

**THE CORPORATION OF THE TOWNSHIP OF ESSA
REGULAR COUNCIL MEETING
WEDNESDAY, JANUARY 15, 2025
(To follow Committee of the Whole)**

AGENDA

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

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

p. 1 Recommendation: ***BE IT RESOLVED THAT*** the motions duly passed and approved at the Committee of the Whole meeting of this date be approved; and ***THAT*** the minutes of the Special Budget, Public Meeting, Committee of the Whole, and Regular Council meetings held on the 18th day of December, 2024 be adopted as circulated.

- 4. CONSENT AGENDA**

Recommendation: ***BE IT RESOLVED THAT*** the items listed in the Consent Agenda dated January 15th 2025, be received for information.

- 5. COMMITTEE REPORTS**

- a. Minutes of the Essa Public Library Board**

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Recommendation: ***BE IT RESOLVED THAT*** the minutes of the Essa Public Library Board from their meeting of November 25, 2024, be received.

- 6. PETITIONS**

- 7. MOTIONS AND NOTICES OF MOTIONS**

- 8. UNFINISHED BUSINESS**

- 9. BY-LAWS**

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- a.** By-law 2025-01 – A By-law to appoint a Secretary-Treasurer to the Committee of Adjustment and to appoint a Zoning Administrator.

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- b.** By-law 2025-02 – A By-law to authorize the temporary use of land, buildings or structures within the Corporation of the Township of Essa (253 Barrie Street).

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- c.** By-law 2025-03 – A By-law to amend the Township's Zoning By-law, By-law 2003-50, affecting all lands throughout the Municipality (Housekeeping).

Recommendation: **BE IT RESOLVED THAT** By-laws 2025-01, 2025-02, and 2025-03 be read a first, and taken as read a second and third time and finally passed.

10. **QUESTIONS**

11. **CLOSED SESSION**

12. **CONFIRMATION BY-LAW**

p. 19 **By-law 2025-04**

Recommendation: **BE IT RESOLVED THAT** leave be granted to introduce By-law 2025-04, that being a By-law to confirm the proceedings of the Committee of the Whole, Closed and Council meetings held on this 15th day of January, 2025; and, that said By-law be read a first, and taken as read a second and third time and finally passed.

13. **ADJOURNMENT**

Recommendation: **BE IT RESOLVED THAT** this meeting of Council of the Township of Essa adjourn at _____ p.m. to meet again on the 5th day of February, 2025 at 6:00 p.m.

THE CORPORATION OF THE TOWNSHIP OF ESSA
SPECIAL MEETING OF COUNCIL – 2025 CAPITAL AND OPERATING BUDGET
DECEMBER 18, 2024

MINUTES

A Special Meeting of Council was held in person on Tuesday December 12, 2024, in the Council Chambers of the Administration Centre, for the purpose of deliberating the 2025 Capital and Operating Budgets.

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

Staff in attendance: Michael Mikael, Chief Administrative Officer
Deborah Dollmaier, Manager of Finance
C. Rankin, Manager of Parks and Recreation
A. McClinton, Parks and Recreation Administrative Assistant
J. Kolb, Manager of Public Works
P. Granes, Chief Building Official
S. Corbett, Deputy Clerk
L. Lehr, Manager of Legislative Services

1. OPENING OF MEETING BY THE MAYOR

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

2. DISCLOSURE OF PECUNIARY INTEREST

None.

STAFF REPORTS AND MEMORANDUMS

3. FINANCE

- a. **Staff Report TR007-24 submitted by the Manager of Finance, re: 2025 Capital and Operating Budget.**

Resolution No: CW089-2024 Moved by: Kiezebrink Seconded by: Smith

BE IT RESOLVED THAT Staff Report TR007-24 be received; and THAT Council approve the 2025 Draft Budget (Capital and Operating) in the amount of \$38,222,833.00 with a levy of \$13,045,370 representing a total tax increase of 3.26%; and THAT Council instruct staff to prepare a tax rating by-law

---Carried---

4. ADJOURNMENT

Resolution No: CW090-2024 Moved by: Smith Seconded by: Maltby

BE IT RESOLVED THAT this Special Meeting of the Council of the Township of Essa held on the 18th day of December 2024, adjourn at 6:02 p.m.

