

THE CORPORATION OF THE TOWNSHIP OF ESSA
COMMITTEE OF THE WHOLE

WEDNESDAY, APRIL 3, 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. **Delegation – Ted Konewka**
Re: Protecting our bridge at the 5th Line of Essa Township
 - b. 6:10 p.m. **Presentation – Delanie Wilson**
Re: Successful Completion – Large Buildings Exam
 - p. 2 c. 6:20 p.m. **Public Meeting**
Re: Proposed Zoning By-law Amendment (No. Z8/18)
7546 County Road 27, Thornton

STAFF REPORT

4. PLANNING AND DEVELOPMENT
 - p. 5 a. **Staff Report PD023-19 submitted by the CAO/Manager of Planning and Development, re: Former Tree Seed Plant, Angus.**

Recommendation: *Be it resolved that Staff Report PD023-19 be received; and That Council **does / does not** approve adding the Tree Seed Plant facility in Angus to its cultural heritage registry contained in the Official Plan for the Municipality, and, in particular, list and map those areas which contain the most significant of resources; and That Council **does / does not** authorize staff to request that the Province dispose of the Tree Seed Plant lands in a manner not involving a transfer based on current market value; and That Council **does / does not** approve supporting bids for the lands from other public agencies or organizations as more information becomes available.*

- p. 8 **b. Staff Report PD024-19 submitted by the Manager of Planning and Development, re: Roth (B8/18) – Part Lot 31, Concession 3.**

Recommendation: *Be it resolved that Staff Report PD024-19 be received; and That Council **does / does not** approve:*

- (a) Providing notice concerning the sale of surplus land known as Block 66, 51M-1129 as per its direction of July 4, 2018 and adopting the appropriate By-law; and*
- (b) Adopting a By-law to lift a 0.3 m reserve along Bank Street in Angus to allow access to lands at Part Lot 31, Concession 3, 35 Centre Street; and*
- (c) Adopting a By-law to authorize the Mayor and Clerk to enter into a development agreement to guide the creation of 3 lots.*

- p. 11 **c. Staff Report PD025-19 submitted by the Manager of Planning and Development, re: Schwartz ZBA Z6/18 – 5616 County Road 27.**

Recommendation: *Be it resolved that Staff Report PD025-19 be received; and That Council **does / does not** approve adopting a Temporary Use Zoning By-law Amendment to authorize a garden suite on Part Lot 6, Concession 11, 5616 County Road 27 for a period of 20 years or as authorized under the Planning Act and authorize the Mayor and Clerk to enter into a Development Agreement concerning the terms of their permission.*

- p. 20 **d. Staff Report PD026-19 submitted by the Manager of Planning and Development, re: Emms ZBA Z3/19 – 7994 9th Line.**

Recommendation: *Be it resolved that Staff Report PD026-19 be received; and That Council **does / does not** approve adopting a Temporary Use Zoning By-law Amendment to authorize a second dwelling on Part Lot 25, Concession 8, 7994 9th Line for a period of 20 years or as authorized under the Planning Act and authorize the Mayor and Clerk to enter into a Development Agreement concerning the terms of their permission.*

5. PARKS AND RECREATION/ COMMUNITY SERVICES

6. FIRE AND EMERGENCY SERVICES

- p. 28 **a. Staff Report FD001-19 submitted by the Fire Chief, re: Recommended Changes to Burn Permit Fees.**

Recommendation: *Be it resolved that Staff Report FD001-19 be received; and That Council **does / does not** approve the proposed fee increase as outlined in the Staff Report; and That Staff be authorized to schedule a Public Meeting.*

7. PUBLIC WORKS

p. 30 a. **Summary of Results – Q-19-02 Dust Suppressant.**

Recommendation: *Be it resolved that the summary of results for Dust Suppressant Tender Q-19-02 be received; and
That the tender as submitted by Den-Mar Brines for the supply and application of 300,000 litres by weight of Liquid Calcium Chloride 18%, at a unit cost of \$.095 per litre, and a total price excluding taxes of \$28,500.00, be accepted as per Township specifications, contingent upon satisfactory confirmation of liability insurance and W.S.I.B. coverage; and
That the Manager of Public Works be authorized to arrange for the necessary work to be completed.*

p. 31 b. **Summary of Results – 2019 Street Sweeping.**

Recommendation: *Be it resolved that the summary of results for the 2019 Street Sweeping Tender be received; and
That the quotation as submitted by Glen's Sweeping Ltd. in the amount of \$33,100.00 (plus H.S.T.), be accepted as per Township specifications, contingent upon satisfactory confirmation of liability insurance and W.S.I.B. coverage; and
That the Manager of Public Works be authorized to arrange for the necessary works to be completed.*

8. FINANCE

p. 32 a. **Staff Report TR008-19 submitted by the Tax Collector, re: Request to Write-Off/Adjust 2018 Taxes.**

Recommendation: *Be it resolved that Staff Report TR008-19 be received; and
That the Tax Collector be authorized to adjust taxes on the accounts listed on Schedule "A" of this report.*

9. CLERKS / BY-LAW ENFORCEMENT / IT

p. 35 a. **Staff Report C016-19 submitted by the Clerk, re: Proposed Amendments to Canine Control By-law 2006-18.**

Recommendation: *Be it resolved that Staff Report C016-19 be received; and
That Council **does** / **does not** approve an amendment to the Township's Canine Control By-law 2006-18 as recommended in this Report, and;
That the appropriate By-law be brought forward for Council's consideration at their Regular Meeting of Council.*

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

p. 38 **a. Summary of Results – Portable Toilet Tender 2019.**

Recommendation: *Be it resolved that the summary of results for the Portable Toilet Tender 2019 be received; and
That the tender as submitted by Jenco Equipment Inc. be accepted as per Township specifications, at a cost of \$90.00 per unit/month, \$80.00 per unit for Special Events, and \$20.00 per unit for extra service on weekdays only; and
That the Working Facilities Manager/Parks Supervisor be authorized to hire Jenco Equipment Inc. to provide portable toilets and monthly service for the units at parks in Essa Township, contingent upon Jenco staking the units down in order to eliminate tipping of the units, satisfactory weekly maintenance and extra services as required of the units.*

p. 40 **b. Summary of Results – 2019-2022 Grass Cutting and Trimming Tender.**

Recommendation: *Be it resolved that the summary of results for the 2019-2022 Grass Cutting and Trimming Tender be received; and
That the tender as submitted by The Ground Guys, at a cost of \$59,955.54 (excluding H.S.T.) for the 2019-2022 term be accepted as per Township specifications, contingent upon satisfactory confirmation of liability insurance and W.S.I.B. coverage being provided to the municipality; and
That the Working Facilities Manager/Parks Supervisor be authorized to hire the Grounds Guys to provide grass cutting and trimming for the parks in Essa Township.*

p. 41 **c. Summary of Results – Storage Building Baxter Quotes 2019.**

Recommendation: *Be it resolved that the summary of results for quotations on the 2019 Baxter Storage Building be received; and
That the quote as submitted by Dave Doucette Construction in the amount of \$7,887.40 (including H.S.T.) be accepted as per Township specifications, contingent upon satisfactory confirmation of liability insurance and W.S.I.B. coverage being provided to the municipality; and
That the Working Facilities Manager/Parks Supervisor be authorized to hire Dave Doucette Construction to provide a storage building for the park in Baxter, in accordance with the specifications required and all applicable Township By-laws and Provincial legislation.*

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 17th day of April, 2019 at 6:00 p.m.*

Ted Konewka
8085 5th Line
Angus, ON
L0M1B1

March 25th, 2019

Sent by email: Krista Pascoe <kpascoe@essatownship.on.ca>

Contact me by email: wyrani@gmail.com and by phone: 416.919.4689

Re: Request for Delegation Before Council at Committee of the Whole of Essa Township

For almost two years I am trying to resolve expensive and inconvenient situation regarding the constant accumulation of fallen trees and wood-logs on the Nottawassaga River at the 5th Line bridge. Our township already paid over \$40,000 each time for removal them from the river and this year the damage of river bank will be larger with more bridge protecting soil and dirt erosion after deep frozen winter.

I have a win-win solution to take care and to eliminate those expensive damages for ever and to save for our taxpayers a lot of money. I spoke in person with the head of the Public Roads and with the person who was running for the Deputy Meir of Essa Township during the last election and both, excited agree with my concept. To get an agreement from Nottawassaga Conservation Authority and Insurance are not a big concern to run and to maintain the healthy river flow in our beautiful Essa Township.

It will be my privilege to explain this idea in front of the Essa Township Council.



Respectfully, Ted M. Konewka

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



Telephone: (705) 424-9770
Fax: (705) 424-2367
Web Site: www.essatownship.on.ca

**NOTICE OF PUBLIC MEETING
CONCERNING PROPOSED ZONING BY-LAW AMENDMENT (No. Z8/18)
7546 County Road 27, Thornton**

TAKE NOTICE that the Council of the Corporation of the Township of Essa will hold a Public Meeting on the 3rd day of April, 2019, at approximately 6:00 pm at the Essa Administration Centre, 5786 County Road 21, located 2 km east of Baxter, just west of County Road 56, to consider a proposed Zoning By-law Amendment under the Planning Act.

