

**THE CORPORATION OF THE TOWNSHIP OF ESSA
REGULAR COUNCIL MEETING
WEDNESDAY, APRIL 17, 2019**

AGENDA

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 Meeting of Council held on the 2nd day of April, 2019, be adopted as circulated; and That the minutes of the Public, Committee of the Whole and Regular Council meetings held on the 3rd day of April, 2019 be adopted as circulated.*

4. CONSENT AGENDA

Recommendation: *Be it resolved that the items listed in the Consent Agenda dated April 17, 2019 be approved as presented, and that the necessary action be taken.*

5. COMMITTEE REPORTS

a. Angus BIA Board of Management

p.16 **i. Minutes**

Recommendation: *Be it resolved that the minutes of the Angus BIA Board of Management from their meeting of March 18, 2019, be received.*

ii Appointment to Angus BIA Board of Management

Recommendation: *WHEREAS Councillor Keith White was appointed by Council as the Council representative on the Angus BIA Board of Management for the 2019-2022 term; and WHEREAS the Angus BIA Board of Management held its Annual General Meeting on March 18, 2019, and accepted nominations from its membership to sit on the Board of Management for the 2019-2022 term; and WHEREAS Joe Van Leeuwen, Rory MacKinnon and Justin Oliver were elected to the Angus BIA Board of Management for the 2019-2022 term; NOW THEREFORE BE IT RESOLVED THAT Council hereby appoints Joe Van Leeuwen, Rory MacKinnon and Justin Oliver to the Angus BIA Board of Management for the 2019-2022 term.*

6. PETITIONS

7. MOTIONS AND NOTICES OF MOTIONS

8. UNFINISHED BUSINESS

9. BY-LAWS

p. 20 **a. By-law 2019-33**

Recommendation: *Be it resolved that leave be granted to introduce By-law 2019-33, that being a By-law to appoint a Zoning Administrator to administer and enforce the Township of Essa's Zoning By-law; and, that said By-law be read a first, and taken as read a second and third time and finally passed.*

p. 21 **b. By-law 2019-34**

Recommendation: *Be it resolved that leave be granted to introduce By-law 2019-34, that being a By-law to amend the Township's Zoning By-Law, affecting Part Lot 6, Concession 11, 5616 County Road 27 and to authorize the Mayor and Clerk to enter into a development agreement with the landowners; and, that said By-law be read a first, and taken as read a second and third time and finally passed.*

p. 28 **c. By-law 2019-35**

Recommendation: *Be it resolved that leave be granted to introduce By-law 2019-35, that being a By-law to amend the Township's Zoning By-Law, affecting Part Lot 25, Concession 8, 7994 9th Line and to authorize the Mayor and Clerk to enter into a development agreement with the landowners; and, that said By-law be read a first, and taken as read a second and third time and finally passed.*

10. QUESTIONS

11. CLOSED SESSION

Recommendation: *Be it resolved that Council proceed to a Closed Session in order to address matters pertaining to:*

- the security of the property of the Municipality or local board;*
- personal matters about an identifiable individual, including Municipal or local board employees;*
- a proposed or pending acquisition or disposition of land for Municipal or local board purposes;*
- labour relations or employee negotiations;*
- litigation or potential litigation, including matters before administrative tribunals, affecting the Municipality or local board;*
- 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 has authorized a meeting to be closed under another Act;*

- Information explicitly supplied in confidence to the municipality or local board by Canada, a province or territory or a Crown Agency of any of them;*
- a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization;*
- a trade secret or scientific, technical, commercial or financial information that belongs to the municipality or local board and has monetary value or potential monetary value;*
- a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board;*
- the subject matter relates to the consideration of a request under the Municipal Freedom of Information and Protection of Privacy Act;*
- an ongoing investigation respecting the municipality, a local board or a municipally-controlled corporation by the Ombudsman appointed under the Ombudsman Act, an Ombudsman referred to in subsection 223.13 (1) or the investigator referred to in subsection 239.2 (1) of the Municipal Act 2001, as amended;*
- If the meeting is held for the purpose of educating or training the members.*

a. Motion to Rise and Report from Closed Session Meeting of April 17, 2019.

Recommendation: *Be it resolved that Council rise and report from the Closed Session Meeting at _____ p.m.*

12. CONFIRMATION BY-LAW

p. 35 By-law 2019-36

Recommendation: *Be it resolved that leave be granted to introduce By-law 2019-36, that being a By-law to confirm the proceedings of the Council and Committee of the Whole meetings held on this 17th day of April, 2019; 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 the Council of the Township of Essa adjourn at _____ p.m. to meet again on the 1st day of May, 2019 following Committee of the Whole.*

THE CORPORATION OF THE TOWNSHIP OF ESSA
SPECIAL MEETING OF COUNCIL

TUESDAY APRIL 2, 2019

A Special Meeting of Council was held on Tuesday, April 2, 2019 in the Council Chambers of the Administration Centre. The purpose of the meeting was for a Strategic Planning Workshop.

In attendance: Mayor Sandie Macdonald
Deputy Mayor Michael Smith
Councillor Keith White
Councillor Henry Sander
Councillor Ron Henderson

Staff in attendance: C. Healey-Dowdall, Chief Administrative Officer
C. Traynor-Richter, Manager of Finance
D. Perreault, Manager of Public Works
L. Wark, Chief Executive Officer, Essa Public Library
L. Lehr, Clerk

1. OPENING OF MEETING BY THE MAYOR

Mayor Macdonald opened the meeting at 9:00 a.m.

2. APPROVAL OF AGENDA

Resolution No: SCW018-2019 Moved by: Smith Seconded by: Henderson

Be it resolved that the Agenda for the Special Meeting of Council held this 2nd day of April, 2019, be approved.

----Carried----

3. DISCLOSURE OF PECUNIARY INTEREST

None.

CONSIDERATION OF ITEMS REQUIRING DISCUSSION AND GENERAL NATURE THEREOF:

4. a. STRATEGIC PLANNING – WORKSHOP

Resolution No: SCW019-2019 Moved by: Smith Seconded by: Sander

*Be it resolved that discussions with respect to the Strategic Planning Workshop be received; and
That all Department Managers proceed as directed by Council.*

----Carried----

5. COMMITTEE OF THE WHOLE TO RISE AND CONVENE IN REGULAR COUNCIL

Resolution No: SCW020-2019 Moved by: White Seconded by: Smith

Be it resolved that Committee of the Whole rise and reconvene in Regular Council at 1:29 p.m.

