

**THE CORPORATION OF THE TOWNSHIP OF ESSA
REGULAR COUNCIL MEETING
WEDNESDAY, JULY 5, 2023
(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 Public, Committee of the Whole, Closed Session and Regular Council meetings held on the 21st day of June, 2023 be adopted as circulated.*

- 4. CONSENT AGENDA**

Recommendation: *Be it resolved that the items listed in the Consent Agenda dated July 5, 2023 be received for information, and that the necessary actions be taken.*

- 5. COMMITTEE REPORTS**

- p. 15 **a. Minutes of the Healthy, Accessible Community and Parks Committee**

Recommendation: *Be it resolved that the minutes of the Healthy, Accessible Community and Parks Committee from their meeting of April 20, 2023 be received.*

- p. 17 **b. Minutes of the Traffic Advisory Committee**

Recommendation: *Be it resolved that the minutes of the Traffic Advisory Committee from their meeting of May 16, 2023 be received.*

- p. 20 **c. Minutes of the Essa Public Library Board**

Recommendation: *Be it resolved that the minutes of the Essa Public Library Board from their meeting of April 24, 2023 be received.*

- 6. PETITIONS**

- 7. MOTIONS AND NOTICES OF MOTIONS**

- a. Proclamation – Overdose Awareness Day – August 31, 2023**

WHEREAS, the Township of Essa does affirm and acknowledge the harm and hardship caused by drug poisonings; and

WHEREAS, we recognize the purpose of International Overdose Awareness Day as remembering loved ones lost to overdose and ending the stigma of drug-related deaths; and

WHEREAS, we resolve to play our part in reducing the toll of overdose in our community, which claimed the lives of 136 (confirmed and probable) residents in Simcoe Muskoka in 2022 which was 22% lower than the 171 in 2021, while recognizing that despite this, 2022 deaths remain substantially higher than what was observed before the pandemic and four of these 136 deaths occurred in the Township of Essa with countless more lives affected forever; and

WHEREAS, we affirm that the people affected by overdose are our sons and daughters, our mothers and fathers, our brothers and sisters, and deserving of our love, compassion and support;

NOW THEREFORE BE IT RESOLVED THAT Council of the Corporation of the Township of Essa hereby proclaims August 31st, 2023, as Overdose Awareness Day in Essa Township.

**b. Proclamation – Fierté Simcoe Pride – July 24 to August 6, 2023
(Flag Raising Ceremony - TBD)**

WHEREAS 2023 marks the twelfth annual Fierté Simcoe Pride, and its purpose is to create a safe and inclusive Simcoe County that supports gender and sexual diversity through services, activities and events; and

WHEREAS the Rainbow Pride Flag is raised to honour gender and sexual diversity in Simcoe County and is a symbol of the Pride movement and the advancement of human rights for sexual orientation, gender identity and expression, and sex characteristics; and

WHEREAS the colour red signifies life, orange symbolizes healing, yellow symbolizes sunlight, green symbolizes nature, blue symbolizes serenity, peace and harmony; and finally, purple symbolizes spirit; and

WHEREAS the mission of Fierté Simcoe Pride is “to create and offer inclusive events, services, and educational opportunities that rise above heterosexism, heteronormativity and homo/bi/transphobia, promoting safe communities within Simcoe County”; and

WHEREAS Fierté Simcoe Pride is filled with numerous events and activities that focus on education, awareness, community development, creative expression and fun for the whole family.

NOW THEREFORE BE IT RESOLVED THAT Council of the Corporation of the Township of Essa hereby proclaims July 24 to August 6, 2023 as a time to support Fierté Simcoe Pride and the activities of FSP.

c. Right-to-Repair

WHEREAS the "right-to-repair" movement seeks to ensure consumers of electronic products, including mobile phones and computers, as well as agricultural equipment, are able to make routine fixes to damaged products without having to rely on the manufacturer to affordably make such repairs; and

WHEREAS this movement and efforts against "planned obsolescence" seeks to ensure affordability for consumers and to protect our environment by reducing electronic waste; and

WHEREAS the agricultural sector has unique needs related to specialized electronic farm equipment and the ability to make repairs in a timely and affordable manner, especially during the growing season; and
FURTHER to a commitment in the 2023 federal budget that "the government will work to implement a right to repair, with the aim of introducing a targeted framework for home appliances and electronics in 2024. The government will launch consultations this summer, including on the right to repair and the inter-operability of farming equipment, and work closely with provinces and territories to advance the implementation of a "right to repair";
NOW THEREFORE BE IT RESOLVED THAT Council of the Corporation of the Township of Essa hereby endorses the right-to-repair movement and calls on the federal government to expedite the promised consultations to enshrine this principle in consumer-protection law, with specific consultations and measures related to supporting the agricultural sector undertaken; and
THAT a copy of this resolution be shared with the Minister of Innovation, Science and Economic Development, the Minister of Agriculture, the Member of Parliament for Simcoe-Grey, the Federation of Canadian Municipalities (FCM), the Association of Municipalities of Ontario (AMO) and Ontario's Municipal Councils, with a request for their endorsement of same.

8. UNFINISHED BUSINESS

9. BY-LAWS

- p. 30 a. **By-law 2023-38 Implementation of Administrative Penalty System (APS) for Automated Speed Enforcement (ASE)**

Recommendation: Be it resolved that leave be granted to introduce By-law 2023-38, that being a By-law to implement the use of the APS for use with ASE; and, that said By-law be read a first, and taken as read a second and third time, and finally passed.

- p. 46 b. **By-law 2023-39 Delegation of Administrative and Hearing Powers to Screening and Hearing Officers for APS**

Recommendation: Be it resolved that leave be granted to introduce By-law 2023-39, that being a By-law to delegate administrative and hearing powers to Screening and Hearing Officers; and that said By-law be read a first, and taken as read a second and third time and finally passed.

- p. 50 c. **By-law 2023-40 Appointment of Hearing Officers (APS)**

Recommendation: Be it resolved that leave be granted to introduce By-law 2023-40, that being a By-law to provide for the appointment of Hearing Officers; and that said By-law be read a first, and taken as read a second and third time and finally passed.

- p. 52 d. **By-law 2023-41 Deeming By-law Amendment (150 Mill Street)**

Recommendation: Be it resolved that leave be granted to introduce By-law 2023-41, that being a By-law to deem 150 Mill Street, not to be part of a Registered Plan of Subdivision; and that said By-law be read a first, and taken as read a second and third time and finally passed.

p. 54 e. **By-law 2023-42 Appointment – Building Inspector**

Recommendation: *Be it resolved that leave be granted to introduce By-law 2023-42, that being a By-law to appoint a Building Inspector 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.*

p. 55 f. **By-law 2023-43 Appointment – Deputy CBO**

Recommendation: *Be it resolved that leave be granted to introduce By-law 2023-43, that being a By-law to appoint a Deputy CBO 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.*

p. 56 g. **By-law 2023-44 OPA 39 (34 Mill Street)**

Recommendation: *Be it resolved that leave be granted to introduce By-law 2023-44, that being a By-law to adopt amendment 35 to the Official Plan 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.*

p. 61 h. **By-law 2023-45 ZBA 34 Mill Street**

Recommendation: *Be it resolved that leave be granted to introduce By-law 2023-45, that being a By-law to amend zoning By-law 2003-50 to rezone the lands legally described as ESSA CON 3 W PT LOT 29 in the Township of Essa, municipally known as 34 Mill Street, from 'Residential, Low Density, Detached (R1) Zone' to 'Residential, High Density, Apartments (R5-2) Zone'; and that said By-law be read a first, and taken as read a second and third time and finally passed.*

**ITEM
ADDED**

i. **By-law 2023-46 Subdivision Agreement (Brookfield)**

Recommendation: *Be it resolved that leave be granted to introduce By-law 2023-46, that being a By-law to authorize entering into a Subdivision Agreement and WWTP Agreement with Brookfield Residential (Ontario) Limited; 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:*

- a) Confidential Staff Report CAO015-23 – Staffing Matters
 - *Personal matters about an identifiable individual [s.239(2)(b)]*
 - *Labour relations or employee negotiations [s.239(2)d)]*
- b) Confidential Staff Report CAO016-23 – Staffing
 - *Personal matters about an identifiable individual [s.239(2)(b)]*
 - *Labour relations or employee negotiations [s.239(2)d)]*
- c) Confidential Staff Report CAO017-23 – Staffing
 - *Personal matters about an identifiable individual [s.239(2)(b)]*
 - *Labour relations or employee negotiations [s.239(2)d)]*

**ITEM
ADDED**

**ITEM
ADDED**

Motion to Rise and Report from Closed Session Meeting of July 5, 2023.