THE PURPOSE of this Public Meeting is to introduce a proposed Amendment to the Zoning By-law in accordance with Section 34 of the Planning Act, R.S.O., c.P.13, to hear comments and review written submissions from the public and other plan review agencies.

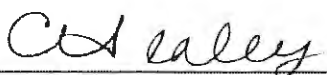
THE PROPOSED ZONING BY-LAW AMENDMENT would affect those lands described as 7546 County Road 27, Part Lot 22 Concession 4, where lands are zoned Agricultural Zone (A) to Agricultural-Exception (A3) to permit for an industrial storage building (7080 ft²) which will cover 32% of the 5 acre lot (see attached 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.

If a person or a public body that files a Notice of Appeal of a decision of the Township of Essa, in respect of the proposed Zoning By-law Amendment, does not make oral submission at a public meeting or make written submissions to the Township of Essa before the proposed Amendment is adopted, the Local Planning Appeal Tribunal may dismiss all or part of the appeal.

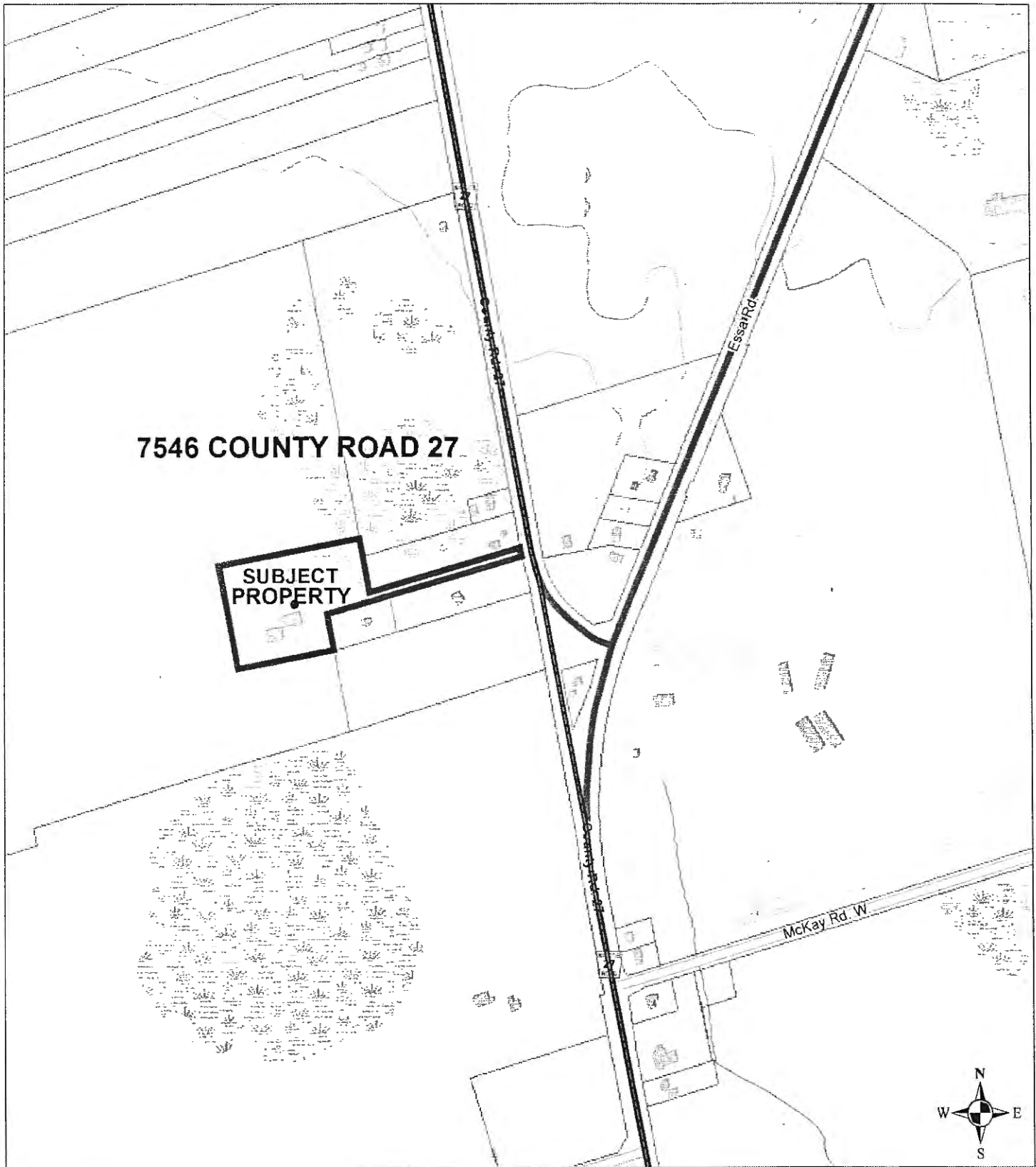
ADDITIONAL INFORMATION related to the proposed Amendment is available through the Planning and Development Department during regular business hours at (705) 424-9770 or email at bmansbridge@essatownship.on.ca.

DATED this 22nd day of February, 2019



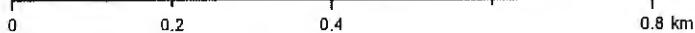
Colleen Healey-Dowdall, MCIP, RPP
Manager of Planning and Development

ZONING BY-LAW AMENDMENT Z8/18



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February 21, 2019



Springwater
 Planning & Zoning Department
 415 Springwater Blvd., Suite 100
 Springwater, OH 44687
 Phone: 419-291-1234
 Fax: 419-291-1235
 Email: info@springwaterohio.gov

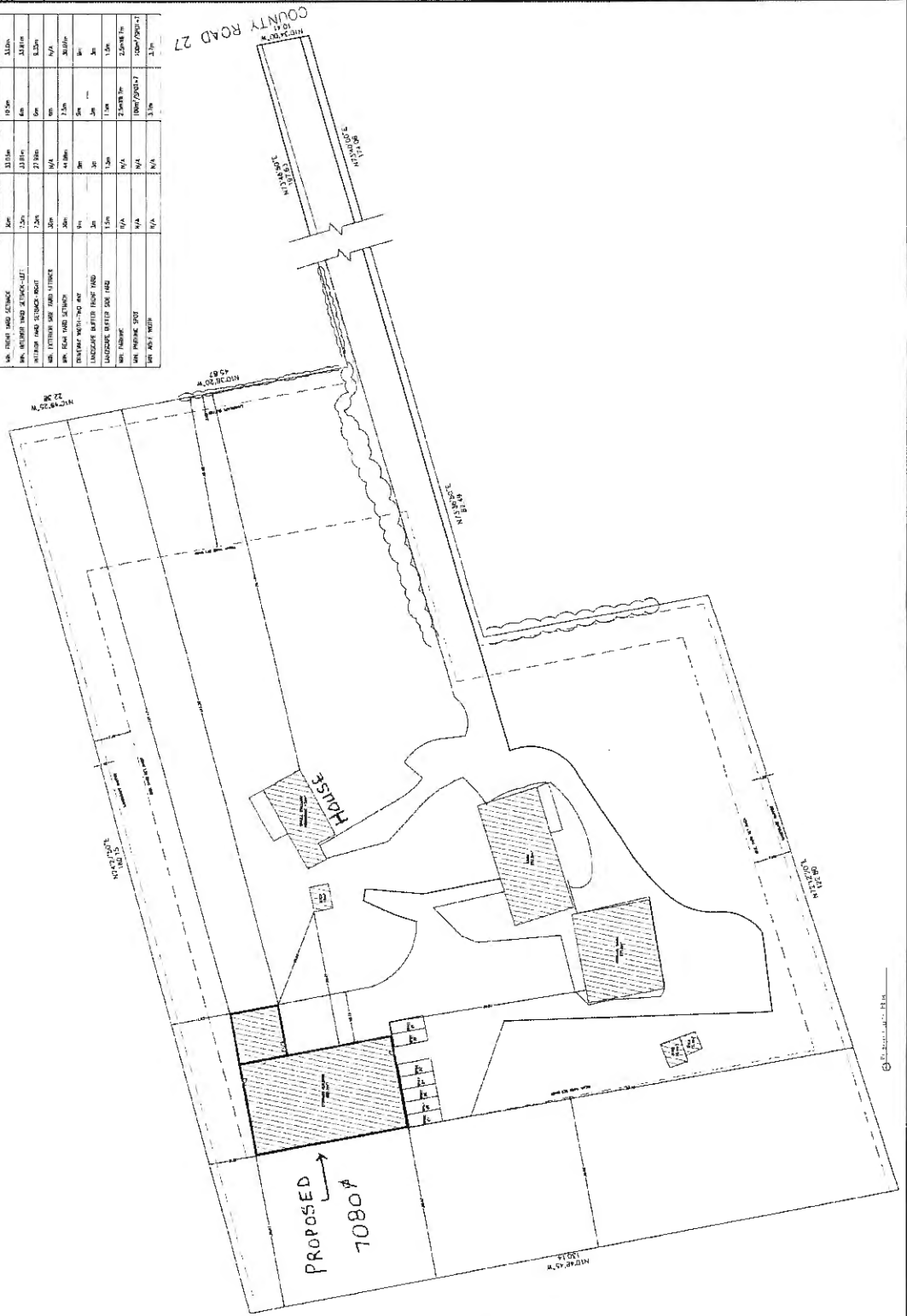
Planning & Zoning Commission
 415 Springwater Blvd., Suite 100
 Springwater, OH 44687
 Phone: 419-291-1234
 Fax: 419-291-1235
 Email: info@springwaterohio.gov