----Carried----

6. CONFIRMATION BY-LAW

By-law 2019-26

Resolution No: SCW021-2019 Moved by: Henderson Seconded by: Sander

Be it resolved that leave be granted to introduce By-law 2019-26, that being a By-law to confirm the proceedings of the Special Meeting of Council held on this 2nd day of April, 2019; and that said By-law be read a first, and taken as read a second and third time and finally passed.

----Carried----

7. ADJOURNMENT

Resolution No: SCW022-2019 Moved by: Sander Seconded by: Smith

Be it resolved that this Special Meeting of Council of the Township of Essa adjourn at 1:30 p.m.

----Carried----

Sandie Macdonald, Mayor

Lisa Lehr, Clerk

**THE CORPORATION OF THE TOWNSHIP OF ESSA
PUBLIC MEETING MINUTES
WEDNESDAY APRIL 3, 2019**

RE: PROPOSED ZONING BY-LAW AMENDMENT (Z8/18) – 7546 County Road 27

A Public Meeting was held on Wednesday April 3, 2019 in the Council Chambers of the Administration Centre, Township of Essa.

In attendance: Mayor Sandie Macdonald
Deputy Mayor Michael Smith
Councillor Keith White
Councillor Henry Sander
Councillor Ron Henderson

Staff in attendance: C. Healey-Dowdall, Chief Administrative Officer
C. Traynor-Richter, Manager of Finance
D. Perreault, Manager of Public Works
D. Brooks, Chief Building Official
L. Lehr, Clerk

The Mayor opened the meeting stating that the purpose of the Public Meeting is to review a proposal for a Zoning By-law Amendment to permit an accessory building to be 7,080 ft², in accordance with Section 34 of the *Planning Act*. As well, to hear comments and review written submissions from the public and public agencies.

Colleen Healey-Dowdall, CAO/Manager of Planning & Development described the application as follows:

The Zoning By-law Amendment would permit an accessory building to be constructed on the property at 7546 County Road 27 to permit storage of irrigation equipment and an office 7,080 square feet.

The proposed Zoning By-law Amendment would rezone the above lands from Agricultural (A) Zone to Agricultural Exception Three (A-3) to permit this storage shop and office.

Colleen Healey-Dowdall summed up agency comments as follows:

County of Simcoe

- Concerns for a wetland not yet evaluated/depicted within our OP
- Concerns for agricultural lands
- Concerns that the business may exceed that allowed as a home occupation
- Would require proper entrance

Colleen Healey-Dowdall stated that a neighbour who shares the driveway has expressed concern over the business intending to locate here.

She stated that the Manager of Public Works has no concerns with the approval, and that Enbridge Gas has no objection.

The Mayor then asked if anyone in the audience would like to speak, and that 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.

Sherri-Lynn McDowell, 24 Parkside Drive, Barrie, agent for the applicant, took the floor and further described the application:

- Represents client/applicant
- Not agricultural land
- Land would not support an agricultural use
- Future Green is the applicant and they want to purchase
- Currently in Thornton
- Wants to stay in the area
- Wants to clean up the property, remove scrap and storage
- 1 or 2 employees
- Equipment would be brought in the fall and stored to Spring
- Will be constructed on lawn at the back (away from the pond)
- Will not remove any trees
- Use existing driveway
- Will return property to agricultural use later if business moves

Shelley Van Driel, 7544 County Road 27, neighbour spoke:

- Share the driveway
- Purchased because it was quiet
- Wants to know about the company – specifically the number of employees and the hours
- Change to what? Doesn't know type of business.
- Would like information on the entrance – impact on the driveway?
- Any change to the renters of the dwelling?

Sherri-Lynne McDowell again spoke stating they will store equipment over the off-season. There won't be daily in-and-out. Twice a year for irrigation equipment. 2 employees.

The Mayor then confirmed that if there are no further questions or submissions, Council wishes to thank all those in attendance for their participation. The Planning Department will be preparing a report to be presented to Council concerning this matter only after further information and studies are collected.

Council will then consider all matters and render a decision. A decision has not yet been made.

Sandie Macdonald, Mayor

Lisa Lehr, Clerk

THE CORPORATION OF THE TOWNSHIP OF ESSA
COMMITTEE OF THE WHOLE

WEDNESDAY, APRIL 3, 2019
6:00 p.m.

MINUTES

A Committee of the Whole meeting was held on Wednesday, April 3, 2019 in the Council Chambers of the Administration Centre, Township of Essa.

In attendance: Mayor Sandie Macdonald
Deputy Mayor Michael Smith
Councillor Keith White
Councillor Henry Sander
Councillor Ron Henderson

Staff in attendance: C. Healey-Dowdall, Chief Administrative Officer
C. Traynor-Richter, Manager of Finance
D. Perreault, Manager of Public Works
D. Brooks, Chief Building Official
L. Lehr, Clerk

1. OPENING OF MEETING BY THE MAYOR

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

2. DISCLOSURE OF PECUNIARY INTEREST

None declared.

3. DELEGATIONS / PRESENTATIONS / PUBLIC MEETINGS

a. Presentation

Re: Essa Eagles – Atom Division OMHA Champions

Council extended congratulations to the Essa Eagles Atom Division for winning their third consecutive OMHA Championship in the Atom Division and presented the team with a plaque in recognition of their achievement. Additionally, Council extended sincere thanks to the coaches and volunteers that have provided ongoing assistance to the team.

b. Delegation – Ted Konewka

Re: Protecting our Bridge at the 5th Line of Essa Township

Ted Konewka provided Council with a brief description of damage being caused to the 5th Line Bridge as a result of logs/trees floating down the river into the bridge. Mr. Konewka proposed that he could remove the logs and prevent further damage to the bridge.

Council thanked Mr. Konewka for his presentation and requested that the Chief Administrative Officer and the Manager of Public Works investigate the concept.