Sandie Macdonald
Mayor

Lisa Lehr
Manager of Legislative Services

**THE CORPORATION OF THE TOWNSHIP OF ESSA
COMMITTEE OF THE WHOLE MEETING
WEDNESDAY, DECEMBER 18, 2024**

MINUTES

A Committee of the Whole meeting was held in person on Wednesday December 18, 2024, in the Council Chambers of the Administration Centre, Township of Essa.

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

Staff in attendance: M. Mikael, Chief Administrative Officer
C. Rankin, Manager of Parks and Recreation
A. McClinton, Parks and Recreation Administrative Assistant
D. Dollmaier, Manager of Finance
J. Kolb, Manager of Public Works
P. Granes, Chief Building Official
S. Corbett, Deputy Clerk
L. Lehr, Manager of Legislative Services

1. OPENING OF MEETING BY THE MAYOR

Mayor Macdonald opened the meeting at 6:02 p.m.

The Township of Essa acknowledges that we are situated on land within the area of Treaty 18, also known as the Lake Simcoe-Nottawasaga Treaty, signed on October 17, 1818 between the Government of Upper Canada and the Anishinaabe Indigenous peoples. The Anishinaabe include the Ojibwe, Odawa and Pottawatomi Nations collectively known as the Three Fires Confederacy. We are dedicated to honouring Indigenous history and culture and committed to moving forward in the spirit of reconciliation and respect with all First Nation, Metis and Inuit People.

2. DISCLOSURE OF PECUNIARY INTEREST

None.

3. DELEGATIONS / PRESENTATIONS / PUBLIC MEETINGS

- a. **Presentation**
Angus Food Bank
Re: Cheque Presentation

Mayor Macdonald presented the Angus Food Bank with a donation cheque on behalf of Essa's Solicitor, Paul Rabinovitch, HR Graham and Partners. Mayor Macdonald thanked the Angus Food Bank for their ongoing support of the residents of Essa.

- b. Presentation**
Chase’s Dream Foundation
Re: Defibrillator Donation – Thornton Outdoor Rink

Mayor Macdonald thanked representatives of the Chase McEachern AED Memorial Foundation for their donation of an AED for the Thornton outdoor rink area.

- c. Presentation**
SGL Planning, Tim Cane
Re: Official Plan Update

Tim Cane, SGL Planning, provided a status update on Essa’s Official Plan Review. He reviewed the works completed to date and outlined processes moving forward. He reminded Council that he would be returning early in 2025 to provide a further overview.

STAFF REPORTS

4. PLANNING AND DEVELOPMENT / BUILDING

- a. Staff Report PD016-24 submitted by the Development Planner,
re: Proposed Temporary Use By-law – Z3-24 (253 Barrie Street).**

Resolution No: CW091-2024 Moved by: Smith Seconded by: Sander

BE IT RESOLVED THAT Staff Report PD016-24 be received; and ***THAT*** Council consider approving a temporary amendment to the Township’s Zoning By-law 2003-50 related to the following items:

1. That Schedule A to By-law 2003-50 be amended to temporarily rezone those lands shown on Schedule 1 and labelled as “R1-42”, to allow for a real estate office to be located on the first floor of a residential building.
2. That Section 9.4.42, Special Provisions, be added to By-law No. 2003-50, as follows:

“R1-42: CON 11 N PT LOT 15, 253 Barrie Street”

In addition to the permitted uses of this Section, on those lands zoned R1-42 on Schedule A, and known as 253 Barrie Street, a Real Estate Office in accordance with the following provision be a permitted use period of three (3) years expiring after the date of passing:

- a. That the Real Estate Office only be allowed to exist on the first floor of the existing single-family dwelling.
- b. That the Real Estate Office allow a maximum of five (5) on-site employees.
- c. That no part of the existing residential building be rented while the temporary use is in effect.
- d. That the Real Estate Office is subject to annual inspections by the Building and Fire Departments.