Project Information
 Project Name: **Proposed Site Plan**
 Applicant: **Private**
 Address: **Trane County Road 27, Elm Township, OH**
 Date: **11/11/2011**
 Scale: **1" = 20'**

SP2

Item	Quantity	Unit	Notes
1. ASPHALT DRIVE	10000	SF	
2. ASPHALT DRIVE	10000	SF	
3. ASPHALT DRIVE	10000	SF	
4. ASPHALT DRIVE	10000	SF	
5. ASPHALT DRIVE	10000	SF	
6. ASPHALT DRIVE	10000	SF	
7. ASPHALT DRIVE	10000	SF	
8. ASPHALT DRIVE	10000	SF	
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10. ASPHALT DRIVE	10000	SF	
11. ASPHALT DRIVE	10000	SF	
12. ASPHALT DRIVE	10000	SF	
13. ASPHALT DRIVE	10000	SF	
14. ASPHALT DRIVE	10000	SF	
15. ASPHALT DRIVE	10000	SF	
16. ASPHALT DRIVE	10000	SF	
17. ASPHALT DRIVE	10000	SF	
18. ASPHALT DRIVE	10000	SF	
19. ASPHALT DRIVE	10000	SF	
20. ASPHALT DRIVE	10000	SF	

1/2 Acre Zone
 1500 sf
 20' height





TOWNSHIP OF ESSA STAFF REPORT

STAFF REPORT NO.: PD023-19

DATE: April 3, 2019

TO: Committee of the Whole

FROM: Colleen Healey-Dowdall, CAO/Manager of Planning & Development

SUBJECT: Former Tree Seed Plant, Angus

RECOMMENDATION

That Staff Report PD023-19 be received; and

That Council consider to add the Tree Seed Plant facility in Angus to its cultural heritage registry contained in the Official Plan for the Municipality, and, in particular, list and map those areas which contain the most significant of resources; and

That Council consider to request that the Province dispose of the Tree Seed Plant lands in a manner not involving a transfer based on current market value; and

That Council consider supporting bids for the lands from other public agencies or organizations as more information becomes available.

BACKGROUND

The Ontario government has decided to dispose of the former Tree Seed Plant facility and its lands in Angus (this decision was made by the previous government and has been carried forward by the existing government). The Tree Seed Plant lands in Angus consist of approximately 9 hectares (22 acres).

The first step in the disposal process is to offer lands to the Municipality and other government agencies, organizations or charitable groups. This window of opportunity is open through the Ministry of Infrastructure's geoportal for a 6 month period.

COMMENTS AND CONSIDERATIONS

Council received a delegation from AWARE Essa on March 20, 2019, wherein Essa Council was asked:

1. To add the Tree Seed Plant facility and specific features (i.e. entrance gates and the hedge row or wood lot of mature trees) to the Township's Official Plan registry

- for cultural heritage to help protect the Township's cultural heritage here, on-location;
2. To request that the Provincial government dispose of the lands in a manner not involving current market value since most community or non-profit groups cannot afford the market value for the land; and
 3. To support bids submitted from community or non-profit groups.

The Tree Seed Plant lands are located in Angus, in an area set out to grow. The Ainley Servicing Report and Township Engineers should be consulted concerning the topics of servicing.

FINANCIAL IMPACT

- a) Staff time to revise the Official Plan registry (this may involve a public meeting – research will be conducted);
- b) Staff time to contact the Province; and
- c) Staff time to research activity on the Provincial website and report to Council.

SUMMARY/OPTIONS

Council may:

1. Take no further action.
2. Consider to add the Tree Seed Plant facility in Angus to its cultural heritage registry contained in the Official Plan for the Municipality, and, in particular, list and map those areas which contain the most significant of resources.
3. Consider to request that the Province dispose of the Tree Seed Plant lands in a manner not involving a transfer based on current market value.
4. Consider supporting bids for the lands from other public agencies or organizations as more information becomes available.
5. Direct staff in another manner, including sending a copy of the AWARE Essa delegation to the County of Simcoe for their consideration as well.

CONCLUSION

Options #2, 3, 4 and 5 are recommended.

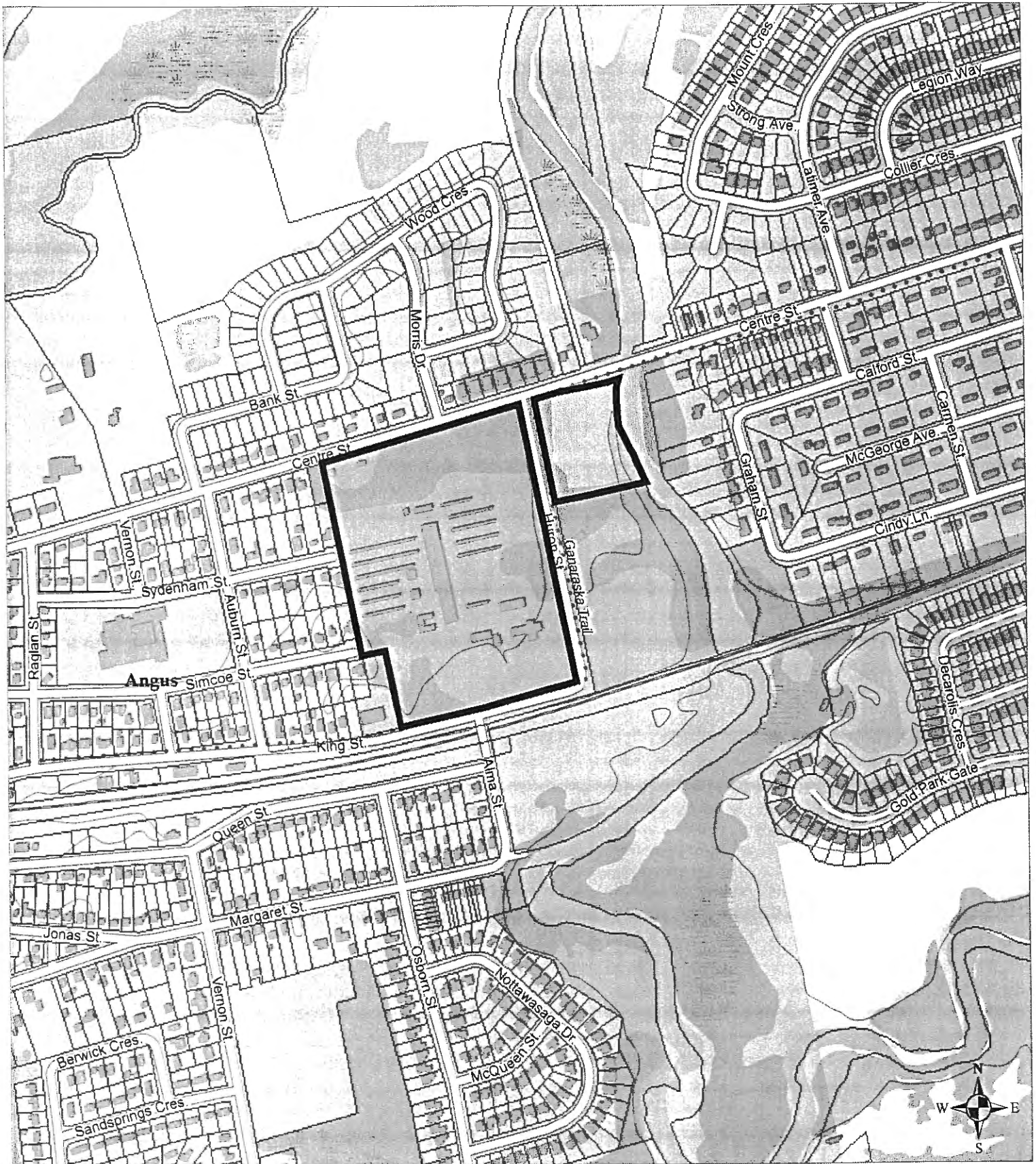
Respectfully submitted:



Colleen Healey-Dowdall
CAO/Manager of Planning & Development

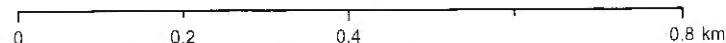
Attachments:
Map

Tree Seed Plant Lands, Angus



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March 27, 2019





TOWNSHIP OF ESSA STAFF REPORT

STAFF REPORT NO.: PD024-19

DATE: April 3, 2019

TO: Committee of the Whole

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

SUBJECT: Roth (B8/18)
Part Lot 31, Concession 3

RECOMMENDATION

That Staff Report PD024-19 be received; and

That Council consider:

- (a) Providing notice concerning the sale of surplus land known as Block 66, 51M-1129 as per its direction of July 4, 2018 and adopting the appropriate By-law;
- (b) Adopting a By-law to lift a 0.3 m reserve along Bank Street in Angus to allow access to lands at Part Lot 31, Concession 3, 35 Centre Street; and
- (c) Adopting a By-law to authorize the Mayor and Clerk to enter into a development agreement to guide the creation of 3 lots.