- c. Presentation – Delanie Wilson**
Re: Successful Completion – Large Buildings Qualification Exam

Council and the Chief Administrative Officer extended congratulations to Delanie Wilson, Building Inspector, on the successful completion of her Large Buildings Qualification.

- d. Public Meeting**
Re: Proposed Zoning By-law Amendment (No. Z8/18) - 7546 County Road 27, Thornton

See separate set of minutes.

STAFF REPORT

4. PLANNING AND DEVELOPMENT

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

Resolution No: CW063-2019 Moved by: Henderson Seconded by: White

*Be it resolved that Staff Report PD023-19 be received; and
That Council does 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 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 approve supporting bids for the lands from other public agencies or organizations as more information becomes available.*

----Carried----

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

Resolution No: CW064-2019 Moved by: White Seconded by: Smith

*Be it resolved that Staff Report PD024-19 be received; and
That Council does approve the following:*

- (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.*

----Carried----

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

Resolution No: CW065-2019 Moved by: Sander Seconded by: Smith

*Be it resolved that Staff Report PD025-19 be received; and
That Council does 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.*

----Carried----

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

Resolution No: CW066-2019 Moved by: Sander Seconded by: Henderson

*Be it resolved that Staff Report PD026-19 be received; and
That Council does 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.*

----Carried----

5. PARKS AND RECREATION/ COMMUNITY SERVICES

6. FIRE AND EMERGENCY SERVICES

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

Resolution No: CW067-2019 Moved by: Smith Seconded by: Smith

*Be it resolved that Staff Report FD001-19 be received; and
That Council does support the fee increase as outlined in the Staff Report; and
That Staff be authorized to schedule a Public Meeting.*

----Carried----

7. PUBLIC WORKS

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

Resolution No: CW068-2019 Moved by: Henderson Seconded by: White

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.*

----Carried----

b. Summary of Results – 2019 Street Sweeping.

Resolution No: CW069-2019 Moved by: Smith Seconded by: Sander

*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.*

----Carried----

8. FINANCE

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

Resolution No: CW070-2019 Moved by: Smith Seconded by: Henderson

*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.*

----Carried----

9. CLERKS / BY-LAW ENFORCEMENT / IT

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

Resolution No: CW071-2019 Moved by: White Seconded by: Sander

*Be it resolved that Staff Report C016-19 be received; and
That Council does not approve an amendment to the Township's Canine Control By-law 2006-18.*

----Carried----

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

a. Summary of Results – Portable Toilet Tender 2019.

Council requested that the Chief Administrative Officer implement the following in future tenders for Portable Toilets:

- To be installed May 1st each calendar year
- A minimum of one accessible unit should be considered for each location

Resolution No: CW072-2019 Moved by: Henderson Seconded by: Smith

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.

----Carried----

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

Council requested that a report be brought forward at a future meeting to examine the cost-effectiveness of this service being performed internally.

Resolution No: CW073-2019 Moved by: Smith Seconded by: Henderson

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.

----Carried----

c. Summary of Results – 2019 Storage Building Baxter Quotes.

Resolution No: CW074-2019 Moved by: Sander Seconded by: Smith

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.

----Carried----

11. OTHER BUSINESS

Museum on the Boyne – Request from Town of New Tecumseth

Councillor Henderson informed Council that Joan Truax had expressed interest in sitting on this Committee. The Clerk's Department was requested to bring a recommendation forward at the next meeting of Council.

Resident's Request for Signalized Crosswalk on County Road 21 in Thornton

Council requested that the Chief Administrative Officer provide a report to Council for their consideration at a future meeting respecting the options for, and costs associated with, a Signalized Crosswalk on County Road 21 in Thornton, specifically in front of the trail entrances.

Organizational Review

Council requested that the Chief Administration Officer bring a report forward at a future meeting outlining options available for an organizational review.

12. ADJOURNMENT

Resolution No: CW075-2019 Moved by: Smith Seconded by: sander

Be it resolved that this meeting of Committee of the Whole of the Township of Essa adjourn at 7:30 p.m. to meet again on the 17th day of April, 2019 at 6:00 p.m.

----Carried----

Sandie Macdonald, Mayor

Lisa Lehr, Clerk

THE CORPORATION OF THE TOWNSHIP OF ESSA
REGULAR COUNCIL MEETING
WEDNESDAY, APRIL 3, 2019

MINUTES

A Regular Council meeting was held on Wednesday, April 3, 2019 in the Council Chambers of the Administration Centre, Township of Essa.

In attendance: Mayor Sandie Macdonald
Deputy Mayor Michael Smith
Councillor Keith White
Councillor Henry Sander
Councillor Ron Henderson

Staff in attendance: C. Healey-Dowdall, Chief Administrative Officer
C. Traynor-Richter, Manager of Finance
D. Perreault, Manager of Public Works
L. Lehr, Clerk

1. **OPENING OF MEETING BY THE MAYOR**

Mayor Macdonald opened the meeting at 7:30 p.m.

2. **DISCLOSURE OF PECUNIARY INTEREST**

None declared.

3. **ADOPTION OF PREVIOUS MINUTES AND MOTIONS**

Resolution No: CR068-2019 Moved by: Sander 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, Committee of the Whole and Regular Council meetings held on the 20th day of March, 2019 be adopted as circulated.*

----Carried----

4. **CONSENT AGENDA**

Resolution No: CR069-2019 Moved by: Sander Seconded by: Smith

Be it resolved that the items listed in the Consent Agenda dated April 3rd, 2019 be approved as presented, and that the necessary action be taken.

----Carried----

Item 2 (a) AMO Watchfile "Regional Government Review" – Council requested that Notice be provided to the public in regards to the submission of comments by April 23, 2019.

Item 2 (b) AMO Policy Update "Transit Funding Announcing Outside of GTHA" - Council requested that staff investigate this funding opportunity.

- Item 10 AECOM Day of Service "Thornton Community Clean-Up" (April 13) - Councillor Sander advised that the Thornton Area Action Committee is participating in a clean-up in Thornton on this day as well.
- Item 12 County of Simcoe "Trails Connecting Communities Program 2019 - Council requested that staff investigate this program and provide a report back to Council.

5. COMMITTEE REPORTS

a. Nottawasaga Police Services Board

Resolution No: CR070-2019 Moved by: Henderson Seconded by: Sander

Be it resolved that the minutes of the Nottawasaga Police Services Board from their meeting of February 27, 2019 be received.