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

12. CONFIRMATION BY-LAW

p. 64 **a. By-law 2023-47**

Recommendation: *Be it resolved that leave be granted to introduce By-law 2023-47 that being a By-law to confirm the proceedings of the Council and Committee of the Whole meetings held on this 5th day of July, 2023; 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 6th day of September, 2023 at 6:00 p.m.*

**THE CORPORATION OF THE TOWNSHIP OF ESSA
PUBLIC MEETING MINUTES
JUNE 21st, 2023**

**PROPOSED OFFICIAL PLAN AMENDMENT (OPA46) & ZONING BY-LAW
AMENDMENT (Z4-23)
RE: Affecting 231 Barrie Street**

MINUTES

A Public meeting was held in person on Wednesday, June 21st, 2023 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: C. Healey-Dowdall, Chief Administrative Officer
M. Mikael, Manager of Public Works
J. Coleman, Manager of Parks and Recreation
G. McNamara, Deputy Fire Chief
D. Dollmaier, Manager of Finance
S. Haniff, Manager of Planning
S. Corbett, Deputy Clerk
L. Lehr, Manager of Legislative Services

Guests: Sheri Norman, Property Owner (231 Barrie Street)
Courtney Mark, Junior Planner, Innovative Planning Solutions
Karla Tamayo, Senior Planner, Innovative Planning Solutions

Mayor Macdonald opened the meeting at 6:00 p.m. She stated that the purpose of this Public Meeting was to review a proposal for An Official Plan Amendment & Zoning By-law Amendment to redesignate as well as rezone lands to accommodate for a proposed severance that will result in deficiencies regarding minimum lot requirements on the severed and retained lots.

A description of the proposal was then read by the Manager of Planning Samuel Haniff, as outlined below.

The purpose of the meeting is to review an application for a Zoning By-law Amendment and Official Plan Amendment towards the creation of a new residential lot on the subject lands at 231 Barrie Street in Thornton. The applicant is proposing to redesignate the subject site from 'Commercial' to 'Residential'. The applicant is also proposing to rezone the northern portion of the subject site from 'Community Commercial (C1)' to

'Residential, Low Density, Detached with Special Provisions (R1-SP) and the southern portion of the subject site from 'Community Commercial (C1)' to 'Residential Low Density, Semi-Detached with Special Provisions (R2-SP) (See attachment 1). This Zoning By-law Amendment and Official Plan Amendment application is also accompanied by a Consent application to sever the southern portion (severed) from the northern portion (retained) of the subject site. The Consent application goes before the Committee of Adjustment on June 30, 2023. The applicant is not proposing any development for either of the proposed lots being considered for rezoning/redesignation/severance.

SUMMARY OF COMMENTS FROM NEIGHBOURS & AGENCIES (Planner):

County of Simcoe: The County of Simcoe stated that they had no objections to the Zoning By-law Amendment; however, they are the approval authority for Official Plan Amendments within the County of Simcoe and stated it would need to be submitted to them for review.

CAO: Ensure that adequate parking is available, as well, that storm water management is addressed and is to the satisfaction of the Township Engineer.

Public Works: The Township will require all current development applications to be in compliance with the new standards unless a subdivision agreement is already secured.

SCDSB: No comments were received.

SMCDSB: No comments were received.

Neighbours: No comments were received.

Mayor MacDonald then welcomed comments and questions from the public, stating 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. Courtney Mark from Innovative Planning Solutions introduced herself as a representative of the application. She proceeded to make a PowerPoint presentation describing the application and what is being proposed.

Mayor Macdonald called upon members of the public to provide their comments. There were none.

Mayor Macdonald opened the floor to any further questions or submissions before thanking all in attendance for their participation. She added that the Essa Township Planning office will prepare a report and by-law to be presented to Council concerning this matter.

The Public Meeting adjourned at 6:14 p.m.

Sandie Macdonald, Mayor

Lisa Lehr, Manager of Legislative Services

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THE CORPORATION OF THE TOWNSHIP OF ESSA
COMMITTEE OF THE WHOLE MEETING
WEDNESDAY, JUNE 21, 2023

MINUTES

A Committee of the Whole meeting was held in person on Wednesday June 21, 2023 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: C. Healey-Dowdall, Chief Administrative Officer
M. Mikael, Manager of Public Works
J. Coleman, Manager of Parks and Recreation
G. McNamara, Deputy Fire Chief
D. Dollmaier, Manager of Finance
S. Haniff, Manager of Planning
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.

The Township of Essa acknowledges that we are situated on the traditional land of the Anishinaabeg, Huron-Wendat and the Tiononati people. 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, Métis and Inuit people.

2. DISCLOSURE OF PECUNIARY INTEREST

Councillor Kiezebrink declared a direct interest on Item 9(a) as he owns a property with a competing business (Kennel).

3. DELEGATIONS / PRESENTATIONS / PUBLIC MEETINGS

a. Public Meeting

Re: 231 Barrie Street - Proposed Official Plan Amendment (OPA46) and Zoning By-law Amendment (Z4-23)

See separate set of minutes.

b. Delegation from Nottawasaga Valley Conservation Authority (NVCA)

Doug Hevenor and Chris Hibberd
Re: Memoranda of Understanding

Doug Hevenor and Chris Hibberd of the Nottawasaga Valley Conservation Authority (NVCA) provided Council with an overview of their legislative responsibilities in addition to

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services provided by the NVCA. They discussed next steps surrounding the Memorandum of Understanding in addition to changes surrounding the 2024 budget process.

STAFF REPORTS

4. PLANNING AND DEVELOPMENT

- a. **Staff Report PD019-23 submitted by the Manager of Planning, re: 150 Mill Street – Site Plan Control Amending Agreement 2579566 Ontario Inc.**

Resolution No: CW074-2023 Moved by: Kiezebrink Seconded by: Sander

BE IT RESOLVED THAT Staff Report PD019-23 be received for information purposes.
----Carried-----

- b. **Staff Report PD020-23 submitted by the Manager of Planning, re: 5136 9th Line – Site Plan Control Agreement White Veal Meat Packers.**

Resolution No: CW075-2023 Moved by: Smith Seconded by: Sander

BE IT RESOLVED THAT Staff Report PD020-23 be received for information purposes.
----Carried-----

5. PARKS AND RECREATION / COMMUNITY SERVICES

- a. **Staff Report PR011-23 submitted by the Manager of Parks and Recreation, re: TNTBA Baseball Request.**

Resolution No: CW076-2023 Moved by: Kiezebrink Seconded by: Smith

BE IT RESOLVED THAT Staff Report PR011-23 be received; and THAT Council direct the Manager of Parks and Recreation to establish the TNTBA as a Local Minor League Sports Affiliation; and THAT Staff proceed with invoicing the TNTBA at a Local Minor League rate as per the terms set out in the current Council Approved Schedule Fee Schedule.
----Carried-----

- b. **Staff Report PR016-23 submitted by the Manager of Parks and Recreation, re: New Proposed Angus Splash Pad Location.**

Resolution No: CW077-2023 Moved by: Kiezebrink Seconded by: Maltby

BE IT RESOLVED THAT Staff Report PR016-23 be received; and THAT Council direct the Manager of Parks and Recreation to proceed with pursuing 191 Maplewood Drive as the new site for a splash pad in Angus along with some additional playground equipment required to be replaced from 152 Greenwood Drive.
----Carried-----

6. FIRE AND EMERGENCY SERVICES

- a. **Staff Report FD002-23 submitted by the Fire Chief, re: Award for Fire Master Plan and Mandatory Community Risk Assessment.**

Resolution No: CW078-2023 Moved by: Maltby Seconded by: Smith

BE IT RESOLVED THAT Staff Report FD002-23 be received; and THAT Council authorize the Fire Chief to award a contract for the provision of completing a Fire Master Plan and Mandatory Community Risk Assessment for the community and the Fire Department in partnership with the Town of New Tecumseth and Township of Adjala-Tosorontio to Emergency Management Group Inc., in keeping within the 2023 approved budget amount.