BACKGROUND

The subject land lies at 35 Centre Street in Angus, and last year, the landowner/applicant (Mr Roth) applied to sever this property, creating 3 new residential lots fronting onto an internal local road. The Committee of Adjustment approved the conditional consent (a number of conditions were imposed).

Last summer, Council approved the following:

1. Mr. Roth's request to lift the 0.3 metre wide reserves designated as Blocks 67 and 70, Plan 51M-1129, and assume same by By-law into the Township's highway system, subject to Mr. Roth paying for all the Township's legal expenses associated therewith and upon receiving written confirmation from SanDiego Homes confirming that satisfactory financial arrangements (agreement) have been made by Mr. Roth towards offsetting some of the Developer's expenses in constructing the existing infrastructure on Bank Street.
2. Mr. Roth's request to purchase Block 66, Plan 51M-1129, which is to be added to the parcel referred to as Part 4 on the survey plan prepared by Rudy Mak Surveying Ltd., for the sum of \$1,000.00, subject to Mr. Roth paying for all of the

Township's legal expenses associated therewith, and upon receiving written confirmation from SanDiego Homes confirming that satisfactory financial arrangements (agreement) have been made by Mr. Roth towards offsetting some of the Developer's expenses in constructing the existing infrastructure on Bank Street.

The applicant is now ready to proceed to finalize all conditions of approval.

COMMENTS AND CONSIDERATIONS

To finalize the conditions of development, staff has worked with the Township's Solicitor towards (a) a notice of a sale of surplus land, (b) a By-law to lift a 0.3 m reserve along Bank Street (a part of the SanDiego subdivision), (c) and a development agreement. These items will be presented on the regular Council agenda.

FINANCIAL IMPACT None. All costs are being paid by the applicant.

SUMMARY/OPTIONS


Council may:

1. Take no further action.
2. Council consider:
 - a. Providing notice concerning the sale of surplus land known as Block 66, 51M-1129 as per its direction of July 4, 2018 and adopting the appropriate By-law;
 - b. Adopting a By-law to lift a 0.3 m reserve along Bank Street in Angus to allow access to lands at Part Lot 31, Concession 3, 35 Centre Street, and to assume reserves into the Township's highway system; and
 - c. Adopting a By-law to authorize the Mayor and Clerk to enter into a development agreement to guide the creation of 3 lots.
3. Direct staff in another manner.

CONCLUSION

Option #2 is recommended.

Respectfully submitted:



Colleen Healey-Dowdall
Manager of Planning & Development/CAO

Attachments:
Draft Plan by Rudy Mak Surveying Ltd.



TOWNSHIP OF ESSA STAFF REPORT

STAFF REPORT NO.: PD025-19

DATE: April 3, 2019

TO: Committee of the Whole

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

SUBJECT: Schwartz ZBA Z6/18
5616 County Road 27

RECOMMENDATION

That Staff Report PD025-19 be received; and

That Council consider to adopt a Temporary Use Zoning By-law Amendment to authorize a garden suite on Part Lot 6, Concession 11, 5616 County Road 27 for a period of 20 years or as authorized under the Planning Act and authorize the Mayor and Clerk to enter into a development agreement concerning the terms of their permission.

BACKGROUND

Owners of 5616 County Road 27 have applied to rezone their property, to allow a “trailer” home on their lands for 20 years. The Planning Act allows for garden suites to allow aging parents to stay close to family and free up retirement and nursing home space. Not only is this more affordable for Ontario taxpayers, it is healthier for the seniors as well. The applicants in this case have provided Council with an explanation of how their family will be moving closer together on this property – meeting with the intent of the provisions of the Planning Act.

COMMENTS AND CONSIDERATIONS

The Essa Official Plan allows for garden suites (formerly called granny flats) on any sized lot which is designated as either Agricultural or Rural. The subject parcel is zoned as Agricultural (A) Zone. Essa’s Official Plan and Zoning By-law provide for a garden suite on these lands.

The proposed Zoning By-law Amendment has been circulated in accordance with the Planning Act and no concerns have been raised by any members of the public including surrounding neighbours.

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The applicants have requested that the garden suite be placed in the far rear corner of the property away from the septic system. The setback from property lines will be 2 m as opposed to the standard 3 m. The proposed location has not met with any objection and would not impact on neighbours.

There are no policy or planning concerns. The Municipality has a development agreement which is used and can be registered on title to stipulate the conditions of the approval.

FINANCIAL IMPACT

None. MPAC will be made aware of the temporary second dwelling.

SUMMARY/OPTIONS

Council may:

1. Take no further action.
2. Adopt a Temporary Use Zoning By-law Amendment to authorize a garden suite on Part Lot 6, Concession 11, 5616 County Road 27 for a period of 20 years or as authorized under the Planning Act and authorize the Mayor and Clerk to enter into a development agreement concerning the terms of their permission.
3. Direct staff in another manner.

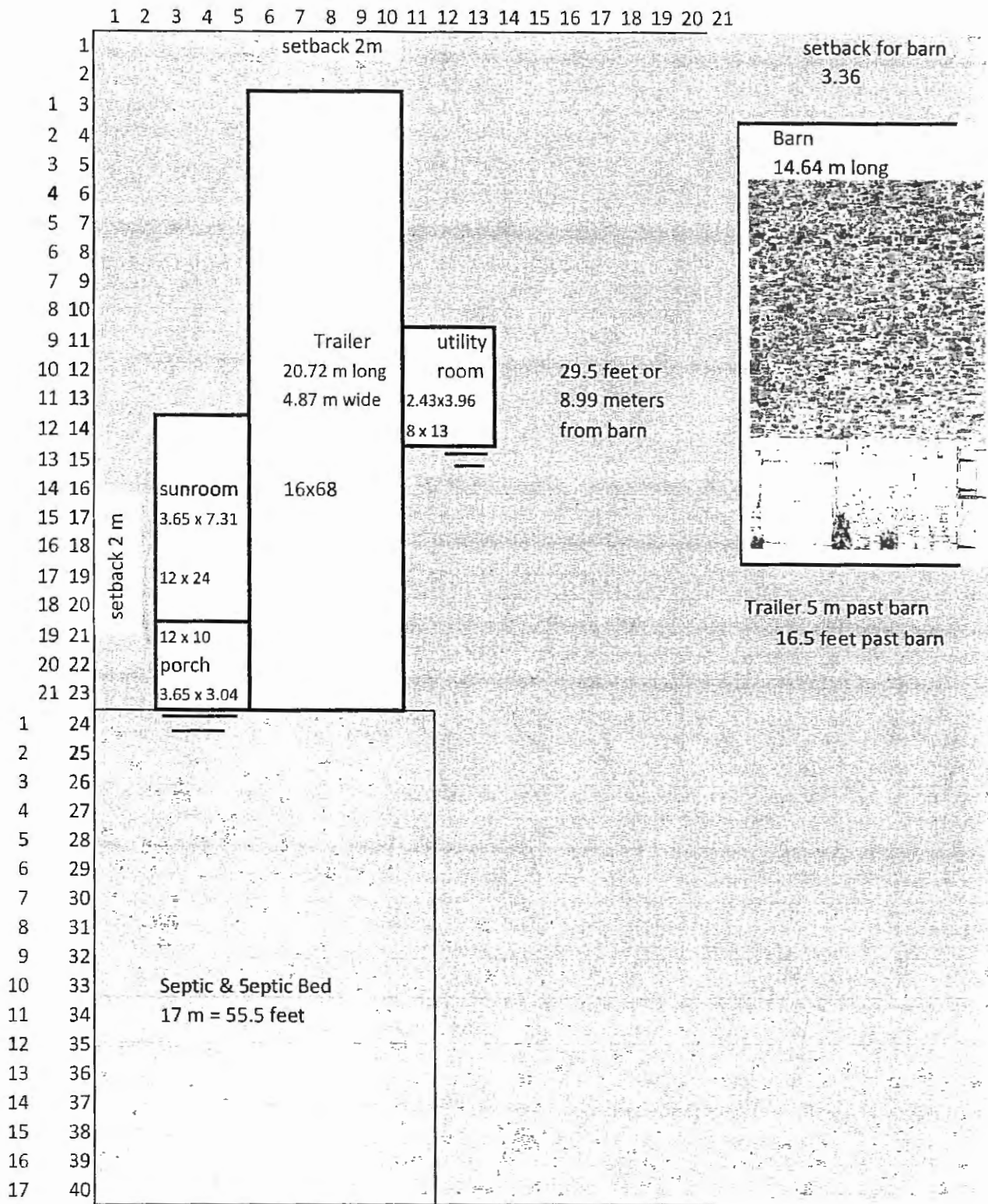
CONCLUSION

Respectfully submitted:

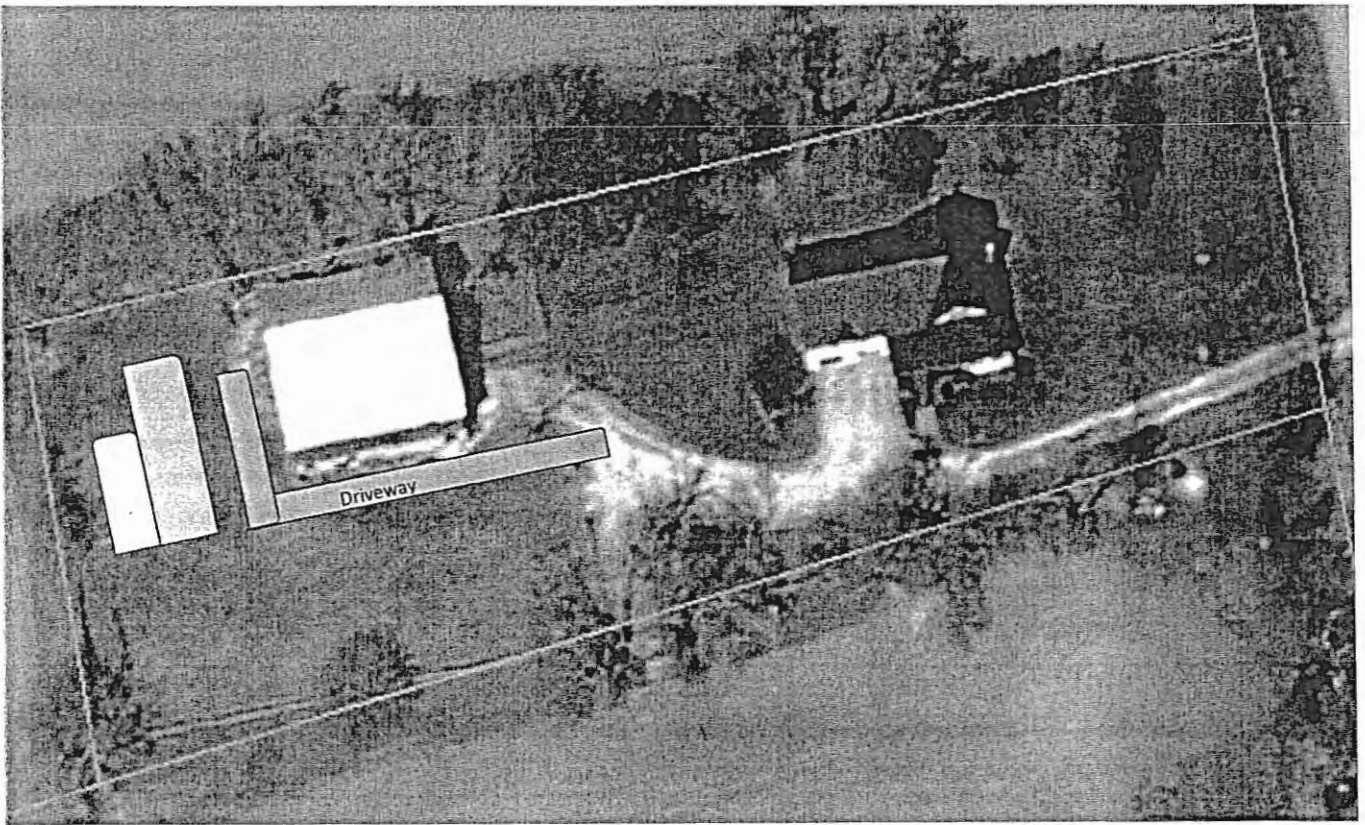


Colleen Healey-Dowdall
Manager of Planning & Development/CAO

Attachments:
Site Plan
Garden Suite Development Agreement



4c



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4c

TEMPORARY GARDEN SUITE AGREEMENT

Page 2

3. The Owner acknowledges that the approvals granted in this Agreement are for the use of a Garden Suite as a second detached dwelling unit of the Lands for a period of twenty (20) years commencing _____, 2019 and expiring _____, 2039.
4. The Owner acknowledges that the sole purpose of the Garden Suite is for providing housing accommodations for the applicants (the "Occupant"). David and Martha Schwartz (being the Owner). The Owner agrees that at such time as the Occupant vacates or no longer requires the Garden Suite, it shall be removed within three (3) months of being vacated or no longer required.

If, for some reason, a second different occupant requires the Garden Suite, the Owner will apply to Council for approval of the change of occupancy. The period of occupation will continue to run in accordance with paragraph 3, above. If the unit is not removed or is occupied by someone other than as specified, the Township shall dispose of the unit in accordance with clauses 9 and 10 of this Agreement.

5. The Township agrees to consider, in accordance with the Planning Act then in force, any application for extension to the initial 20 year period of this approval where the need for the original unit has not changed. Any such extension which may be granted shall not exceed three (3) years from the original expiration date referred to in paragraph 3, or any subsequent expiration date granted by Council.
6. The Owner agrees to maintain the Garden Suite and associated lands in a neat and orderly manner and in compliance with the Township's Property Standards By-law and the Ontario Building Code regulations. The Owner and the Occupant consent to any inspections which the Township may deem necessary in order to verify compliance.
7. The Owner agrees to locate and service the Garden Suite in accordance with the site plan provided as Schedule "B" attached to this agreement.
8. The Owner acknowledges that upon the expiration of the time allowed for the temporary use of the Garden Suite in this Agreement the Garden Suite unit must be removed from the subject property and the site restored to the satisfaction of the Township.
9. On the 60th day following the expiration referred to in paragraph 8 above, the Township may take any measures to ensure compliance with the requirements of the Agreement, including entering onto the Lands and removing the Garden Suite unit from the Lands. The Owner shall be responsible for all costs of enforcement of this Agreement including, but not limited

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4c

TEMPORARY GARDEN SUITE AGREEMENT

Page 4

SCHEDULE "A" TO AGREEMENT

NOTE: It is understood and agreed that this Schedule forms part of the Township of Essa Temporary Garden Suite Agreement.

DESCRIPTION OF LANDS:

All and singular that certain parcel or tract of land situate, lying and being in the Township of Essa, in the County of Simcoe and being composed of Part of the Lot 6, Concession 11, more particularly described as Part 1 on Plan 51R-6280.

4c

TEMPORARY GARDEN SUITE AGREEMENT
Page 5

SCHEDULE "B" TO AGREEMENT

NOTE: It is understood and agreed that this Schedule forms part of the Township of
Essa Temporary Garden Suite Agreement.

SITE PLAN DETAILS:
In accordance with the Building Permit on record.

SERVICING OBLIGATIONS:
In accordance with the Building Permit on record.

SECURITIES:
\$1,000.00



TOWNSHIP OF ESSA STAFF REPORT

STAFF REPORT NO.: PD026-19

DATE: April 3, 2019

TO: Committee of the Whole

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

SUBJECT: Emms ZBA Z3/19
7994 9th Line

RECOMMENDATION

That Staff Report PD026-19 be received; and

That Council consider to adopt a Temporary Use Zoning By-law Amendment to authorize a second dwelling on Part Lot 25, Concession 8, 7994 9th Line for a period of 20 years or as authorized under the Planning Act and authorize the Mayor and Clerk to enter into a development agreement concerning the terms of their permission.

BACKGROUND

Owners of 7994 9th Line have applied to rezone their property to allow for a second dwelling unit on a temporary basis. They are taking a risk by requesting that the second home be placed on the property on a temporary basis since the home is one that can't be easily moved once placed.

They have followed the application with a second application to amend the Township's Official Plan to open the door for them to later create a new lot containing the second home. The reason that the request for the second home has come first is that an Official Plan Amendment takes approximately a year to process and the second home, the home of one applicant's parents (so having sentimental value), is needing to be removed from its site in Barrie immediately as new development is pending in Barrie.