----Carried----

b. Essa Public Library Board

Resolution No: CR071-2019 Moved by: Smith Seconded by: Henderson

Be it resolved that the minutes of the Essa Public Library Board from their meeting of March 4, 2019 be received.

----Carried----

6. PETITIONS

7. MOTIONS AND NOTICES OF MOTIONS

8. UNFINISHED BUSINESS

9. BY-LAWS

a. By-law 2019-27 - DEFEATED

Be it resolved that leave be granted to introduce By-law 2019-27, that being a By-law to amend the Township's Canine Control By-law 2006-18; and that said By-law be read a first, and taken as read a second and third time and finally passed.

----Defeated----

b. By-law 2019-28

Resolution No: CR072-2019 Moved by: Sander Seconded by: Smith

Be it resolved that leave be granted to introduce By-law 2019-28, that being a By-law to prescribe rates of speed along portions of highways in the Township of Essa; and, that said By-law be read a first, and taken as read a second and third time and finally passed.

----Carried----

c. By-law 2019-29

Resolution No: CR073-2019 Moved by: White Seconded by: Smith

Be it resolved that leave be granted to introduce By-law 2019-29, that being a By-law to declare surplus and authorize the sale of PIN 58104-0887 (LT); Block 66, Plan 51M-1129; Township of Essa, County of Simcoe; and, that said By-law be read a first, and taken as read a second and third time and finally passed.

----Carried----

d. By-law 2019-30

Resolution No: CR074-2019 Moved by: White Seconded by: Smith

Be it resolved that leave be granted to introduce By-law 2019-30, that being a By-law to authorize the execution of and enter into a Development Agreement with Centre West Management Ltd. for Part Lot 31, Concession 3, being 35 Centre Street, Angus, Township of Essa, County of Simcoe; and, that said By-law be read a first, and taken as read a second and third time and finally passed.

----Carried----

e. By-law 2019-31

Resolution No: CR075-2019 Moved by: Sander Seconded by: Henderson

Be it resolved that leave be granted to introduce By-law 2019-31, that being a By-law to appoint Robert Rosilius as Deputy Treasurer for the Township of Essa; and, that said By-law be read a first, and taken as read a second and third time and finally passed.

----Carried----

10. QUESTIONS

11. CLOSED SESSION

Resolution No: CR076-2019 Moved by: Smith Seconded by: White

Be it resolved that Council proceed to a Closed Session in order to address matters pertaining to personal matters about an identifiable individual, including Municipal or local board employees; and, labour relations or employee negotiations.

----Carried----

Council proceeded into Closed Session at 8:01 pm

- a. **Motion to Rise and Report from Closed Session Meeting of April 3, 2019.**

Resolution No: CR077-2019 Moved by: Sander Seconded by: Smith

Be it resolved that Council rise and report from the Closed Session Meeting at 8:35 p.m.

----Carried----

- b. **IDENTIFIABLE INDIVIDUAL/LABOUR RELATIONS
Confidential Staff Report CAO009-19 submitted by the Chief
Administrative Officer, re: Essa Summer Day Camp.**

Resolution No: CR078-2019 Moved by: Sander Seconded by: Smith

*Be it resolved that Confidential Staff Report CAO009-19 be received; and
That the Chief Administrative Officer be authorized to proceed with the
recommendations as amended by Council.*

----Carried----

- c. **IDENTIFIABLE INDIVIDUAL/LABOUR RELATIONS
Confidential Staff Report CAO010-19 submitted by the Chief
Administrative Officer, re: Executive Assistant to the CAO Position.**

Resolution No: CR079-2019 Moved by: Sander Seconded by: Smith

*Be it resolved that Confidential Staff Report CAO010-19 be received; and
That the Chief Administrative Officer be authorized to proceed as directed by
Council.*

----Carried----

- d. **IDENTIFIABLE INDIVIDUAL/LABOUR RELATIONS
Confidential Staff Report CAO011-19 submitted by the Chief
Administrative Officer, re: Planning and Development Department
Staffing - Manager of Planning and Development Position.**

Resolution No: CR080-2019 Moved by: White Seconded by: Smith

Be it resolved that Confidential Staff Report CAO011-19 be received; and That the Chief Administrative Officer be authorized to proceed with option No. 2 as identified in this Confidential Report.

----Carried----

12. CONFIRMATION BY-LAW

By-law 2019-32

Resolution No: CR081-2019 Moved by: Henderson Seconded by: Smith

Be it resolved that leave be granted to introduce By-law 2019-32 that being a By-law to confirm the proceedings of the Council and Committee of the Whole meetings held on this 3rd day of April, 2019; and that said By-law be read a first, and taken as read a second and third time and finally passed.

----Carried----

13. ADJOURNMENT

Resolution No: CR082-2019 Moved by: Smith Seconded by: Henderson

Be it resolved that this meeting of the Council of the Township of Essa adjourn at 8:27 p.m. to meet again on the 17th day of April, 2019 following Committee of the Whole.

----Carried----

Sandie Macdonald, Mayor

Lisa Lehr, Clerk

**ANGUS BUSINESS IMPROVEMENT AREA
ANNUAL GENERAL MEETING "MINUTES"**

Monday, March 18, 2019

Essa Public Library, Angus Branch, 8505 Cty Rd 10, Angus.

Minutes Taken By: Cindy Alarie, Angus BIA Board of Management Member.

Members in Attendance:

Ed Regan	Lea Ann Thompson	Justin Oliver
Rory MacKinnon	Joe Van Leeuwen	
Cindy Alarie	Keith White (Council Rep)	

Guests in Attendance:

Kim Churchill – Angus & Area Chamber of Commerce and My FM 92.1.
Kevin Thompson

1) OPENING OF THE MEETING BY CHAIR

Chair Keith White welcomed all in attendance and called the 2019 Angus BIA Annual General Meeting to order at 6:09 pm.

2) ADOPTION OF AGENDA

Moved by: Rory MacKinnon Seconded by: Joe Van Leeuwen
Resolution - *That the Agenda for the Angus BIA Annual General Meeting of Monday, March 18, 2019, as amended with item (b) added to "Other Business", be approved.*

--- Carried ---

3) DECLARATION OF CONFLICTS OF INTEREST FOR THE PROCEEDINGS OF THIS ANGUS BIA MEMBERSHIP (describe).