----Carried----

7. PUBLIC WORKS

- a. **Staff Report PW014-23 submitted by the Township Engineer Ainley Group, re: Proposed Baxter Wastewater Treatment Plant Collection System and Assessment of Collection System ECA Amendment Application**

Resolution No: CW079-2023 Moved by: Kiezebrink Seconded by: Sander

BE IT RESOLVED THAT Staff Report PW014-23 be received; and THAT Council accept that the application for amendment to the wastewater collection system Environmental Compliance Approval (ECA) for Brookfield's proposed wastewater collection and treatment system in Baxter is suitable for submission to the Ministry of the Environment Conservation and Parks (MECP).

----Carried----

8. FINANCE

Staff Report TR009-23 submitted by the Manager of Finance, re: 2023 Development Charge Background and By-law.

Resolution No: CW080-2023 Moved by: Sander Seconded by: Maltby

BE IT RESOLVED THAT Staff Report TR009-23 be received; and THAT the Township of Essa Development Charge (DC) Background Study dated April 21, 2023, for the Township-wide and Area Specific Development Charges by-law be approved under Section 10 of the Development Charges Act, 1997; and THAT approval of the capital program, included in the DC Background Study, indicates Council's intention that an increase in the need for service will be met as required under paragraph 3 of Section 5(1) of the Development Charges Act, 1997 and Section 3 of Ontario Regulation 82/98, and that this approval shall be subject to further annual review during the capital budget process; and THAT in accordance with s.s.5(1)5 of the Development Charges Act, 1997 and Section 5 of Ontario Regulation 82/98, it is Council's clear intention that any excess capacity identified in the DC Background Study, as amended, shall be paid for by

*development charges contemplated in the said DC Background Study, or other similar changes; and
THAT having considered the use of more than one development charge by-law to reflect different needs for services in different areas, Council determines that for the services and associated infrastructure proposed to be funded by development charges under the Development Charge By-Law, that it is fair and reasonable that the charges be calculated on a township-wide and area-specific basis; and
THAT having considered the submissions received on, before, and during the public meeting held on May 17, 2023 in connection with the DC Background Study and the proposed Development Charge By-law, and taking into consideration any changes made to the proposed Development Charge By-law following the said public meeting, Council determines that no further public meeting under Section 12 of the Development Charges Act, 1997, is necessary with respect to the said Development Charges Background Study or the Development Charges By-Law; and
THAT Council approve the asset management plan outlined in the DC Background Study, and give consideration to incorporate the asset management plan outlined in the DC Background Study within the Township's ongoing practices and corporate asset management strategy.*

----Carried-----

Councillor Kiezebrink recused himself from the Council Chambers and did not participate in any discussion or vote on this matter.

9. CLERKS / BY-LAW ENFORCEMENT / IT

- a. **Staff Report C012-23 submitted by the Manager of Legislative Services, re: Request for Exemption to Schedule 1 (Kennels) of Business Licensing – 5524 30th Sideroad**

Resolution No: CW081-2023 Moved by: Sander Seconded by: Smith

*BE IT RESOLVED THAT Staff Report C012-23 be received, and
THAT Council approve an exemption to Schedule "1" of Essa's Business Licensing By-law, to allow for the operation of a dog run / boarding kennel at 5524 30th Sideroad, with a front yard setback of 50 metres, and a setback of 75 metres to the closest residential dwelling.*

----Carried-----

Councillor Kiezebrink returned to the Council Chambers at 6:37 p.m.

- b. **Staff Report C014-23 submitted by the Manager of Legislative Services, re: Integrity Commissioner's Annual Report**

Resolution No: CW082-2023 Moved by: Kiezebrink Seconded by: Maltby

*BE IT RESOLVED THAT Staff Report C014-23 be received; and
THAT Council accept the Annual Report as submitted by Principles Integrity for the period spanning from May 31, 2022 to June 1, 2023; and
THAT Council direct staff to place the Annual Report on the Township's website for public viewing.*

----Carried-----

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CHIEF ADMINISTRATIVE OFFICER (C.A.O.)

10. OTHER BUSINESS

- a. Request for Report Re: Cemeteries.

11. ADJOURNMENT

Resolution No: CW083-2023 Moved by: Smith Seconded by: Maltby

BE IT RESOLVED THAT this meeting of Committee of the Whole of the Township of Essa adjourn at 6:40 p.m., to meet again on the 5th day of July, 2023 at 6:00 p.m.

----Carried-----

Sandie Macdonald
Mayor

Lisa Lehr
Manager of Legislative Services

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THE CORPORATION OF THE TOWNSHIP OF ESSA
REGULAR COUNCIL MEETING
WEDNESDAY, JUNE 21, 2023

MINUTES

The Regular Meeting of Council was held in person on Wednesday June 21, 2023, following the Committee of the Whole 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: C. Healey-Dowdall, Chief Administrative Officer
M. Mikael, Manager of Public Works
J. Coleman, Manager of Parks and Recreation
G. McNamara, Deputy Fire Chief
D. Dollmaier, Manager of Finance
S. Haniff, Manager of Planning
S. Corbett, Deputy Clerk
L. Lehr, Manager of Legislative Services

1. OPENING OF MEETING BY THE MAYOR

Mayor Macdonald opened the meeting at 6:40 p.m.

2. DISCLOSURE OF PECUNIARY INTEREST

None.

3. ADOPTION OF PREVIOUS MINUTES AND MOTIONS

Resolution No: CR108-2023 Moved by: Smith Seconded by: Sander

*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 Committee of the Whole, Closed Session and Regular Council meetings held on the 7th day of June, 2023 be adopted as circulated.*

----Carried-----

4. CONSENT AGENDA

Resolution No: CR109-2023 Moved by: Smith Seconded by: Sander

Be it resolved that the items listed in the Consent Agenda dated June 21, 2023 be received for information, and

That item 3 be referred to section B of the Consent Agenda for a letter of support to be drafted, and a resolution to be brought forward at the next Regular Council Meeting.

----Carried-----

5. COMMITTEE REPORTS

6. PETITIONS

7. MOTIONS AND NOTICES OF MOTIONS

a. **Canada Legislative Amendments to Improve Municipal Codes of Conduct and Enforcement**

Resolution No: CR110-2023 Moved by: Smith Seconded by: Kiezebrink

WHEREAS, all Ontarians deserve and expect a safe and respectful workplace; and

WHEREAS, municipal governments, as the democratic institutions most directly engaged with Ontarians need respectful discourse; and

WHEREAS, several incidents in recent years of disrespectful behaviour and workplace harassment have occurred amongst members of municipal councils; and

WHEREAS, these incidents seriously and negatively affect the people involved and lower public perceptions of local governments; and

WHEREAS, municipal Codes of Conduct are helpful tools to set expectations of council member behaviour; and

WHEREAS, municipal governments do not have the necessary tools to adequately enforce compliance with municipal Codes of Conduct; and

NOW, THEREFORE BE IT RESOLVED that Township of Essa supports the call of the Association of Municipalities of Ontario for the Government of Ontario to introduce legislation to strengthen municipal Codes of Conduct and compliance with them in consultation with municipal governments; and

THAT the legislation encompass the Association of Municipalities of Ontario's recommendations for:

- Updating municipal Codes of Conduct to account for workplace safety and harassment
- Creating a flexible administrative penalty regime, adapted to the local economic and financial circumstances of municipalities across Ontario
- Increasing training of municipal Integrity Commissioners to enhance consistency of investigations and recommendations across the province
- Prohibit a member so removed from sitting for election in the term of removal and the subsequent term of office.

----Carried-----

8. UNFINISHED BUSINESS

9. BY-LAWS

a. By-law 2023-31 ATV By-law Amendment (2021-16)

Resolution No: CR111-2023 Moved by: Maltby Seconded by: Kiezebrink

Be it resolved that leave be granted to introduce By-law 2023-31, that being a By-law to amend the Township of Essa's ATV By-law; and, that said By-law be read a first, and taken as read a second and third time, and finally passed.