The Planning Act provides a provision (s. 39.1) wherein a garden suite is permitted on a property for 20 years for parents to age in place and families to assist one another through the aging-lifecycle. The Township has a development agreement for garden suite situations wherein a deposit is collected that can help with the removal of a home at a later date if compliance with the Township's Zoning By-law cannot be achieved (i.e. \$10,000 may be appropriate in this case).

COMMENTS AND CONSIDERATIONS

The subject lands lie in an area which is designated as Rural in Essa's Official Plan. Rural lands contain a lesser quality of soils for growing (as compared to Agricultural lands). The intent of the Rural designation is that Agricultural uses be permitted and that the rural characteristics of the area be maintained.

The lands are zoned as Rural (RL) Zone where the second home will be placed – near to the Vet Clinic which has long existed on the property.

The placement of the second home on a temporary basis is permitted by the Official Plan and there are no other planning policies which are offended in any way.

FINANCIAL IMPACT

None. MPAC will be made aware of the temporary second dwelling.

SUMMARY/OPTIONS

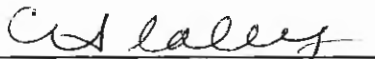
Council may:

1. Take no further action.
2. Adopt a Temporary Use Zoning By-law Amendment to authorize a second dwelling on Part Lot 25, Concession 8, 7994 9th Line for a period of 20 years or as authorized under the Planning Act and authorize the Mayor and Clerk to enter into a development agreement concerning the terms of their permission.
3. Direct staff in another manner.

CONCLUSION

Option #2 is recommended.

Respectfully submitted:



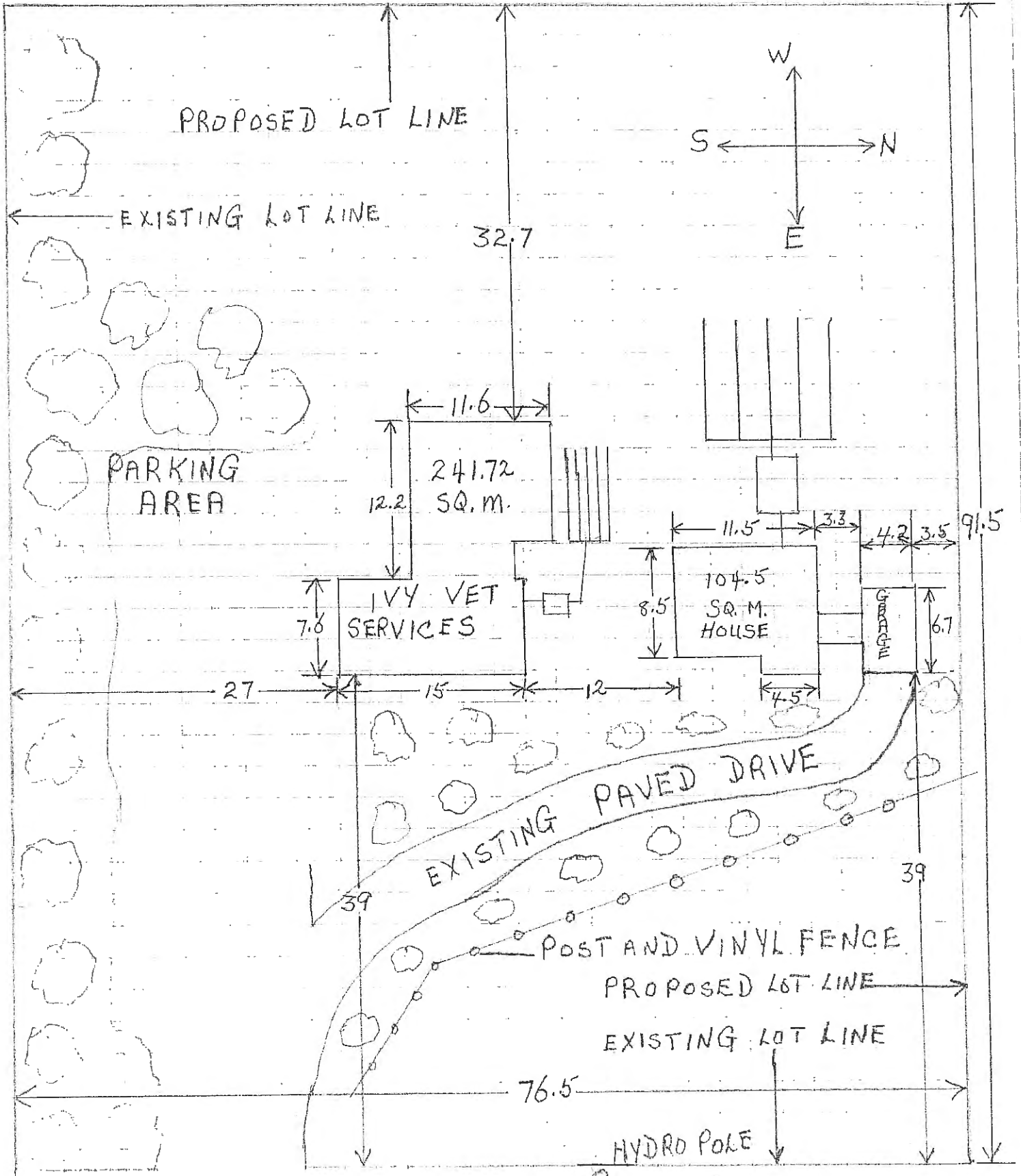
Colleen Healey-Dowdall
Manager of Planning & Development/CAO

Attachments:

Site Plan

Garden Suite Development Agreement

17994 9TH LINE DR. CATHY AND ROGER EMMS



9TH LINE - (20.12m PUBLIC YEAR ROUND ROAD)

TEMPORARY GARDEN SUITE AGREEMENT

- 3. The Owner acknowledges that the approvals granted in this Agreement are for the use of a Garden Suite as a second detached dwelling unit of the Lands for a period of twenty (20) years commencing _____, 2019 and expiring _____, 2039.
- 4. The Owner acknowledges that the sole purpose of the Garden Suite is for providing housing accommodations for EMMS (the "Occupant"), being the parent of the Owner. The Owner agrees that at such time as the Occupant vacates or no longer requires the Garden Suite, it shall be removed within three (3) months of being vacated or no longer required.

If, for some reason, a second different occupant requires the Garden Suite, the Owner will apply to Council for approval of the change of occupancy. The period of occupation will continue to run in accordance with paragraph 3, above. If the unit is not removed or is occupied by someone other than as specified, the Township shall dispose of the unit in accordance with clauses 9 and 10 of this Agreement.

- 5. The Township agrees to consider, in accordance with the Planning Act then in force, any application for extension to the initial 20 year period of this approval where the need for the original unit has not changed. Any such extension which may be granted shall not exceed three (3) years from the original expiration date referred to in paragraph 3, or any subsequent expiration date granted by Council.
- 6. The Owner agrees to maintain the Garden Suite and associated lands in a neat and orderly manner and in compliance with the Township's Property Standards By-law and the Ontario Building Code regulations. The Owner and the Occupant consent to any inspections which the Township may deem necessary in order to verify compliance.
- 7. The Owner agrees to locate and service the Garden Suite in accordance with the site plan provided as Schedule "B" attached to this agreement.
- 8. The Owner acknowledges that upon the expiration of the time allowed for the temporary use of the Garden Suite in this Agreement the Garden Suite unit must be removed from the subject property and the site restored to the satisfaction of the Township.
- 9. On the 60th day following the expiration referred to in paragraph 8 above, the Township may take any measures to ensure compliance with the requirements of the Agreement, including entering onto the Lands and removing the Garden Suite unit from the Lands. The Owner shall be responsible for all costs of enforcement of this Agreement including, but not limited to legal costs. The Owner consents to the Township registering a lien or claim against the

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TEMPORARY GARDEN SUITE AGREEMENT

Page 3

Lands for the recovery of costs incurred in the enforcement of this provision of the Agreement. If the costs remain unpaid for a period of six months, then the Township may seek to collect the costs in a like manner as taxes.

- 10. The Owners shall be responsible for the cost of preparation of this Agreement.
- 11. It is understood that this Agreement and Temporary Use By-law shall only be valid in respect of the current land Owner and is not transferrable to any subsequent purchaser.
- 12. The Owner consents to the registration of the Agreement and any orders the Township see fit to issue in respect of the Agreement against the Lands.
- 13. This Agreement shall be binding upon and ensure to the benefit of the parties hereto and their respective heirs, executors, administrators, successors and assigns.

Owner: ROGER EMMS	Date:
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Owner: CATHY EMMS	Date:
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THE CORPORATION OF THE TOWNSHIP OF ESSA

Sandie Macdonald – Mayor	Date:
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Lisa Lehr – Clerk	Date:
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TEMPORARY GARDEN SUITE AGREEMENT
Page 4

SCHEDULE "A" TO AGREEMENT

NOTE: It is understood and agreed that this Schedule forms part of the Township of Essa Temporary Garden Suite Agreement.

