G.

Additionally, Ryan Johnson discussed the unique opportunity for the Essa and District Agricultural Society (EDAS) to provide education on agriculture to members of H.O.G. as well as to provide an opportunity for economic benefits to the communities in the Township of Essa. He also informed Council that local vendors would be in attendance to promote agricultural benefits.

COMMENTS AND CONSIDERATIONS

The delegates advised that the event held at the EDAS will consist of drumming, dancing, and music (to name a few). They are aware of the Township's Noise Restriction By-law 2018-47, and stated that they are willing to work within the confines as outlined accordingly in the By-law. (General noise occurring from this type of event would be prohibited after 11:00 p.m. and before 7:00 a.m. The delegates assured Council that they would have the festivities end at 11:00 p.m. in order to ensure compliance).

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With respect to the zoning of the property, 7505 10th Line, Council is aware that the Essa Agriplex is zoned as agriculture (A-9). In accordance with the Township's Zoning By-law which was amended in 2010 by the OMB, properties that are designated A-9 "Agricultural Special Provisions Number Nine (A-9) Zone", are permitted to provide for some additional ag-related uses beyond the scope of the normal Ag uses as listed in the Zoning By-law.

The zoning as it currently stands does not allow for this type of event to be hosted on this property. The EDAS is requesting the permission of Council to host this one-off unique event, and has stated that if there is success, they will consider filing an application to have the property re-zoned accordingly.

FINANCIAL IMPACT

There is no financial impact.

SUMMARY/OPTIONS

Council may:

1. Take no further action.
2. **Approve the request of the EDAS to host the Harley Davidson HOG Motorcycle Rally on the property known as the Essa Agriplex, located at 7505 10th Line, the weekend of July 17-21, 2019.**
3. Deny the request.

CONCLUSION

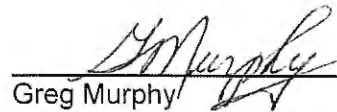
Staff recommends Council approve Option No 2 on the basis that this is a one-time event which is expected to generate economic spin-offs for the municipality.

Respectfully submitted:

Reviewed by:



Lisa Lehr
Clerk



Greg Murphy
Chief Administrative Officer

Attachments:

- 1 – Letter dated February 11, 2019 requesting Council Permission for Hosting HOG Motorcycle Rally at EDAS.



Monday February 11th, 2019

The Township of Essa: Town Council
5786 Simcoe County Rd. #21 Utopia, Essa Township, ON L0M 1T0

Dear Members of Council:

The Essa & District Agricultural Society (EDAS) would like to obtain special permission to rent the Essa Agriplex facility located at 7505 10th Line, Thornton Ontario to the Harley Davidson HOG Motorcycle Rally. The date of this rental is schedule for Wednesday July 17th 2019 to Sunday July 21st 2019. Over the past few years, the EDAS has received special permission to allow unique events to occur on the Essa Agriplex property. These special events are often unique opportunities to bring economic activity into the Township of Essa and allow the EDAS to promote agricultural affairs to groups not normally exposed to the sector.

I am requesting to have the subject approved by council as soon as possible to allow Harley Davidson to prepare for the event in a timely manner.

If there are any additional questions or concerns, please contact me directly. Harley Davidson and the HOG Rally have confirmed their willingness to provide any additional details regarding their event, if council wishes to review more supporting documentation.

Sincerely,

Essa and District Agricultural Society

Ryan Johnson
General Manager, Essa Agriplex
705.726.1200 / ryan@essaagriplex.ca