Stated: Lea Ann Thompson declared on Item No. 6, as her business quotes on, and has produced and installed the Angus seasonal banners at times.

4) OPENING REMARKS AND INTRODUCTIONS:

The Chair (Keith White) thanked all for attending the 2019 Annual General Meeting (AGM) for the Angus BIA. He specified that the AGM is for the Angus BIA "members" which includes landlords & tenants within the Angus BIA boundary who pay the levy.

The Chair provided a brief history on the Angus BIA stating that it was established and governed by Essa Township By-laws, for designated commercial areas & properties.

Keith White introduced the Angus BIA 2015-2018 BOARD OF MANAGEMENT as follows:

Rory MacKinnon (McDonalds)	Joe Van Leeuwen (Landlord)	Justin Oliver (No Frills)
Cindy Alarie (Crabby Joes, Coffee Culture)	Vacant (was Gerry Crowe, Giant Tiger)	Keith White (Essa Township Representative, Angus Ward 1 Councillor)

The Chair referenced the Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA) BIA Handbook stating that:

"A BIA allows local business people and property owners to join together and, with the support of the municipality, to organize, finance, and carry out physical improvement and promote economic development in their district. The local municipality is the body that is responsible for approving the budget of the BIA".

Resources Available:

BIA Handbook available (OMAFRA)

Ontario BIA Association (Includes conferences) - Angus BIA is a paid member.

The Chair referenced the Township of Essa's current By-law 2007-30 (Angus BIA) stating it had been recently amended in 2018 and 2019, and that it depicts the "Commercial" developed lands. Additionally, it sets out the Boundaries and the Terms of Reference for the BIA and its Board of Management. Councillor White added that the Ontario Municipal Act governs BIAs, and that the Angus BIA and the Board of Management are supported by Essa Township Staff (Clerk's, Planning, Public Works, Parks, Finance Departments).

There were questions and discussion of a general nature.

Moved by: Justin Oliver

Seconded by: Rory MacKinnon

Resolution – *That the general information relative to the Angus BIA provided by Councillor Keith White be received.*

--- Carried ---

5) ACTIVITIES DURING 2018:

- Banners along Mill Street and other locations.
- Flowers, benches, waste containers, other.
- Added 4 new benches at King & Mill, reconstructed County of Simcoe Intersection.
- Sponsorship of the Santa Claus Parade & Farmers Market.
- Preliminary work to refurbish and relocate the Cty Rd 90 "Welcome to Angus" sign.

Moved by: Joe VanLeeuwen

Seconded by: Lea Ann Thompson

Resolution – *That the information with regard to the activities in 2018 of the Angus BIA provided by Councillor Keith White be received.*

--- Carried ---

6) FINANCIAL REPORT FOR 2018 AND PROPOSED BUDGET FOR 2019:

(Lea Ann Thompson declared a conflict of interest, and did not participate in discussions or voting).

The Chair reviewed the details of each line item, of both the Operating and Capital Projects Budgets for 2019, along with comparisons to previous year's Budget & Actual Expenses. The Operating Budget was amended; removing the Audit amount as confirmation was made that there would be no cost to the BIA.

Moved by: Justin Oliver

Seconded by: Rory MacKinnon

Resolution - *That the Angus BIA Financial Report for 2018 and Proposed Budget for 2019 be approved as presented, and amended to remove the audit expense, in the amount of Operating Costs being \$26,708.59 and in the amount of Capital Projects being \$29,500.00. And further, the 2019 Budget will be provided to the Clerk of Essa Township, for approval by Council.*

--- Carried ---

7) CUSTOM ADVERTISING BANNER MEMBER PROGRAM IDEA:

Discussion was held with regard to some of the existing banner locations being designated for commercial advertising use by Angus BIA members. Guidelines & Policies may need to be developed to control and manage such a program. The selection of BIA members for such banners may be by a lottery system of submissions. There may be a limit to the number of the total of 66 current banner locations in BIA area. Artwork & location would be approved by the BIA Board, and a logo or caption of the BIA would be placed at the bottom of all banners. A possibly location are the 6 poles on the curve of Mill St., as it approaches Brentwood Rd. intersection (to the east of Peacekeepers Park). Cost could include cost plus mark up, used to maintain the hardware, etc of the banner poles locations.

Moved by: Rory MacKinnon

Seconded by: Joe VanLeeuwen

Resolution - *That the Angus BIA will embark on a pilot project in 2019, for 6 Custom Advertising Banner Program, chosen from entries on a lottery system, and the Program for 2019 will be cost plus general maintenance of all banner locations, to be determined (Total not to exceed \$300.00 per season, being either of spring/summer and fall/winter). And further, details of the Program will be provided to Essa Township Council for approval.*

--- Carried ---

8) BIA BOARD OF MANAGEMENT MEMBERS 2019 TO 2020:

The Chair referred to the Essa Township By-law, and Terms of Reference for the Angus BIA, which outlines the number, responsibilities, term, etc. of an Angus BIA Board of Management Member. (ie: a 4 year term, members to be approved by Essa Township Council). From the BIA membership present, Joe Van Leeuwen, Rory MacKinnon, and Justin Oliver expressed interest to be on the Board of Management. No other members present expressed interest, therefore other members will be approached to provide the required number of Board Members.

No elections were required.

Moved by: Cindy Alarie

Seconded: Lea Ann Thompson

Resolution - *That the Angus BIA accepts the following BIA members be appointed to the Board of Management, for the term of 2019 – 2022.*

- Joe Van Leeuwen

- Rory MacKinnon

- Justin Oliver

-

And further, these will be provided to Essa Township Council for approval.

--- Carried ---

9) CLOSED SESSION:

No Closed Session Matters Were Identified And No Closed Session Occurred.