DESCRIPTION OF LANDS:

All and singular that certain parcel or tract of land situate, lying and being in the Township of Essa, in the County of Simcoe and being composed of the East Part of the Lot 25, Concession 8, more particularly described as Part 2 on Plan 51R-19477.

4d

TEMPORARY GARDEN SUITE AGREEMENT

Page 5

SCHEDULE "B" TO AGREEMENT

NOTE: It is understood and agreed that this Schedule forms part of the Township of Essa Temporary Garden Suite Agreement.

SITE PLAN DETAILS:
In accordance with the Building Permit on record.

SERVICING OBLIGATIONS:
In accordance with the Building Permit on record.

SECURITIES:
\$10,000.00



TOWNSHIP OF ESSA STAFF REPORT

STAFF REPORT NO.: FD001-19

DATE: April 3rd, 2019

TO: Committee of the Whole

FROM: Fire Chief Cynthia Ross Tustin

SUBJECT: Recommended Changes to Burn Permit Fees

RECOMMENDATION

That Staff Report FD001-19 be received; and

That Council consider approving the fee increase as outlined in the staff report and that staff be authorized to schedule a public meeting.

BACKGROUND

At the budget meeting of Council on Wednesday, February 6th, 2019, Council directed the fire chief to reassess the fees for burn permits. Up until the end of 2015, burn permits were sold for \$5 for 2 days. That year, Essa sold 389 permits for a total of \$1945.00. In 2016, Council opted for an annual permit at the rate \$25. (2016: 596, 2017: 663, 2018: 801). Since that time, the annual permit has proven to be more popular and more accessible to residents. The number of burn permits has more than doubled since Council approved the change to the Open Air Burning By-law. Coincidentally, burn complaints have dropped by approximately 12%.

Staff estimates that Essa will sell 900 burn permits in 2019.

At the time of implementation (of the annual permit in 2016), a fee of \$25 was selected by Council based on the fact the average burn-permit-using resident bought 4-6 permits each year.

The burn permit process does not operate at a full cost recoverable price. The total cost to handle and process the permit can be up to \$65. This is especially true when multiple calls and/or visits are required for site approval.

An audit was conducted of fire service burn permit fees in and around Simcoe County. Prices appear to range from \$20 - \$50 per year. No municipality is using single use permits.

COMMENTS AND CONSIDERATIONS

Staff is recommending an increase to the burn permit fee, and suggest an annual rate of \$40. While this is higher than several of our neighbours, it should be noted that many have not increased their burn permit fees for several years and are in the process of updating fees while this report was being prepared.

FINANCIAL IMPACT

The increase in fees will allow for a potential net increase to the fire department's revenue line in the 2019 Operating Budget of \$16,000.

SUMMARY/OPTIONS

Council may:

1. Take no further action.
2. Consider approving the fee increase as outlined in the staff report and schedule a public meeting.
3. Consider approving a different fee for their burn permits.

CONCLUSION

Staff recommends Option 2 be approved.

Respectfully submitted:

Cynthia Ross Tustin

Cynthia Ross Tustin
Fire Chief/CEMC

Reviewed by:



Colleen Healey-Dowdall
Chief Administrative Officer



RECOMMENDATION Q-19-02 Dust Suppressant - Tender Opening Results March 22, 2012

2019 budget: \$35,000.00
2018 actual: \$33,000.00
Actual 2018 per litre cost: \$0.090

BIDDER	Type of Dust Suppressant	Quantity (litres)	Unit Price	Total Price (Excl. Taxes)
Da-Lee Dust Control	#1 – Liq. Calcium Chloride 35%	150,000	\$0.252	\$37,800.00
Pollard Highway Products	#2 – Liquid Calcium Chloride 18%	300,000	\$0.115	\$34,500.00
Den-Mar Brines	#2 – Liq. Calcium Chloride 18%	300,000	\$0.095	\$28,500.00

RECOMMENDATION:

It is recommended that the tender submitted by **DEN-MAR BRINES** for the supply and application of 300,000 litres by weight of Liquid Calcium Chloride 18% be accepted at a unit cost of \$.095 per litre, and a total price excluding taxes, of \$28,500.00, as per Township specifications, contingent upon satisfactory confirmation of liability insurance and W.S.I.B. coverage; and

That the Manager of Public Works be authorized to arrange for the necessary work to be done.

Respectfully submitted,

Dan Perreault, C.E.T.,
Manager of Public Works

Reviewed by,

Colleen Healy-Dowdall
Chief Administrative Officer



Township of Essa
2019 STREET SWEEPING TENDER - OPENING RESULTS
March 20, 2019

2019 Budget \$35,000.00

BIDDER	ESSA	COUNTY	SUB-TOTAL (NO HST)	PROVISIONAL HOURLY RATE
A & G - The Road Cleaners Ltd.	\$59,600.00	\$5,500.00	\$65,100.00	\$135.00
Hughson Fencing & Guiderail	\$49,444.00	\$3,710.00	\$53,154.00	\$115.00
Glen's Sweeping Ltd.	\$33,100.00	\$4,900.00	\$38,000.00	\$135.00
Johns Sweeping	\$42,400.00	\$4,550.00	\$46,950.00	\$135.00

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RECOMMENDATION:

Be it recommended that the tender submitted by Glen's Sweeping Ltd. in the amount of \$33,100.00 (plus H.S.T.) be accepted as per Township specifications contingent upon satisfactory confirmation of liability insurance and W.S.I.B. coverage; and

That the Manager of Public Works be authorized to arrange for the necessary work to be done.

Respectfully submitted,

Dan Perreault, C.E.T.
Manager of Public Works

Reviewed by,

Colleen Healey-Dowdall
Chief Administrative Officer

at



8a

TOWNSHIP OF ESSA STAFF REPORT

STAFF REPORT NO.: TR008-2019

DATE: April 3rd, 2019

TO: Committee of the Whole

FROM: Vera Vieira, Tax Collector

SUBJECT: Request to Write Off/Adjust 2018 Taxes

RECOMMENDATION

That Staff Report TR008-2019 be received; and

THAT the Tax Collector be authorized to adjust taxes on the accounts listed on Schedule "A" of this report.

BACKGROUND

Under Section 357/358 of the Municipal Act, upon application to the Treasurer, the Municipality may cancel, reduce or refund all or part of taxes levied on land during the taxation year, as a result of a change event. Also, if land has become vacant land or excess land, exempt, a mobile home was removed, or a building was razed by fire, damaged by fire, or demolished so as to render it unusable for the purposes for which it was used immediately prior to the damage during the year or during the preceding year.

COMMENTS AND CONSIDERATIONS

Due to the circumstances under which the applications were made, the properties have met the criteria to qualify for the adjustments of taxes in accordance with Sec 357/358 of the Municipal Act.

The Tax Collector does not conduct site inspections regarding these applications; however, the Tax Collector may use internal resources, such as the Fire Department and Building Department to confirm the write offs are warranted.

FINANCIAL IMPACT

Property taxes to be adjusted equal:

Municipal Taxes	\$ 962.97
County Taxes	\$ 1,133.33
English Public Education Taxes	\$ 593.28
Commercial No Support Ed Taxes	\$ 153.09

TOTAL	\$ <u>3,113.05</u>
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SUMMARY/OPTIONS

Council may:

1. Take no action
2. Direct the Tax Collector to adjust the taxes as per Schedule "A" of this report

CONCLUSION

Option no 2 is recommended

Respectfully submitted:

Vera Vieira
Vera Vieira
Tax Collector

Reviewed by:

Carol Traynor-Richter
Carol Traynor-Richter
Manager of Finance

Reviewed by:

Colleen Healey-Dowdall
Colleen Healey-Dowdall
CAO

Attachment:

Schedule "A"



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TOWNSHIP OF ESSA STAFF REPORT

STAFF REPORT NO.: C016-19
DATE: April 3, 2019
TO: Committee of the Whole
FROM: Lisa Lehr, Clerk
SUBJECT: Proposed Amendment to Canine Control By-law 2006-18

RECOMMENDATION

That Staff Report C016-19 be received, and

That Council consider approving an amendment to the Township's Canine Control By-law 2006-18 as recommended in this Report; and

That the appropriate amending By-law be brought forward for Council's consideration at their Regular Meeting of Council.

BACKGROUND

With spring quickly approaching, the Clerk's Department has received an increase in complaints from the public with respect to dog faeces on properties of which the canine resides.

Section 8 of the Township's Canine Control By-law 2006-18 states the following with respect to "**DOG OWNER RESPONSIBILITIES**":

8. c) *If a dog defecates on any public or private property **other than the property of its owner**, the owner shall cause such faeces to be removed immediately and disposed of in a sanitary manner.*

COMMENTS AND CONSIDERATIONS

The wording of the above-noted provision permits the municipality to enforce the premise of a "Poop-and-Scoop" rule where a canine defecates on public property, or where a canine defecates on property not owned by the dog owner.