---Carried---

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- b. **Staff Report PD017-24 submitted by the Development Planner,
re: Housekeeping By-law – Z2-24.**

Resolution No: CW092-2024 Moved by: Sander Seconded by: Smith

BE IT RESOLVED THAT Staff Report PD017-24 be received; and
THAT Council approves the proposed amendments to the Township's Zoning By-law
2003-50 as recommended in the Report.

---Carried---

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

6. **FIRE AND EMERGENCY SERVICES**

7. **PUBLIC WORKS**

8. **FINANCE**

- a. **Correspondence from Township Engineer AECOM, re: Reduction in
Securities.**

This Item was deferred.

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

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

11. **OTHER BUSINESS**

12. **ADJOURNMENT**

Resolution No: CW093-2024 Moved by: Smith Seconded by: Maltby

BE IT RESOLVED THAT this meeting of Committee of the Whole of the Township of
Essa adjourn at 6:29 p.m., to meet again on the 15th day of January, 2025 at 6:00 p.m.

---Carried---

Sandie Macdonald
Mayor

Lisa Lehr
Manager of Legislative Services

**THE CORPORATION OF THE TOWNSHIP OF ESSA
REGULAR COUNCIL MEETING
WEDNESDAY, DECEMBER 18, 2024**

MINUTES

A Regular Council meeting was held in person on Wednesday December 18, 2024, in the Council Chambers at the Administration Centre located at 5786 County Road 21, Utopia.

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

Staff in attendance: M. Mikael, Chief Administrative Officer
C. Rankin, Manager of Parks and Recreation
A. McClinton, Parks and Recreation Administrative Assistant
D. Dollmaier, Manager of Finance
J. Kolb, Manager of Public Works
P. Granes, Chief Building Official
S. Corbett, Deputy Clerk
L. Lehr, Manager of Legislative Services

1. OPENING OF MEETING BY THE MAYOR

Mayor Macdonald opened the meeting at 6:29 p.m.

2. DISCLOSURE OF PECUNIARY INTEREST

None.

3. ADOPTION OF PREVIOUS MINUTES AND MOTIONS

Resolution No: CR189-2024 Moved by: Kiezebrink Seconded by: Smith

***BE IT RESOLVED THAT** the motions duly passed and approved at the Committee of the Whole Meeting of this date be approved; and
THAT the minutes of the Public Meetings, Committee of the Whole, and Regular Council and Closed Session meetings held on the 4th day of December, 2024; and
THAT the minutes of the Special Budget and Closed Session meetings held on the 10th day of December 2024, be adopted as circulated.*

---Carried---

4. CONSENT AGENDA

Resolution No: CR190-2024 Moved by: Smith Seconded by: Maltby

***BE IT RESOLVED THAT** the items listed in the Consent Agenda dated December 18, 2024, be received for information.*

---Carried---

5. COMMITTEE REPORTS

6. PETITIONS

7. MOTIONS AND NOTICES OF MOTIONS

8. UNFINISHED BUSINESS

9. BY-LAWS

Resolution No: CR191-2024 Moved by: Sander Seconded by: Maltby

- a. By-law 2024-59 – A By-law to Amend Essa’s Fees and Charges By-law, effective January 1, 2025.
- b. By-law 2024-60 – A By-law to execute an MOU with the NVCA.

BE IT RESOLVED THAT By-laws 2024-59 and 2024-60 be read a first, and taken as read a second and third time and finally passed.