----Carried----

b. By-law 2023-32 Development Charges By-law

Resolution No: CR112-2023 Moved by: Sander Seconded by: Smith

Be it resolved that leave be granted to introduce By-law 2023-32, that being a By-law to provide for the adoption of Development Charges 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----

c. By-law 2023-33 Designate Community Safety Zones

Resolution No: CR113-2023 Moved by: Kiezebrink Seconded by: Sander

Be it resolved that leave be granted to introduce By-law 2023-33, that being a By-law to provide for the designation of Community Safety Zones; 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 2023-34 Zoning By-law Amendment (56 River Drive)

Resolution No: CR114-2023 Moved by: Kiezebrink Seconded by: Maltby

Be it resolved that leave be granted to introduce By-law 2023-34, that being a By-law to amend Essa's Zoning By-law 2003-50 to rezone lands known municipally as 56 River Drive from Residential, Low Density, Detached (R1) Zone to Residential, High Density Apartments (R5-1) Zone; 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 2023-35 Zoning By-law Amendment (125 Sydenham Street)

Resolution No: CR115-2023 Moved by: Kiezebrink Seconded by: Maltby

Be it resolved that leave be granted to introduce By-law 2023-35, that being a By-law to amend Essa's Zoning By-law 2003-50 to rezone lands known municipally as 125 Sydenham Street from Residential, Low Density, Detached (R1) Zone' to 'Residential, Low Density, Semi-Detached (R2-13) Zone; and, that said By-law be read a first, and taken as read a second and third time and finally passed.

----Carried-----

f. By-law 2023-36 Zoning By-law Amendment (96 King Street)

Resolution No: CR116-2023 Moved by: Smith Seconded by: Sander

Be it resolved that leave be granted to introduce By-law 2023-36, that being a By-law to amend Essa's Zoning By-law 2003-50 to rezone lands known municipally as 96 King Street from 'Residential, High Density, Apartments (R5) Zone' to Density, Semi-Detached (R2-12)'; 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: CR117-2023 Moved by: Smith Seconded by: Sander

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

- a) Confidential Staff Report C013-23 – Appointment of Committee Member [Personal matters about an identifiable individual [s.239(2)(b)]
- b) Confidential Staff Report CAO013-23 – Administrative Staffing for ASE [Plans and Instructions for Negotiations [s.239(2)(k)]
- c) Confidential Staff Report CAO014-23 – Staffing Matters [Personal matters about an identifiable individual [s.239(2)(b)]

----Carried-----

Council proceeded into Closed Session Deliberations at 6:52 p.m.

Motion to Rise and Report from Closed Session Meeting of June 21, 2023.

Resolution No: CR118-2023 Moved by: Smith Seconded by: Sander

Be it resolved that Council rise and report from the Closed Session Meeting at 7:03 p.m. p.m.

----Carried-----

- a) **Confidential Staff Report C013-23 – Appointment of Committee Member
[Personal matters about an identifiable individual [s.239(2)(b)]**

Resolution No: CR119-2023 Moved by: Smith Seconded by: Maltby

*Be it resolved that the Confidential Staff Report C0013-23 be received; and
That Council appoint Bob Schofield as a second Livestock Valuer for the Township of
Essa.*

----Carried-----

- b) **Confidential Staff Report CAO013-23 – Administrative Staffing for ASE
[Plans and Instructions for Negotiations [s.239(2)(k)]**

Resolution No: CR120-2023 Moved by: Kiezebrink Seconded by: Smith

*Be it resolved that the Confidential Staff Report CA013-23 be received; and
That Council authorize Staff to proceed with Option No. 2 as contained within this
Report.*

----Carried-----

- c) **Confidential Staff Report CAO014-23 – Staffing Matters
[Personal matters about an identifiable individual [s.239(2)(b)]**

Resolution No: CR121-2023 Moved by: Sander Seconded by: Smith

*Be it resolved that the Confidential Staff Report CAO014-23 be received for
information.*

----Carried-----

12. CONFIRMATION BY-LAW

- p. 41 a. **By-law 2023-37**

Resolution No: CR122-2023 Moved by: Kiezebrink Seconded by: Maltby

*Be it resolved that leave be granted to introduce By-law 2023-36, that being a By-law to
confirm the proceedings of the Council and Committee of the Whole meetings held on
this 21st day of June, 2023; 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: CR123-2023 Moved by: Smith Seconded by: Sander

Be it resolved that this meeting of Council of the Township of Essa adjourn at 7:05 p.m. p.m. to meet again on the 5th day of July, 2023 at 6:00 p.m.

----Carried-----

**Sandie Macdonald
Mayor**

**Lisa Lehr
Manager of Legislative Services**



**TOWNSHIP OF ESSA
HEALTHY, ACCESSIBLE COMMUNITY AND PARKS COMMITTEE
MINUTES**

THURSDAY April 20th, 2023 – 3:00 p.m. - ZOOM

1. OPENING OF THE MEETING

2. APPROVAL OF AGENDA

Resolution No: HACPC01-2023 Moved by: McCann Seconded by: Smith

Recommendation: Be it resolved that the agenda as presented be approved.

----Carried-----

3. ADOPTION OF MINUTES OF PREVIOUS MEETING

Resolution No: HACPC02-2023 Moved by: McCann Seconded by: Smith

Recommendation: Be it resolved that the minutes of the Healthy Accessible Community and Parks Committee dated January 26th 2023, be received.

----Carried-----

4. BUSINESS ARISING FROM PREVIOUS MEETING / OUTSTANDING ITEMS

5. NEW BUSINESS

5.1 Re-select a Chair (from community representatives – cannot be staff or Council)

5.2 Mandatory AODA Training: <https://www.ohrc.on.ca/en/learning/working-together-code-and-aoda/certificate-version>

5.3 No Mow May

5.4 Suggestion from Committee member – Audit of Parks in Essa

6. CORRESPONDENCE / INFORMATION ITEMS

Cheryl Jackson has been selected as the new Chair for the HACPC

Baileigh explained the mandatory AODA training. The committee agreed that the training will be completed and submitted before the next HACPA meeting.

No Mow Day will be spoken about in the next meeting or via email once Baileigh receives data from the WSP audit templates.

7. OTHER BUSINESS/ ROUND TABLE

Cheryl Jackson has requested to have a table at the Farmer's Market to receive resident's feedback regarding a community garden for 2024.

Patty Foster would like to see raised beds for the community garden to make it more accessible for all residents.

Stephanie McCann would like the community garden to be in an accessible location for senior residents.

8. ESTABLISH DATE AND TIME OF NEXT MEETING

The next committee meeting is scheduled for Thursday July 20, 2023, at 3:00 p.m. via Zoom.

9. ADJOURNMENT

Resolution No: HACPC03-2023 Moved by: McCann Seconded by: Foster

Recommendation: Be it resolved that this meeting of the Healthy, Accessible Community and Parks Committee of the Township of Essa adjourn at 3:53 p.m.



**TOWNSHIP OF ESSA
TRAFFIC ADVISORY COMMITTEE**

**TUESDAY, MAY 16, 2023 – 3:15 p.m.
ZOOM MEETING
MINUTES**

In attendance: Mayor Sandie Macdonald, Chair
Councillor Henry Sander
Michael Mikael, Manager of Public Works
Eric Steele, OPP, Chair
Michael Owen, Ward 1 Committee Representative
Rick Foley, Ward 2 Committee Representative
Dan Tucker, Ward 3 Committee Representative
Vanessa Kupch, Secretary

1. OPENING OF THE MEETING

Sgt. Eric Steele opened the meeting at 3:15 p.m.

2. APPROVAL OF AGENDA

Moved by: Foley Seconded by: Sander

Be it resolved that the Agenda as presented be approved.

3. ADOPTION OF MINUTES OF PREVIOUS MEETING

Moved by: Sander Seconded by: Owen

Be it resolved that the minutes of the Traffic Advisory Committee meeting dated September 20, 2022, be approved as printed.

4. BUSINESS ARISING FROM PREVIOUS MEETING

4.1 Barrie Collingwood Railway Active Transportation Trail (BCRY) Preliminary Roll Plans Illustrating the Trails options and corresponding typical cross sections.

4.3 Transportation & Trails Master Plan Public meeting

5. NEW BUSINESS

5.1 County Road 21 & 56 Roundabout Construction by Simcoe County
Construction is Scheduled to begin this summer. Traffic Management Plan impact on Essa Local Road network.