10) OTHER BUSINESS:

- (a) Draw from Members present – Business Cards, Entries. A draw of business cards was made, and Ed R. & Lea Ann T. will share the donated gift certificates.
- (b) Consideration of an "Associate Member" category for organisations of benefit to the BIA, such as the Angus & Area Chamber of Commerce. (item added to Agenda). Discussion was held and it was felt that like other BIA organizations, "Associate Member" should be added to the Angus BIA Terms of Reference for such organisations as Chamber of Commerce. To have a representative from a Chamber of Commerce would benefit with regard to communication, partnerships, education, and the overall benefit to commercial business and the community at large. The Essa Township Clerk and Essa Township Council will be asked to support such an inclusion, and make the necessary changes to the By-law and Terms of Reference.

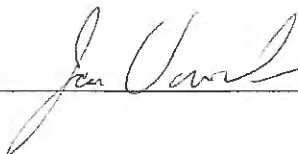
11) ADJOURNMENT:

Moved by: Justin Oliver

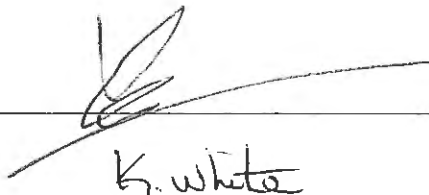
Seconded by: Rory MacKinnon

Resolution - *That the Angus BIA 2019 Annual General Meeting of March 18, 2019 be adjourned at 7:28 pm.*

--- Carried ---



 Secretary



 Chair

THE CORPORATION OF THE TOWNSHIP OF ESSA

BY-LAW 2019 – 33

A By-law to appoint a Zoning Administrator to administer and enforce the Township of Essa's Zoning By-law.

WHEREAS Section 34(1) of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, provides that a lower tier municipality may pass zoning by-laws respecting matters within the spheres of jurisdiction described under this Section, and is responsible for the enforcement of the By-laws pertaining to those sections; and

WHEREAS Section 35 of the Township of Essa Zoning By-law, By-law 2003-50, as amended, provides that the Zoning By-law shall be administered by a person appointed by Council; and

WHEREAS the Council of The Township of Essa deems it advisable to appoint Zoning Administrators as necessary for the purposes of the administration of said Acts and By-laws;

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

1. That Aimee Powell be and is hereby appointed as a Zoning Administrator for the Corporation of the Township of Essa until such time as she is no longer employed by the Township of Essa.
2. That the said appointment shall become effective April 23, 2019.
3. 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 17th day of April, 2019.

Sandie Macdonald, Mayor

Lisa Lehr, Clerk

THE CORPORATION OF THE TOWNSHIP OF ESSA

BY-LAW 2019 - 34

Being a By-law to amend the Township's Zoning By-Law, By-law No. 2003-50, as amended, affecting Part Lot 6, Concession 11, 5616 County Road 27 and to authorize the Mayor and Clerk to enter into a development agreement with the landowners.

WHEREAS the Council of the Corporation of the Township of Essa may pass by-laws pursuant to Section 39.1 of the Planning Act, R.S.O 1990, as amended, and may enter into agreements with landowners; and

WHEREAS the Council of the Corporation of the Township of Essa has determined a need to rezone land from Agricultural (A) Zone to Agricultural (A-2) Zone to permit for a garden suite and to enter into a development agreement with landowners;

NOW THEREFORE BE IT RESOLVED THAT Council of the Corporation of the Township of Essa hereby enacts as follows:

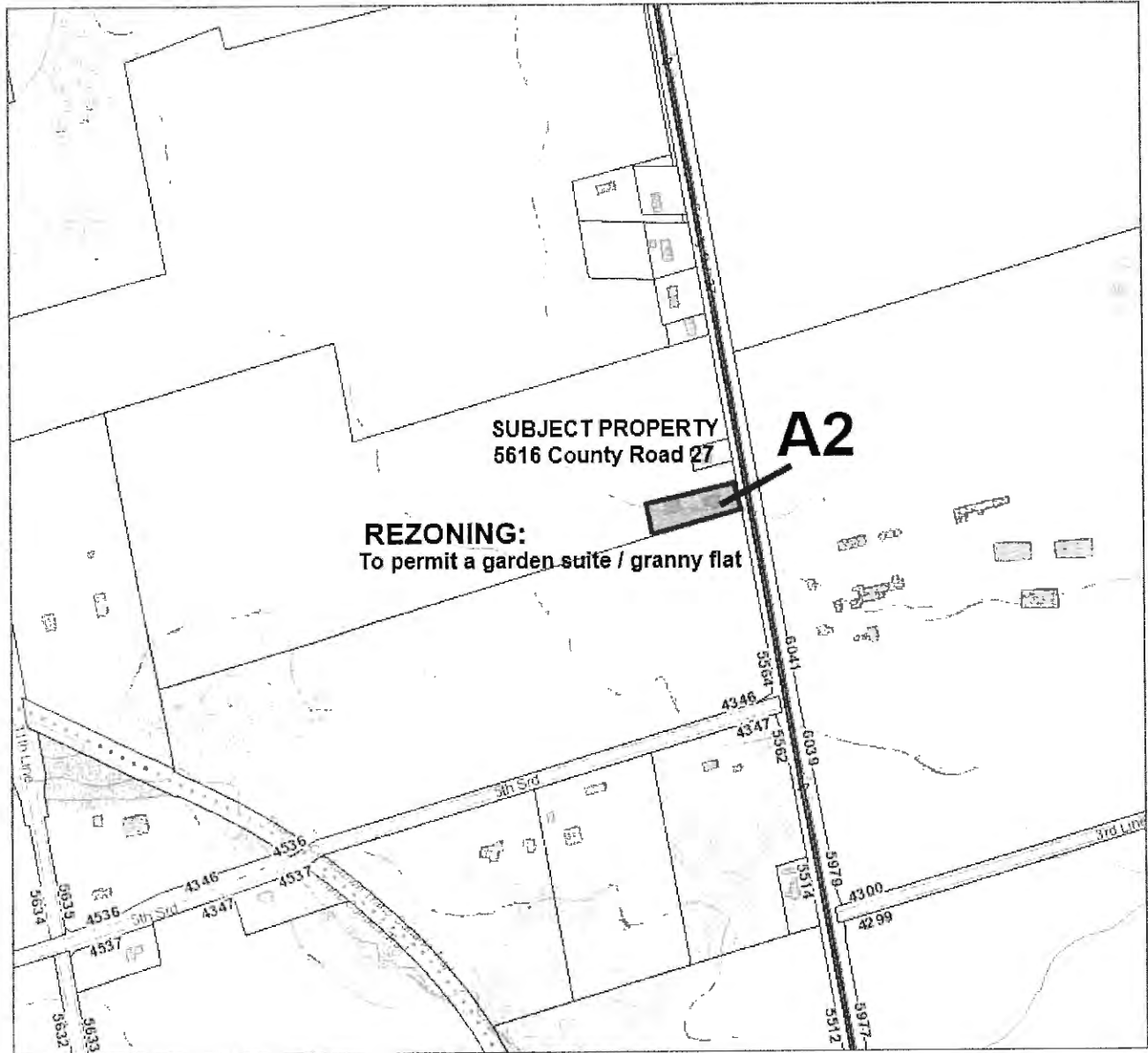
1. That Schedule A to By-law 2003-50 is hereby amended by rezoning those lands shown on Schedule 1 and attached herein, and labelled as "A-2", to allow for a garden suite.
2. That Section 6.4, Special Provisions, of By-law No. 2003-50, is amended by adding the following to 6.4.2:
 "Part Lot 6, Concession 11, 5616 County Road 27
 In addition to the permitted uses of this Section, on those lands zoned A-2 on Schedule A, and known as 5616 County Road 27, a garden suite is a permitted use for a period of twenty years expiring April 17, 2029."
3. 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.
4. That the Mayor and Clerk be authorized to enter into a development agreement with the landowners.