---Carried---

10. QUESTIONS

11. CLOSED SESSION

Resolution No: CR192-2024 Moved by: Sander Seconded by: Kiezebrink

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

- a. Staff Report PD018-24, re: Potential Litigation – Proposed Development.
 - Litigation or Potential Litigation – s. 239(2)(e)
 - Plans and Instructions for Negotiation – s.239(2)(k)

---Carried---

Council proceeded into Closed Session at 6:32 p.m.

Motion to Rise and Report from Closed Session Meeting of December 18, 2024.

Resolution No: CR193-2024 Moved by: Sander Seconded by: Kiezebrink

BE IT RESOLVED THAT Council rise and report from the Closed Session Meeting at 6:50 p.m.

---Carried---

The following items were passed by Council:

- a. **Confidential Staff Report PD018-24, submitted by the Manager of Planning re: Potential Litigation – Proposed Development.**

Resolution No: CR194-2024 Moved by: Smith Seconded by: Sander

BE IT RESOLVED THAT Confidential Staff Report CAO029-24 be received; and THAT Council direct staff in accordance with Option #2 as contained within the body of this confidential report.

---Carried---

12. CONFIRMATION BY-LAW

By-law 2024-61

Resolution No: CR195-2024 Moved by: Maltby Seconded by: Kiezebrink

BE IT RESOLVED THAT leave be granted to introduce By-law 2024-61, that being a By-law to confirm the proceedings of the Special Budget, Committee of the Whole, Regular Council and Closed Session meetings held on this 18th day of December, 2024; and, that said By-law be read a first, and taken as read a second and third time and finally passed.

13. ADJOURNMENT

Resolution No: CR196-2024 Moved by: Smith Seconded by: Maltby

BE IT RESOLVED THAT this meeting of Council of the Township of Essa adjourn at 6:51 p.m. to meet again on the 15th day of January, 2025 at 6:00 p.m.

Sandie Macdonald
Mayor

Lisa Lehr
Manager of Legislative Services

11. Ontario Library Service Trustee report (Eagleson):
Attended the meeting on November 13th which focused on governance, policy and procedure work. The next meeting will be in May.

12. Planning and Policy Committee (Hunter, Hyatt, Cryer)
Virtual meeting for Library Board Policy Review (Hunter, Hyatt) 7pm, Nov 18th

Human Resources: EPL HR:007 Staff Recognition Policy
Human Resources: EPL HR:015 Working from Home Policy
Human Resources: EPL HR:016 Pay Administration Policy
Library Services: EPL LS:006 Accessibility in the Library Policy
Library Services: EPL LS:010 Programming Policy

2024:073 Moved: JE Seconded: SH Carried
THAT the Library Board receives and approves Policy Committee recommendations including updates to EPL HR:007 Staff Recognition Policy, EPL HR:015 Working from Home Policy, EPL HR:016 Pay Administration Policy, EPL LS:006 Accessibility in the Library Policy and EPL LS:010 Programming Policy as circulated.

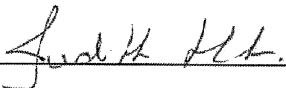
13. Closed Meeting: None

14. Other Business: "Snacks and Facts" staff, board, volunteer gathering Nov 29, 4pm
Angus Branch

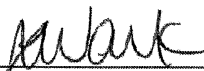
15. Next meeting: December 16, 2024, 7pm, Virtual

16. Adjournment
2024:074 Moved: CC Carried
THAT the Meeting be adjourned at 7:47pm.

Approved December 16, 2024:



Chair: Judith Hunter



CEO: Laura Wark

THE CORPORATION OF THE TOWNSHIP OF ESSA

BY-LAW 2025-01

Being a By-law to appoint a Secretary-Treasurer to the Committee of Adjustment and to appoint a Zoning Administrator.