5.4 Resident Concerns:

DATE	CONCERN LOCATION:	CONCERN:
October 10, 2022	5068 25 th Side Road	Speeding concerns; the speed drops to 60 km/h closer to the village of Baxter. The resident would like to see it dropped closer to the row of houses (south of the old dump). Vehicles are going past at speeds higher than 80 km/h. The Resident explained that when the school is let out, due to traffic congestion in front of the school, cars are speeding through the subdivision to get to County Road 21. They turn onto Marshall Crescent and come out at Richard Street.
October 2022	160 Murphy Road Baxter	Concerns with the speed of traffic through Baxter.
October 2022	5801 County Road 21	Concerns with the speed of traffic on County Road 21.
October 2022	180 Murphy Road, Baxter	Extremely frustrated with traffic through Baxter.
October 2022	5614 County Road 21	Concerns with traffic flow
October 2022	5543 20 th Sideroad	Concerns of the truck traffic from Decast
October 2022	128 Denney Drive	Excessive Speeding Concerns
October 2022	6500 5 th Line	Excessive Speeding Concerns
April 3, 2023	County Road 27	The resident concerns are very high speeding, passing school bus when children are getting off, dangerous passing of vehicles when other vehicles are turning into driveways. With a daily traffic volume of 12,900 vehicles on County Road 27
May 8, 2023	Brian Avenue	Resident requested a speed bump to be placed along Brian Avenue by the school. Traffic and speed have increased on Lee and Brian Avenue since the speed bump was placed on Cecil Street

6. OTHER BUSINESS

6.1 Round Table Comments/Questions.

The Manager of Public Works noted that County Road 21 & 56 Roundabout Construction by Simcoe County will commence in early July. There will be four different phases of road closures regarding the Traffic Management Plan to impact Essa Local Road Network.

The Manager of Public Works noted that there will be lights installed on Denny Drive by the developer this year.

The Manager of Public Works mentioned there will be automated speed limit on 20th Sideroad to the 9th Line to address speed concerns.

Sgt. Eric Steele will be increasing enforcement on County Road 27 to address speeding and residents' concerns of vehicles passing school buses.

The Manager of Public Works will be adding speed enforcement cameras on Cecil Street this year. He will collect traffic data from Brian Avenue before moving the speed bump along Brian Avenue.

Dan Tucker introduced himself to the Committee.

7. ESTABLISH DATE AND TIME OF NEXT MEETING

The next Traffic Advisory Committee meeting will be scheduled virtually for September 5, 2023, at 3:15 p.m.

Thank you to everyone for their attendance and input during this term of Council.

9. ADJOURNMENT

Moved by: Sander Seconded by: Foley

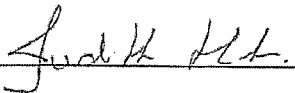
Be it resolved that this meeting of the Traffic Advisory Committee of the Township of Essa adjourn at 3:50 PM.

2023: 026 Moved: LM Seconded: JB Carried
THAT the Library Board receives the CEO Report as circulated.

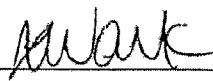
- 11. Ontario Library Service (OLS) Trustee Report (R. Tracey)
Slide Deck from meeting on April 20th
Note: OLS Trustee Training session at Angus Branch on Saturday, April 29th
- 12. Other Business: L. Maltby received a CloudLibrary compliment from a member of the public.
- 13. Next meeting: Monday, May 29th at Angus Branch.
- 14. Adjournment
2023:027 Moved: Carried

THAT the Meeting be adjourned at 7:43pm.

Approved June 26, 2023.



Chair: Judith Hunter



CEO: Laura Wark



Essa Public Library Report: May 2023

IMAGINE DISCOVER CONNECT

Outcomes

Cardboard box artists creating at Thornton Branch



Ducklings were a hit at the author event with Carolyn J. Morris.



Ready, set, Kindergarten!



A retiree, new to the Thornton area said how impressive the Kitchen Library is and excitedly checked several things out. A long-time patron overheard the conversation and also mentioned they now have their own waffle maker because they borrowed ours. She said *"I love that we can try out these items before investing in them ourselves."*

A mom dropping off her child at Tinker Tuesdays in Angus said, *"Tuesdays are the highlight of the week."*

A young patron at Thornton Branch was excited about her t-shirt design she made on the Cricut machine, *"Amazing, now I get to wear my t-shirt this weekend. Thank you."*

A new patron who moved here from Brampton was quite impressed when he signed up for his library card at the Angus Branch. After learning about the MakerLab, self checkout kiosk and the Simcoe County Libraries App, he said, *"Wow, you have so much technology here. Things have changed in libraries since I last used them. This is one-stop shopping!"*

Upon returning the bread maker machine, the patron said, *"It was the best 3 weeks of my life! I made 3 types of pizza dough, an apricot almond loaf, an onion cheese loaf, cinnamon rolls and many different types of bread."*

"We love the library!" said a Mom & her son as they accessed the wifi on their devices.

At Pine River Kindergarten Orientation, the following comments were shared with staff:

"For such a small library, you guys really rock it over there!"

"I follow you on Facebook and am always surprised at how many programs you run at the library."

"Our kids LOVE visiting the library, we have to go every week."

Picking up an interlibrary loan hold, a patron was excited, *"You are awesome. Thanks for getting this for me so fast."*

Programming Events & Attendance

Adults

Zoom Cercel de
Conversation Virtuel: 23
Bookclub - Angus: 11
Bookclub - Thornton: 8

Tech Learning - (in
person/phone/email)
Angus Branch: 8
Thornton Branch: offered

Outreach - Geocache
Angus Branch: 1
Thornton Branch: 3

Exams: 2

Hobby Circle - Angus: 1

Movie Night - Angus: 17

Running Group - Angus: 19

Watercolour painting - Angus:
8

Boyne Museum Visit - Angus:
6

Social Media

Facebook: 11 posts
Reactions: 242
Followers: 1,641

Twitter: 3 tweets
Reactions: 8
Followers: 1,026

Instagram: 9 posts
Reactions: 266
Followers: 674

Youtube Views: 4,407
Subscribers: 547

More

Blog posts & eblasts: 12

Library Zest site traffic: 29
*Library Zest unique visitors:
21*

Makerspace: 2

Booksale at both branches.

Community Partners

Ontario Parks Passes
available -
Angus: 4 Thornton: 2

Song Circle/Guitar Jam -
Angus: 6

Cards with Colleen - Angus:
14

Pine River P.S. Spring Fling
Outreach: 50

23

Kids

Storytime - Angus: 76

Storytime - Thornton: 26

Toddler Time - Angus: 59

Wiggles & Giggles Baby
Group - Angus: 50

L'Heure du Conte Bilingual -
Angus: 27

Lego Club - Angus: 3

Tinker Tuesdays - Angus:21

In-library Spring Scavenger
Hunt:Birds & Blooms
Angus: 49
Thornton: 21

Kindergarten Orientation:
Pine River E.S. - 120
Angus Morrison E.S. - 150
Baxter Central P.S. - 95

Author Event: Carolyn J.
Morris & ducklings - Angus:
60

Ready, Set, Kindergarten -
Angus: 9

Saturday Play - Angus:
offered

Drop in free play - Angus: 9

Young Adults

Pen Pal Program: 1

Teen Community Connectors
- Angus: 13

Seniors Aging Well

VHS tape conversion:
Angus:1

5c

Circulation Totals & Analysis

CIRCULATION	May 2022	May 2023	YTD 2023
Angus Branch	6,203	7,092	37,775
Thornton Branch	1,012	1,070	5,960
Angus Branch Computer Use	194	221	1,100
Thornton Branch Computer Use	1	26	118
Angus Branch Wireless Use	4,673	7,024	31,060
Thornton Branch Wireless Use	3,930	488	6,546
eAudio & eBooks	1,502	209	2,980
TOTALS:	17,515	16,130	85,539

Circulation Analysis	May 2022	May 2023	YTD 2023
Print	4,754	5,049	27,166
Non-Print	2,388	3,034	16,141
Computer Use/Internet + Wireless	8,798	7,759	38,824
eAudio Books	197	44	812
eBooks	1,305	165	2,168
Interlibrary Loan: Borrowed	32	64	302
Interlibrary Loan: Lent	41	15	126

Materials Used In-Library	May 2023	YTD 2023
Angus Branch	267	1,492
Thornton Branch	35	259

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Online Resources & New Members

Library website visits	YTD 2023
9,964	28,306

Simcoe County Libraries App	YTD 2023
382	2,020

Digital Library visits	YTD 2023
1,304	5,937

New Members		YTD 2023
Angus Branch	51	370
Thornton Branch	7	28

Library Highlights



EPL's Running Group enjoying the weekly exercise.