With respect to enforcement issues whereby a canine defecates on the property of its owner (ie: the property of which the canine resides) the above provision in its current form limits the ability of the municipality to enforce Section 8 (c) with respect to requiring the owner of the dog to scoop the faeces **from its own property**.

As such it is recommended that By-law 2006-18 be amended to strike the following from Section 8 (c):

"other than the property of its owner"

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Such an amendment would allow the municipality to enforce the general "Poop-and-Scoop" rule on private property utilizing the Canine Control By-law 2006-18 with the approved Set Fines (\$80.00), particularly during the spring months when faeces has accumulated for a period of months in the winter.

(It should be noted that the Clerk's Department will be re-examining this By-law in 2019 to ensure that it is still relevant in its current form, however approving the recommended amendment would assist with enforcement now.)

The Township's Untidy Lot By-law 2006-50 does not contain any provisions specific to dog faeces or "Poop-and-Scoop". Dog faeces is not referenced under Section 1 "Definitions", nor does the By-law include any specific reference to dog faeces throughout the body of the By-law, save and except that dog faeces "may" be deemed to be waste material and fall within Section 2 "Unsafe Conditions", which states:

No owner shall allow or permit the creation, presence or existence of any waste material or unsafe condition in or upon any yard, lot, ground or buildings which he/she owns, rents occupies, or has an interest in, whether equitable or legal.

FINANCIAL IMPACT

None.

SUMMARY/OPTIONS

Council may:

1. Take no further action.
2. **Approve an amendment to the Township's Canine Control By-law 2006-18 as recommended in this Report; and direct staff to bring the suggested Amending By-law forward for Council's consideration.**
3. Some other action as deemed appropriate by Council.

CONCLUSION

Staff recommends that Council approve Option No. 2.

Respectfully submitted:

Reviewed by:



Lisa Lehr
Clerk

Colleen Healey-Dowdall
Chief Administrative Officer

Attachments:

- 1 – DRAFT – Proposed Amending By-law

THE CORPORATION OF THE TOWNSHIP OF ESSA

BY-LAW NO. 2019 – XX

A By-law for the licensing and registration of dogs; for regulating the control of dogs; and for the impounding and seizure of dogs within the Township of Essa; and to amend By-law 2006-18.

WHEREAS the *Municipal Act, 2001*, S.O. 2001, Chapter C.25, as amended, provides that Municipalities may pass By-laws for licensing, regulating, prohibiting, impounding, muzzling, or selling animals; and

WHEREAS Council passed the Township’s Canine Control By-law 2006-18 at its meeting of March 15, 2006, and since such passage, the By-law has been amended accordingly throughout the years; and

WHEREAS Section 128 of the *Municipal Act, 2001* provides that a local municipality may prohibit and regulate with respect to public nuisances; and

WHEREAS Council of the Corporation of the Township of Essa deems it advisable to exercise such authority;

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

- 1. That By-law 2006-18 be and is hereby amended to strike the following words from Section 8 (c):

“other than the property of its owner”

- 2. This By-law shall come into force and have effect on the day it is finally passed.


READ A FIRST, AND TAKEN AS READ A SECOND AND THIRD TIME AND FINALLY PASSED this 3rd day of April, 2019.

Sandie Macdonald, Mayor

Lisa Lehr, Clerk

PORTABLE TOILET TENDER 2019

Tender Opening Results – Mar 26/2019

CONTRACTOR/ SUPPLIER	PER UNIT	INSURANCE	EXTRA SERVICE	SPECIAL EVENT	MAINTENANCE
Jenco Equipment	\$90.00/unit/ month	Yes - provided	\$20.00/ unit weekdays only	\$80/unit (1 – 3 days only) flat rate	Weekly includes pump/restock/pressure wash
					

RECOMMENDATION:

It is recommended that the tender submitted by Jenco Equipment Inc be accepted as per Township specifications; and

That the Working Facilities Manager/Parks Supervisor be authorized to hire Jenco Equipment Inc to provide portable toilets and monthly service for the parks in Essa Township, contingent upon that Jenco stake down units being used to eliminate tipping of units and satisfactory weekly maintenance and extra services as required of the units.

Respectfully submitted,



Colleen Healey-Dowdall
Chief Administrative Officer



REQUEST FOR QUOTATIONS PORTABLE TOILET RENTALS

The Township of Essa is now accepting bids for the placement and weekly maintenance of portable toilets, toilet paper (enough to last a week) and hand sanitizer.

Such bids shall include all insurance and damage waivers, as well as costs of extra service & extra units for special events, if required, at the following locations:

PARK LOCATION(S)		QUANTITY
Lion's Ball Diamond	4 Park Road, Angus	1 – portable toilet
LeClair Soccer Park*	54 Roth Street, Angus	1 – portable toilet
Wildflower Park*	42 McCarthy Crescent, Angus	1 – portable toilet
Elmgrove Ball Diamond*	6580 5 th Sideroad, Elmgrove	1 – portable toilet
Mike Hart Drive Park*	60 Mike Hart Drive, Angus	1 – portable toilet
Utopia Soccer Park*	8378 6 th Line, Utopia	1 – portable toilets
Thornton Soccer Park*	4256 7 th Line (Innisfil) off of County Road 27, Thornton	1 – portable toilet
Baxter Ball Diamond*	119 Murphy Road, Baxter	2 – portable toilets
Outdoor Pad-Stonemount Park**	152 Greenwood Drive, Angus	1 – portable toilet
Angus Community Park**	6 Huron Street, Angus	1 – portable toilets (Provisional; may require 2)
Nottawasaga Fishing Park****	380 Mill Street, Angus	1 – portable toilet
Don Ross Fishing Park****	Corner – Don Ross Rd./County Road 90, Angus	1 portable toilet
Centennial Fishing Park****	5892 20 th Sideroad, Ivy	1 – portable toilet
Thornton Ball Park***	246 Barrie Street, Thornton	2 – portable toilets
New Ball Diamond***	147 Centre Street, Angus	2 – portable toilets
Ivy Ball Park***	5079 20 th Sideroad, Ivy	1 – portable toilet 1 – accessible toilet (May 18 to July 31 st , then switch to regular toilet)
Legend: * May 12 to September 1, 2019 ** May 12 to October 31, 2019 *** May 12 to October 1, 2019 **** May 12 to November 30, 2019	Tenders Due: Tuesday March 26, 2019 at 11:00 a.m. (local time) SUEANNE ARCHIBALD RECREATION PROGRAMMER/BOOKING CLERK TOWNSHIP OF ESSA ADMINISTRATION CENTRE 5786 County Road 21 Utopia, ON L0M 1T0 INQUIRIES CAN BE DIRECTED TO Ken Koopmans, Angus Working Recreation Centre Manager/Parks Supervisor Cell (705) 333-4127	

20 units

Tenders will be opened publicly immediately after closing time at the Lower Level Committee Room, Essa Administration Office.

The lowest or any quote not necessarily accepted.

GRASS CUTTING AND TRIMMING TENDER 2019

Tender Opening Results – Mar 26/2019

CONTRACTOR/ SUPPLIER	YEAR 2019 (EXCLUDING TAX)	YEAR 2020 (EXCLUDING TAX)	YEAR 2021 (EXCLUDING TAX)	YEAR 2022 (EXCLUDING TAX)	COMMENTS
The Grounds Guys	\$59,955.54	\$59,955.54	\$59,955.54	\$59,955.54	Cheque included.
Greg Varcoe	\$92,989.96	\$92,989.96	\$97,638.20	\$102,519.80	Cheque included.
Near North Landscaping	\$307,607.42	\$310,683.93	\$317,990.53	\$320,069.16	Cheque included.



RECOMMENDATION:

It is recommended that the tender submitted by The Grounds Guys be accepted as per Township specifications; and

That the Working Facilities Manager/Parks Supervisor be authorized to hire The Grounds Guys to provide grass cutting and trimming for the parks in Essa Township.

Respectfully submitted,

Colleen Healey-Dowdall
Chief Administrative Office

STORAGE BUILDING BAXTER QUOTES 2019

QUOTE Results – Mar 26/2019

CONTRACTOR	PRICE	INSURANCE	DESCRIPTION	TOTAL inc TAX
Craven Construction	\$22,000		10 x 12 with 2 man-doors Price includes excavation and cement slab	\$24,860
Dave Doucette Construction	\$6,980		10 x 12 with 2 man-door Price includes excavation and cement slab	\$ 7,887.40

RECOMMENDATION:

It is recommended that the tender submitted by Dave Doucette Construction be accepted as per Township specifications; and
That the Working Facilities Manager/Parks Supervisor be authorized to hire Dave Doucette Construction to provide a storage building for the park in Baxter, in accordance with the specifications required and all applicable Township by-laws and Provincial legislation.

Respectfully submitted,



Colleen Healey-Dowdall
Chief Administrative Officer

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