READ A FIRST, AND TAKEN AS READ A SECOND AND THIRD TIME AND FINALLY PASSED on this the 17th day of April, 2019.

Sandie Macdonald, Mayor

Lisa Lehr, Clerk

SCHEDULE 1 ZONING BY-LAW AMENDMENT Z6/18



REZONING: From Agricultural
(A) Zone to Agricultural
Exception (A2) Zone
(to permit a garden suite/granny flat)

TEMPORARY GARDEN SUITE AGREEMENT

THIS AGREEMENT made on the day of , 2019.

BETWEEN:

David and Martha Schwartz
of the Township of Essa, in the County of Simcoe
(Hereinafter called the "OWNER")

OF THE FIRST PART

- AND -

THE CORPORATION OF THE TOWNSHIP OF ESSA
(hereinafter called the "MUNICIPALITY")

OF THE SECOND PART

WHEREAS the Owner represents and warrants that it is the registered owner of the lands and premises described in Schedule "A" ("the Lands");

AND WHEREAS two detached dwelling units are not permitted on a single property by Zoning By-law No. 2003-50 and therefore requires a Temporary Use By-law be passed under Section 39.1 of the Planning Act, R.S.O. 1990;

AND WHEREAS the Council of the Township of Essa through a Temporary Use By-law (By-law No. 2019-____) has approved a request for permission to place a separate detached dwelling unit, commonly referred to as a garden suite, on the Lands (the "Garden Suite");

AND WHEREAS Section 39.1 of the Planning Act states that the period of time for which the Temporary Use By-law shall be in effect shall not exceed twenty (20) years from the date of passage, and that further extensions of not more than three (3) years duration each may be granted by Council;

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of other good and valuable consideration and the sum of TWO (\$2.00) DOLLARS of lawful money of Canada, now paid by each of the Parties hereto to each of the other Parties, (the receipt whereof is hereby acknowledged), the Parties hereto hereby covenant, promise and agree with each other as follows:

1. The parties hereto confirm the foregoing recitals and incorporate same as terms of this Agreement.
2. The permissions outlined in this Agreement do not come into effect until the date of approval of the Temporary Use By-law in accordance with all relevant requirements of the Planning Act.

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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

TEMPORARY GARDEN SUITE AGREEMENT

Page 3

to legal costs. The Owner consents to the Township registering a lien or claim against the 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 parities hereto and their respective heirs, executors, administrators, successors and assigns.

Owner: DAVID SCHWARTZ

Date:

Owner: MARTHA SCHWARTZ

Date:

THE CORPORATION OF THE TOWNSHIP OF ESSA

Sandie Macdonald – Mayor

Date:

Lisa Lehr – Clerk

Date:

9b

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.

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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

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THE CORPORATION OF THE TOWNSHIP OF ESSA

BY-LAW 2019 - 35

Being a By-law to amend the Township's Zoning By-Law, By-law No. 2003-50, as amended, affecting Part Lot 25, Concession 8, 7994 9th Line and to authorize the Mayor and Clerk to enter into a development agreement with the landowners.

WHEREAS the Council of the Corporation of the Township of Essa may pass by-laws pursuant to Section 39.1 of the Planning Act, R.S.O 1990, as amended, and may enter into agreements with landowners; and

WHEREAS the Council of the Corporation of the Township of Essa has determined a need to rezone land from Rural (RL) Zone to Rural (RL-2) Zone to permit for a garden suite and to enter into a development agreement with landowners; and

NOW THEREFORE BE IT RESOLVED THAT Council of the Corporation of the Township of Essa hereby enacts as follows:

1. That Schedule A to By-law 2003-50 is hereby amended by rezoning those lands shown on Schedule 1 and attached herein, and labelled as "RL-2", to allow for a garden suite.
2. That Section 7.4, Special Provisions, of By-law No. 2003-50, is amended by adding the following to 7.4.2:
 "Part Lot 25, Concession 8, 7994 9th Line, Ivy
 In addition to the permitted uses of this Section, on those lands zoned RL-2 on Schedule A, and known as 7994 9th Line, a garden suite is a permitted use for a period of twenty years expiring April 17, 2029."
3. 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.
4. That the Mayor and Clerk be authorized to enter into a development agreement with the landowners.