The in-library Scavenger Hunt inspired learning about Ontario's birds and flowers.



3d printed *Alien* facehugger gets Angie... Goodbye!



Tim Hortons Smile Cookie Campaign brought an amazing **\$7,809.76** donation to Thornton Branch.

Essa Public Library Report: April 2023

IMAGINE DISCOVER CONNECT

Outcomes



An Easter sign making workshop - Angus Branch



New additions to the Thornton Branch Kids' Room. Comfy and cozy to share with a friend as they enjoy a book.

Chatting at the Angus Branch's Welcome Desk, a patron shared this, "You know when you go into the grocery store for one thing and you come out with a lot? That's what the library is for me!"

We had many people thanking us for hosting the United Way's Income Tax Clinics.

PJ helped a patron, on the phone, to convert a Google document into a Word document. "Thank you for saving me \$110." because now she didn't have to purchase software to do this on her laptop.



"I've said it before and I'll say it again, I love my @essapubliclibrary!...if they don't have the titles I need, they get them through interlibrary loan. And I love how at the bottom of my receipt, they appeal to my penny-pincher heart. By using the library yesterday, I saved \$284.36."

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Comments heard after the Kindergarten Literacy Workshop:

"Lots of information & resources to go through. So helpful."

"Now we have a game plan."

The right book at the right time:

Holly found a book for a reluctant reader - the first book she had read for pleasure. She was inspired to return for a new book and visited the library with her mother, who said, "You don't know the difference you made. You are the first person, even after all her teachers in high school, that helped her find a book she enjoyed. Now all she wants to do is read more. You've opened up a whole new world."

Programming Events & Attendance

Adults

Zoom Cercel de Conversation
Virtual: 18

Bookclub - Angus: 10
Bookclub - Thornton: 6

Tech Learning - (in
person/phone/email)
Angus Branch: 15
Thornton Branch: offered

Outreach - Geocache
Angus Branch: 2
Thornton Branch: 1

Art Display - Angus: 1

Exams: 1

Hobby Circle - Angus: 3

Movie Night - Angus: 8

Kindergarten Literacy
Workshop for parents with
Martha Kovack - Angus:10

Running Group - Angus: 6

Social Media

Facebook: 27 posts
Reactions: 201
Followers: 1,627

Twitter: 2 tweet
Reactions: 27
Followers: 1,029

Instagram: 5 posts
Reactions: 64
Followers: 663

Youtube Views: 4,222
Subscribers: 530

More

Blog posts & eblasts: 20

Library Zest site traffic: 86
Library Zest unique visitors: 64

Makerspace: 8

Booksale at both branches.

Community Partners

Ontario Parks Passes available -
Angus: 4 Thornton: 2

Song Circle/Guitar Jam - Angus:
13

Country Crafters - Angus: 5

Cards with Colleen - Angus: 10

United Way Income Tax Clinics -
Angus: 14

Home School Group-Thornton:22

OLS Library Board member
training - Angus: 17

Kids

Storytime - Angus: 97

Storytime - Thornton: 29

Toddler Time - Angus: 87

Wiggles & Giggles Baby
Group - Angus: 79

Spring Fling - Angus
Recreation Centre: 85

L'Heure du Conte Bilingual -
Angus: 32

Lego Club - Angus: 2

Tinker Tuesdays - Angus:46

P.A. Day movie - Angus: 4

Earth Day movie - Angus: 7

In-library Spring Scavenger
Hunt:

Bunny Search - Angus: 107

Bunny Search - Thornton:
17

Young Adults

Pen Pal Program: 2

Teen Community Connectors -
Angus: 5

Seniors Aging Well

Learn to play Ukulele - Angus: 9



Circulation Totals & Analysis

CIRCULATION	April 2022	April 2023	YTD 2023
Angus Branch	6,318	6,357	30,683
Thornton Branch	1,179	1,314	4,890
Angus Branch Computer Use	206	205	879
Thornton Branch Computer Use	9	38	92
Angus Branch Wireless Use	12,403 Jan-April	5,994	24,036
Thornton Branch Wireless Use	7,873 Jan-April	826	6,058
eAudio & eBooks	1,392	480	2,771
TOTALS:	29,380	15,214	69,409

Circulation Analysis	April 2022	April 2023	YTD 2023
Print	4,721	4,926	22,117
Non-Print	2,707	2,658	13,107
Computer Use/Internet + Wireless	215+ 20,276 (Jan-April)	7,063	31,065
eAudio Books	240	183	768
eBooks	1,152	297	2,003
Interlibrary Loan: Borrowed	42	69	238
Interlibrary Loan: Lent	27	18	111

Materials Used In-Library	April 2023	YTD 2023
Angus Branch	299	1,225
Thornton Branch	82	224

Online Resources & New Members

Library website visits	YTD 2023
4,698	18,342

Simcoe County Libraries App	YTD 2023
460	1,638

Digital Library visits	YTD 2023
1,009	4,633

New Members		YTD 2023
Angus Branch	45	319
Thornton Branch	11	21

Library Highlights



9a

THE CORPORATION OF THE TOWNSHIP OF ESSA

BY-LAW 2023 - 38

A By-law to establish and implement an Administrative Penalty System (APS) for Contraventions Detected Using Automated Speed Enforcement (ASE) Cameras, within the Township of Essa.

WHEREAS Section 11 of the *Municipal Act*, R.S.O. 2001, c.25, authorizes municipalities to enact by-laws respecting matters within the sphere of jurisdiction of highways, including traffic on highways, in conjunction with the *Highway Traffic Act*; and

WHEREAS Section 128 of the *Highway Traffic Act* R.S.O. 1990, c.H.8 as amended, establishes that the council of a municipality may, for motor vehicles driven on a highway or portion of a highway under its jurisdiction, by by-law prescribe a rate of speed that is not greater than 100 kilometres per hour and may prescribe different rates of speed for different times of day;

WHEREAS Section 391 of the *Municipal Act*, 2001, authorizes the Township of Essa to pass By-laws imposing fees or charges for services or activities provided or done by or on behalf of it, where such fee or charge may include costs related to administration and enforcement; and

WHEREAS Section 434.1 of the *Municipal Act*, 2001, permits the Township of Essa to require a person, subject to such conditions as the municipality considers appropriate, to pay an administrative penalty if the municipality is satisfied that the person has failed to comply with a By-law of the municipality; and

WHEREAS O. Reg. 355/22 under the *Highway Traffic Act*, R.S.O. 1990, c.H.8, as amended, authorizes the use of Administrative Penalties for vehicle-based contraventions captured by Automated Speed Enforcement Systems; and

WHEREAS Section 21.1 of the HTA and O. Reg. 355/22, authorize the Township of Essa to establish an administrative penalty system to promote compliance with the HTA and its Regulations, and impose an administrative penalty within a prescribed time period on a prescribed class of persons that have contravened or failed to comply with prescribed provisions of the HTA and its Regulations; and

WHEREAS the purpose of the Administrative Penalty System as established by this municipality is to assist with promoting compliance of its Speed Limit, Community Safety Zone and School Zone By-laws; and

WHEREAS sections 23.2, 23.3 and 23.5 of the *Municipal Act* authorize the Township of Essa to delegate its administrative and hearing powers; and

WHEREAS the Council of the Corporation of the Township of Essa considers it desirable to provide for a system of administrative penalties and administrative fees for the designated Sections of the HTA, or portions of the designated HTA Sections set out herein;

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

1.0 TITLE

1.1 This By-law shall be known and cited as the "Administrative Penalty By-law for Contraventions Detected Using Camera Systems".

2.0 DEFINITIONS

2.1 Where words and phrases used in this By-law are not defined herein but are defined in the *Highway Traffic Act*, R.S.O. 1990, c. H. 8, as amended from time to time or any successor thereof (the HTA), the definitions in the HTA shall apply.