WHEREAS Section 44 (8) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, states that the Council of each municipality may appoint a Secretary-Treasurer in the conduct of Committee of Adjustment matters in the following out functions outlined within Section 44 (11) (10); and

WHEREAS Section 34(1) of the *Planning Act*, R.S.O. 1990, C. P. 13, as amended, states that the Council of each municipality may pass a zoning by-law to restrict the use of land or to prohibit the use of land except for such purposes as may be set out in the by-law; and

WHEREAS Council of the Township of Essa deems it advisable to appoint a Secretary-Treasurer to the Committee of Adjustment as is necessary for the purpose of the said Act; and

WHEREAS the Council of the Township of Essa deems it advisable to appoint a Zoning Administrator as is necessary for the purposes of the enforcement of said Act;

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

1. That Filemena Orsi be and is hereby appointed as Secretary-Treasurer to the Township of Essa's Committee of Adjustment, for the period during which she is an employee of the municipality.
2. That Filemena Orsi be and is hereby appointed to the position of Zoning Administrator of the Corporation of the Township of Essa for the period during which he is an employee of the municipality.
3. That the said appointment shall become effective immediately.
4. That this By-law shall come into force and effect on the day it is finally passed.

READ A FIRST, AND TAKEN AS READ A SECOND AND THIRD TIME AND FINALLY PASSED on this the 15th day of January, 2025.

Sandie Macdonald, Mayor

Lisa Lehr, Manager of Legislative Services

THE CORPORATION OF THE TOWNSHIP OF ESSA

BY-LAW 2025-02

A By-law to authorize the temporary use of land, buildings or structures within the Corporation of the Township of Essa on lands known as 253 Barrie Street; CON 11 N PT LOT 15

WHEREAS the *Planning Act*, R.S.O 1990, Chapter P.13, Sections 34 and 39 provides Council authority to authorize the temporary use of land, buildings, or structure which is otherwise prohibited;

AND WHEREAS the Council of the Corporation of the Township of Essa may pass a Temporary Zoning By-law Amendment pursuant to Section 34 and 39 of the Planning Act, R.S.O 1990, as amended;

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

1. THAT the Zoning By-Law Map, known as Schedule B, is hereby further amended by temporarily rezoning those lands described as CON 11 N PT LOT 15, in the Township of Essa, Simcoe County, municipally known as 253 Barrie Street, from 'Residential, Low Density, Detached (R1) Zone' to 'Residential, Low Density, Detached with Special Provisions (R1-42) Zone' as shown in Schedule "1" attached hereto, and Schedule "1" attached hereto forms part of By-Law 2003-50 as amended;
2. Notwithstanding the provisions as set out in the Zoning By-law 2003-50, 'Section 9: Residential, Low Density, Detached (R1) Zone' the following provisions shall apply to lands zoned as R1-42:
3.
 - a. That a Real Estate Office only be allowed to exist on the first floor of the existing single-family dwelling.
 - b. That the Real Estate Office allows a maximum of five (5) on-site employees.
 - c. That no part of the existing residential building be rented while the temporary use is in effect.
 - d. That the Real Estate Office is subject to annual inspections by the Building and Fire Departments.
 - e. The By-law comes into effect on the day of passing and the use shall be terminated no later than three (3) years from this date of passing on January 15th, 2028.

READ A FIRST AND TAKEN AS READ A SECOND AND THIRD TIME AND FINALLY PASSED on this the 15th day of January 2025.

Sandie Macdonald, Mayor

Lisa Lehr, Manager of Legislative Services

THE CORPORATION OF THE TOWNSHIP OF ESSA

BY-LAW 2025 – 03

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

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

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

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

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

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

“Accessory Building or Structure”

means any subordinate building or structure which is separate from or attached to the main building on the same lot and secondary to a principle permitted use of a building or structure; is not used for human habitation; and may include, a private garage, private greenhouse, swimming pool, patio shelter, carport, sewage disposal system, boat house, workshop, and implement shed, but shall not include a shipping container.

“Lot Coverage”

means the percentage of the lot area covered by buildings, structures, or any hardscaped, non-permeable surface above ground level except not to include any swimming pool or an open or unenclosed deck which is not covered or surrounded with a wind block on more than two sides or with a roof.