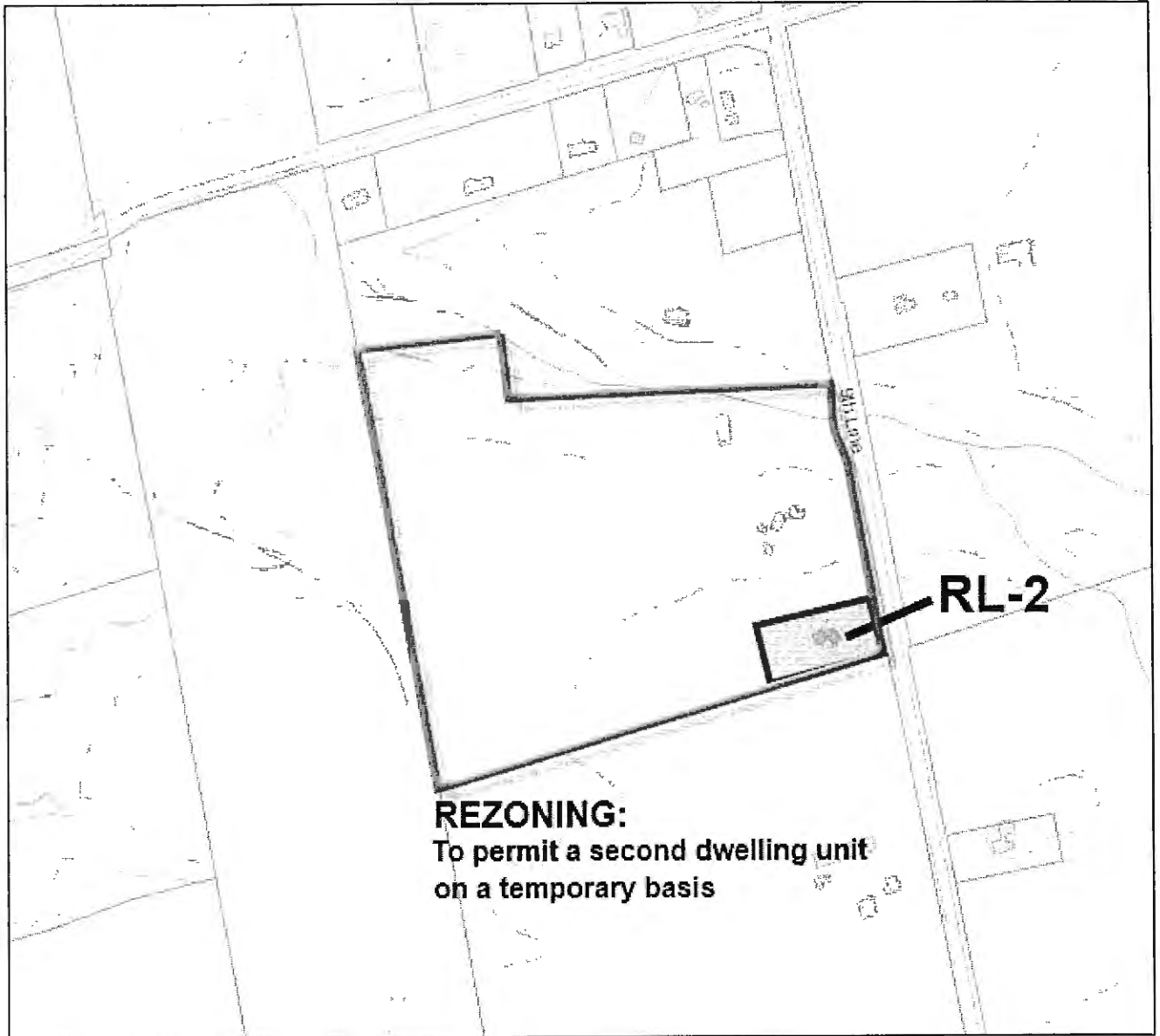
READ A FIRST, AND TAKEN AS READ A SECOND AND THIRD TIME AND FINALLY PASSED on this the 17th day of April, 2019.

Sandie Macdonald, Mayor

Lisa Lehr, Clerk

9c

SCHEDULE 1 ZONING BY-LAW AMENDMENT Z3/19



REZONING: From Rural (RL)
Zone to Rural Exception
(RL-2) Zone
(to permit a second dwelling on a
temporary basis)

9c

TEMPORARY GARDEN SUITE AGREEMENT

THIS AGREEMENT made on the day of , 2019.

BETWEEN:

Roger and Dr. Cathy Emms
of the Township of Essa, in the County of Simcoe
(Hereinafter called the "OWNER")

OF THE FIRST PART

- AND -

THE CORPORATION OF THE TOWNSHIP OF ESSA
(hereinafter called the "MUNICIPALITY")

OF THE SECOND PART

WHEREAS the Owner represents and warrants that it is the registered owner of the lands and premises described in Schedule "A" ("the Lands");

AND WHEREAS two detached dwelling units are not permitted on a single property by Zoning By-law No. 2003-50 and therefore requires a Temporary Use By-law be passed under Section 39.1 of the Planning Act, R.S.O. 1990;

AND WHEREAS the Council of the Township of Essa through a Temporary Use By-law (By-law No. 2019-____) has approved a request for permission to place a separate detached dwelling unit, commonly referred to as a garden suite, on the Lands (the "Garden Suite");

AND WHEREAS Section 39.1 of the Planning Act states that the period of time for which the Temporary Use By-law shall be in effect shall not exceed twenty (20) years from the date of passage, and that further extensions of not more than three (3) years duration each may be granted by Council;

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of other good and valuable consideration and the sum of TWO (\$2.00) DOLLARS of lawful money of Canada, now paid by each of the Parties hereto to each of the other Parties, (the receipt whereof is hereby acknowledged), the Parties hereto hereby covenant, promise and agree with each other as follows:

1. The parties hereto confirm the foregoing recitals and incorporate same as terms of this Agreement.
2. The permissions outlined in this Agreement do not come into effect until the date of approval of the Temporary Use By-law in accordance with all relevant requirements of the Planning Act.

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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 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

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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.

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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

THE CORPORATION OF THE TOWNSHIP OF ESSA

BY-LAW 2019-36

Being a By-law to confirm the proceedings of the Council meeting held on the 17th day of April, 2019.

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 17th day of April, 2019 and, in respect of each recommendation contained in the Minutes of the Special Meeting held on the 2nd day of April, 2019, and the Minutes of the Public Meetings held on the 3rd day of April, 2019, Regular Council meeting held on the 3rd day of April, 2019, and Committee of the Whole meeting held on the 3rd day of April, 2019; 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 17th day of April, 2019.

Sandie Macdonald, Mayor

Lisa Lehr, Clerk