2.2 In this By-law:

Administrative Fee – means any fee specified in this By-law or set out in Schedule (A);

Administrative Penalty - means a monetary penalty as set out and calculated in accordance with Section 6 of O. Reg 355/22;

A.P.S. – means Administrative Penalty System;

Designated Section - means a section or portions of sections of the HTA to which this AMPS By-law applies, as designated under this By-law;

Director – means the person performing the function or the functions of the municipality's Manager of Legislative Services and/or their designate;

Hearing Decision - means a notice which contains the decision of a Hearing Officer, as set out in Section 6.14 of this By-law;

Hearing Non-Appearance Fee - means an administrative fee established by the Township from time to time in respect of a person's failure to appear at the time and place scheduled for a hearing before a Hearing Officer, as listed in Schedule "A";

Hearing Officer - means a person who performs the duties of the Hearing Officer as set out in section 6 of this By-law, and meeting the requirements that a Hearing Officer cannot be a member of Council or an employee of the municipality. The Hearing Officer shall have knowledge of and experience in administrative law; such as a lawyer, retired lawyer, paralegal, retired paralegal, retired police officer, retired municipal clerk or retired municipal deputy clerk;

Holiday - means a Saturday, Sunday and any statutory holiday in the province of Ontario, or any day on which the offices of the Township are officially closed for business;

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Late Payment Fee - means an administrative fee established by the Township from time to time in respect of a person's failure to pay an administrative penalty within the time prescribed in this By-law, as listed in Schedule "A";

MTO Search Fee - means an administrative fee established by the Township from time to time for any search of the records of, or any inquiry to, the Ontario Ministry of Transportation, or related authority, for the purposes of this By-law, as listed in Schedule "A";

NSF Fee - means a fee established by the Township, as set out in the Fees & Charges By-law, in respect of any payment to the Township from a person, for which there are insufficient funds available, or the transaction is declined;

Officer - means a person designated as a Provincial Offences Officer by the Ministry of Transportation under subsection 1(3) of the *Provincial Offences Act* to administer and enforce this By-law, and as appointed by or under the authority of the Township of Essa;

Owner - means the person whose name appears on the permit for the vehicle as provided by the Ontario Ministry of Transportation, and if the vehicle permit consists of a vehicle portion and a plate portion and different persons are named on each portion, the person whose names appears on the plate portion;

Penalty Order - means an order made under Subsection 21.1(2) of the HTA;

Penalty Order Date - means the date of the contravention specified on the Penalty Order;

Penalty Order Number - means the reference number specified on the Penalty Order that is unique to that Penalty Order;

Person - includes an individual, a corporation, or an authorized representative thereof.

Plate Denial Fee - means an Administrative Fee established by the Township from time to time, in relation to plate denial in accordance with Section 9.4 of this By-law, as listed in Schedule "A";

Provincial Offences Act- means the *Provincial Offences Act*, R.S.O., 1990, c.H.8, as amended from time to time, or any successor thereof;

Regulation - means O. Reg. 355/22, made under the HTA, as amended from time to time, or any successor thereof;

Request for Review by Hearing Officer - means the request which may be made in accordance with section 6 of this By-law for the review of a Screening Decision;

Request for Review by Screening Officer - means the request made in accordance with section 5 of this By-law for the review of a Penalty Order;

Review by Hearing Officer and Hearing - means the process set out in section 6 of this By-law;

Review by Screening Officer and Screening Review - means the process set out in section 5 of this By-law;

Screening Decision - means a notice which contains the decision of a Screening Officer, delivered in accordance with Section 5.8 of this By-law;

Screening Non-appearance Fee - means an Administrative Fee established by the municipality from time to time in respect of a person's failure to appear at the time and place scheduled for a review before a Screening Officer and listed in Schedule "A";

Screening Officer - means a person from time to time appointed pursuant to this By-law who performs the duties of Screening Officer as set out in section 5 of this By-law and meeting the requirements that a Screening Officer cannot be a Member of Council, a Screening Officer may be a staff member provided that they have no jurisdiction in their job duties that relate in any type of enforcement capacity;

Statutory Powers Procedure Act - means the Statutory Powers Procedure Act, R.S.O. 1990, c. S. 22, as amended from time to time, or any successor thereof; and

Township - means The Corporation of the Township of Essa.

3.0 APPLICATION OF THIS BY-LAW

3.1 In accordance with the HTA, or portions of the HTA, the following sections shall be designated sections for the purposes of Section 21.1(2) of the HTA:

a) Subsection 128(1);

3.2 Schedule "A" of this By-law sets out the Administrative Fees imposed for purposes of this By-law.

3.3 Schedule "B" of this By-law sets out the Administrative Penalty Amounts for contraventions of the designated sections or portions of the designated sections of the HTA, as in accordance with section 6 of O. Regulation 355/22. Where a discrepancy in the Administrative Penalty Amount occurs, the penalties outlined in section 6 of O. Regulation 355/22 shall prevail.

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4.0 PENALTY ORDER

- 4.1 An Officer who has reason to believe that a person has contravened a designated section or portions of designated sections may issue a Penalty Order in accordance with this By-law set out in one or more of the following parts of the HTA:
- a) Part XIV.1 "Automated Speed Enforcement".
- 4.2 The Penalty Order shall include the following information:
- a) The Penalty Order number;
 - b) The provision contravened ;
 - c) The date and location of the contravention;
 - d) An identification of the motor vehicle that is involved in the contravention;
 - e) The name of the person penalized;
 - f) The amount of the Administrative Penalty determined under Section 6 of O. Regulation 355/22;
 - g) The date on which the Administrative Penalty is due and payable;
 - h) Information respecting the process by which the person may pay the Administrative Penalty or request a review of the Administrative Penalty;
 - i) A statement advising that an Administrative Penalty will constitute a debt of the Owner or Person to the Township; and
 - j) The name and identification number of the Officer issuing the Penalty Order.

5.0 REVIEW BY SCREENING OFFICER

- 5.1 A person who is served a Penalty Order may, within 30 calendar days after the Effective Date of Service, request, in accordance with Section 5.3 of this By-law, that the Administrative Penalty be reviewed by a Screening Officer.
- 5.2 A person who is served a Penalty Order may, in accordance with Section 5.3 of this By-law, request that the Screening Officer extend the time to request a review, within 30 calendar days after the Effective Date of Service, failing which the Administrative Penalty shall be deemed to be affirmed in accordance with Section 5.6 of this By-law.
- 5.3 A request for a review, or for an extension of time to request a review, shall be in the form and manner as determined by the Director from time

to time, and shall include the Penalty Order Number and the person's contact information. Where a request is made by a person who is not the Owner, the person shall submit with the request an authorized agent/representative form, in the form as determined by the Director from time to time. Incomplete forms or forms not submitted in the form and manner as determined by the Director may not be accepted or processed, at the discretion of the Director.

- 5.4 The Screening Officer may only extend the time to request a review of the Administrative Penalty when the person requesting the extension demonstrates, on a balance of probabilities, extenuating circumstances that warrant the extension of time. The Screening Officer will consider the request for extension before reviewing the Administrative Penalty.
- 5.5 Where an extension of time to request a review is not granted by the Screening Officer, the Administrative Penalty and any applicable Administrative Fees shall be deemed to be affirmed and shall not be subject to review.
- 5.6 Where neither a review nor an extension of time for review are requested in accordance with this By-law, or where the person fails to request a review within any extended period of time granted by the Screening Officer:
 - a) The person shall be deemed to have waived the right to a screening and a hearing;
 - b) The Administrative Penalty, and any applicable Administrative Fees, shall be deemed to be affirmed; and
 - c) The Administrative Penalty, and any applicable Administrative Fees, shall not be subject to review.
- 5.7 Upon review of an Administrative Penalty, the Screening Officer may affirm the Administrative Penalty including any applicable Administrative Fees, or the Screening Officer may cancel or reduce the Administrative Penalty or extend the time for payment of the Administrative Penalty, including any applicable Administrative Fees, on the following grounds:
 - a) Where the Screening Officer is satisfied, on a balance of probabilities, that a contravention of a Designated By-law was not proven as set out in the Penalty Order; or
 - b) Where the Screening Officer is satisfied, on a balance of probabilities, that the cancellation, reduction or extension of the time for payment of the Administrative Penalty, including any applicable Administrative Fees, is necessary to reduce any undue hardship.
- 5.8 Every person who has been granted a review by the Screening Officer shall be sent a copy of the Screening Decision as soon as is practical

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after the decision has been made, in accordance with Section 7.3 of this By-law.