“Self-Storage or Mini-Storage”

means a building consisting of individual, small, self-contained units that are leased or owned for the storage of business and/or household goods.

“Shipping Container” or “Sea Can”

means any new or used structure/container originally designed for the shipping of goods by means of rail, truck, or by sea and includes intermodal shipping containers.

ac

2. THAT 'Section 8.1.1 – Regulations for Unenclosed Decks' and '8.1.2 Regulations for Enclosed Decks' be introduced into 'Section 8.1 – Accessory Buildings' of By-law No. 2003-50:

8.1.1 Regulations for Unenclosed Decks

- a) Unenclosed decks in the specified zones have a minimum interior side yard setback of 1.5-metres, and a minimum rear yard setback of 5.0-metres. In the instance an unenclosed deck is attached to a primary dwelling that is located closer to the interior side yard lot line than 1.5-metres, the deck may be built in-line with the existing setback of the primary dwelling.
- b) Detached Decks may be built in the instance they are attached to an above-ground pool in accordance with Section 8.1.1.

8.1.2 Regulations for Enclosed Decks

- a) An enclosed deck shall be considered an addition to the primary residence and shall conform to all relevant provisions of the primary residence such as but not exclusive to lot coverage, setbacks, and maximum building height.

3. THAT 'Section 21.2 – Permitted Uses' of By-law No. 2003-50 be amended to include 'Self-Storage' as a permitted use in lands zoned Highway Commercial (C3) Zone.
4. THAT 'Section 35 – By-law Administration, Enforcement and Validity' be amended and renumbered as "Section 36 – By-law Administration, Enforcement and Validity' and replaced by 'Section 35 – Holding Provisions (H)' which will include the following provisions:

34.1

Notwithstanding any other provisions in this By-law, where a zone symbol is followed by the letter (H), no person shall use the land to which the letter (H) applies for any use other than the use which existed on the date this By-law was passed or which is specifically established as a permitted use in conjunction with the (H) symbol in this By-law, until the (H) symbol is removed in accordance with the policies of the Township of Essa's Official Plan (2001) and the Planning Act, and in accordance with conditions established for the removal of the (H) symbol in this By-law or any amendment thereto. Conditions for removal are set out in Table 34.3

34.2

The Municipality may pass an amendment to this By-law to utilize the Holding Zone on lands where development is premature and may establish, as a condition for removal of the (H) symbol, that one or more of the following requirements set out in the Table in Section 34.3:

34.3 Holding Provision (H) Conditions Table

Symbol No.	Conditions for Removal
H1	The Holding Provision (H1) may be lifted once an Official Plan Amendment, Site Plan Control, Plan of Subdivision and/or Condominium approval have/has been obtained and any required development agreements entered into with the municipality, and any specific studies required by the municipality have been submitted to and approved by the municipality.
H2	The Holding Provision (H2) may be lifted once the Township's Engineering Design Standards have been met, and adequate sanitary, water, storm, and/or transportation services and facilities are available and can be allocated to serve the development.
H3	The Holding Provision (H3) may be lifted once an Official Plan Amendment, a Site Plan Control, a Plan of Subdivision and/or Condominium approval have/has been obtained and any required development agreements entered into with the municipality, and any specific studies required by the municipality have been submitted to and approved by the municipality; and once the Township's Engineering Design Standards have been met, and adequate sanitary, water, storm, and/or transportation services and facilities are available and can be allocated to serve the development.
H4	The Holding Provision (H4) may be lifted once any adverse or potentially adverse environmental effects or constraints have been resolved.
H5	The Holding Provision (H5) may be lifted once all concerns from identified regulatory agencies have been addressed.
H6	The Holding Provision (H6) may be lifted once any other lawful requirement that Council or Staff, as authorized, may impose for the proper orderly development of the lands has been satisfactorily met.

5. THAT 'Section 4.35: General Provisions' of By-law No. 2003-50, is amended by removing 'Section 4.35f'.
6. THAT 'Section 4.39 – Shipping Containers' be added to By-law No. 2003-50, and include the following provisions:

4.39 Shipping Containers

A shipping container shall be erected, on a property where it is explicitly permitted, in accordance with the following provisions:

- a) Shall only be used or erected as an accessory use to a main building;
- b) Shall not be located in a front yard;
- c) Shall not be located in a required parking area or encroach into a required landscaped area;

9c

- d) A distance of no less than 3.0-metres shall separate any shipping container from any other building or structure on the property;
- e) Notwithstanding the other provisions of this section (4.39), the applicable setback provisions for an accessory structure/building within the applicable zone shall apply to a shipping container;
- f) A maximum of one (1) shipping container shall be permitted accessory to a principle use on properties which are within the Institutional (I) Zones;
- g) Shall be included in the calculation of lot coverage for all zones and are not to contribute to exceeding a zone's maximum lot coverage;
- h) Shall be no greater than 32.0m² in gross floor area nor 3.0-metres in height;
- i) Shall be used for storage purposes and not for display, advertising, screening or fencing;
- j) Shall be maintained in good condition and free of rust;
- k) Stacking shall not be permitted;
- l) No shipping container shall be used for human habitation; and
- m) Notwithstanding the above, all other provisions of the respective zones shall be complied with.

7. THAT 'Section 4.39.1 – Temporary Use of Shipping Containers' be added to By-law No. 2003-50, and include the following provisions:

4.39.1 Temporary Use of Shipping Containers

The temporary erection and use of a shipping container may be permitted in any zone as an accessory use to active construction which is permitted through a Building Permit. This use shall be permitted during the progress of permitted works to a limit of no greater than 12 consecutive months and may be revoked at any time if construction is deemed not to be in compliance with the Ontario Building Code or Township Zoning By-law. Shipping containers approved under this provision shall comply with the most restrictive setback requirements of the respective lot's zone.

8. THAT 'Section 29: Permitted Uses for All Industrial Zones' of By-law No. 2003-50, is amended by adding 'Shipping Containers' as a permitted use in all Industrial Zones.

9. THAT 'Section 33.2: Permitted Uses' of By-law No. 2003-50, is amended by adding 'Shipping Containers' as a permitted use in the Institutional (I) Zone.

10. THAT 'Section 4.28.4 – Minimum Parking Requirements for Certain Uses' of By-law No. 2003-50, is amended by changing the following uses:

- a) 'Multiple Residential Units in R5 Zones' to 'Apartments in R5 Zones;
- b) 'Residential (including any dwelling in any zone except for the R5 Zone)' to 'Residential (including any dwelling in any zone)'.

9c

11. THAT this By-law shall take effect as of the date of passing, subject to the provisions of the *Planning Act*, R.S.O. 1990, Chap. P.13 as amended.

READ A FIRST AND TAKEN AS READ A SECOND AND THIRD TIME AND FINALLY PASSED on this the 15th day of January 2025.

Sandie Macdonald, Mayor

Lisa Lehr, Manager of Legislative Services

THE CORPORATION OF THE TOWNSHIP OF ESSA

BY-LAW 2025 - 04

Being a By-law to confirm the proceedings of the Council meeting held on the 15th day of January, 2025.

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

THAT the action of the Council at its meeting held on the 15th day of January, 2025 and, in respect of each recommendation contained in the Minutes of the Special Council Meeting held on the 18th day of December, 2024, and the Regular Council meeting held on the 18th day of December, 2024, and the Minutes of the Committee of the Whole meeting held on the 18th day of December, 2024, and, in respect of each motion, resolution and other action passed and taken by Council at the said meetings, is, except where prior approval of the Ontario Municipal Board is required, hereby adopted, ratified and confirmed.

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

READ A FIRST, AND TAKEN AS READ A SECOND AND THIRD TIME AND FINALLY PASSED on this the 15th day of January, 2025.

Sandie Macdonald, Mayor

Lisa Lehr, Manager of Legislative Services