6.0 REVIEW BY HEARING OFFICER

- 6.1 Any person to whom a Screening Decision is issued may request a review of the Screening Decision by a Hearing Officer, in accordance with Section 6.3, within 30 calendar days after the date on which the Screening Decision was issued.
- 6.2 A person to whom a Screening Decision is issued may, in accordance with Section 6.3, request that the Hearing Officer extend the time to request a review of the Screening Decision within 60 calendar days after the date on which the Screening Decision was issued, failing which, the Screening Decision shall be deemed to be affirmed in accordance with Section 6.6 of this By-law.
- 6.3 A request for a review by the Hearing Officer, or for an extension of time to request a review before the Hearing Officer, shall be in the form and manner as determined by the Director from time to time, and shall include the Penalty Order Number and the person's contact information. Where a request is made by a person who is not the Owner, the person shall submit with the request an authorized agent/representative form, in the form as determined by the Director from time to time. Incomplete forms or forms not submitted in accordance with the form and manner as determined by the Director may not be accepted or processed, at the discretion of the Director.
- 6.4 The Hearing Officer may only extend the time to request a review of the Screening Decision where the person requesting the extension demonstrates, on a balance of probabilities, extenuating circumstances that warrant the extension of time. The Hearing Officer will consider the request for extension before reviewing the Screening Decision.
- 6.5 Where an extension of time for a hearing review is not granted by the Hearing Officer, the Screening Decision shall be deemed to be affirmed, and shall not be subject to review.
- 6.6 Where neither a hearing review nor an extension of time for a hearing review are requested in accordance with this By-law, or where the person fails to request a hearing review within any extended period of time granted by the Hearing Officer:
 - a) The person shall be deemed to have waived the right to a hearing review;
 - b) The Screening Decision shall be deemed to be affirmed; and
 - c) The Screening Decision shall not be subject to review.

- 6.7 A person requesting a review by the Hearing Officer in accordance with this By-law shall be given at least 30 calendar days' notice of the date and time for the review by the Hearing Officer.
- 6.8 Upon review of the Screening Decision, the Hearing Officer may affirm the Screening Decision, or the Hearing Officer may cancel, reduce or extend the time for payment of the Administrative Penalty, including any applicable Administrative Fees, on the following grounds:
- a) Where the Hearing Officer is satisfied, on a balance of probabilities, that a contravention of a Designated By-law was not proven as set out in the Penalty Order; or
 - b) Where the Hearing Officer is satisfied, on a balance of probabilities, that the cancellation, reduction or extension of the time for payment of the Administrative Penalty, including any Administrative Fees, is necessary to reduce any undue hardship.
- 6.9 A Hearing Officer shall not make any decision respecting a review of the Screening Decision unless the Hearing Officer has given the person and the Township an opportunity to be heard.
- 6.10 The hearing shall be subject to the *Statutory Powers Procedure Act*.
- 6.11 The Hearing Officer may consider and rely on a certified statement of an Officer, including but not limited to, certified photographs taken by an Officer. For this purpose, the Penalty Order, signed by the Officer, shall constitute a certified statement of the Officer.
- 6.12 In addition to anything else that is admissible as evidence in accordance with the *Statutory Powers Procedure Act*, the materials referred to in Section 6.11 are admissible as evidence as proof of the facts contained therein, in the absence of evidence to the contrary.
- 6.13 If evidence referred to in Section 6.11 is being admitted at a hearing, the Hearing Officer shall not adjourn the hearing for the purpose of having the Officer attend to give evidence unless the Hearing Officer is satisfied that the oral evidence of the Officer is necessary to ensure a fair hearing.
- 6.14 The person requesting the hearing shall be served with a copy of the Hearing Decision as soon as practicable after the review is complete.
- 6.15 The decision of a Hearing Officer is final.
- 6.16 Where notice has been given in accordance with this By-law, and the person fails to appear at the time and place scheduled for a review by the Hearing Officer:
- a) The person shall be deemed to have abandoned the hearing;
 - b) The Screening Decision shall be deemed to be affirmed; and

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- c) The person shall pay to the Township a Hearing Non-Appearance Fee as described in Schedule "A", in addition to any other fees payable pursuant to this By-law.

7.0 SERVICE OF DOCUMENTS

7.1 Service of a Penalty Order in any of the following ways is deemed effective by:

- a) A penalty order may be served on the person who is subject to the order by sending the order by mail or by courier to the most recent address that appears on the Ministry's records in respect of the holder of the plate portion of the permit for the motor vehicle involved in the contravention.
- b) If the authorized person who imposed the penalty order believes that the person who is subject to the order resides outside Ontario or, in the case of a corporation has its principal place of business outside Ontario, the penalty order may be served on the person by sending the order by mail or by courier to the address outside Ontario at which the authorized person believes the person resides or has its principal place of business.
- c) The address mentioned in subsection (b) may be determined from a document obtained from the government of any province or territory of Canada or from the government of a state of the United States of America, or from a person or entity authorized by any such government to keep records of vehicle permits, number plates or other evidence of vehicle ownership in that jurisdiction.
- d) Service of a penalty order mailed or couriered in accordance with this section is deemed to be served on the seventh (7th) day following the day on which it was mailed or couriered.

7.2 For purposes of this By-law, the last known address of the Owner shall be the address as set out on the vehicle ownership or, where an updated address has been provided in writing by the Owner to the Enforcement Services offices of the Township at the time of service, such updated address.

7.3 Any Penalty Order or document sent in writing to the Owner by regular mail, as set out in this By-law, is deemed to have been served on the seventh (7th) calendar day after the date of mailing.

7.4 Service on a person who is not the Owner, in accordance with this By-law, including service of a Screening Decision or Hearing Decision by handing it to the person, shall be deemed to be service on the Owner.

8.0 ADMINISTRATION

8.1 The Director and/or their designate shall administer this By-law.

8.2 The Director may:

- a) Designate the location within the Township of Essa for conducting reviews and hearings under this By-law, as well as setting the time(s) for such reviews and hearings;
- b) Prescribe all forms, notices, including the Penalty Order, guidelines, processes, policies and procedures, necessary to implement the By-law and the administrative penalty system, and to amend such forms, notices, guidelines, procedures and processes from time to time as the Director deems necessary; and
- c) Amend the Administrative Fees, as may be necessary to reflect changes in fees imposed by the Province of Ontario in relation to the administration of the administrative penalty system.

- 8.3 Any Administrative Fee(s) prescribed within Schedule "A" of this By-law shall be added to, and deemed to be, part of the Administrative Penalty amount unless otherwise rescinded by the Hearing Officer.

9.0 GENERAL PROVISIONS

- 9.1 A Penalty Order that is paid prior to a screening review shall be deemed as final and will not be subject to screening, unless there is an error on the face of the Penalty Order as determined by the Director.
- 9.2 Unless otherwise stated in this By-law, an Administrative Penalty is due and payable within 30 calendar days following the Effective Date of Service.
- 9.3 Where an Administrative Penalty, including any Administrative Fees, is affirmed or reduced by a Screening Officer or a Hearing Officer, the Administrative Penalty and any Administrative Fees shall be due and payable on the date specified in the Screening Decision or Hearing Decision, as the case may be.
- 9.4 Where an Administrative Penalty, including any Administrative Fees, is not paid within 30 calendar days after it has become due and payable, the Township may:
- a) notify the Registrar of Motor Vehicles of the default and the Registrar shall not validate the permit of a person named in the default notice nor issue a new permit to that person, in respect of the vehicle to which the Administrative Penalty and Administrative Fees apply, until the penalty is paid, and the Owner of the vehicle in respect of which the Penalty Order was issued shall,
 - i) in addition to any other fees, pay to the Township a Plate Denial Fee; and

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- ii) pursue any other collection mechanisms available to the Township pursuant to the Regulation or at law.
- 9.5 Where an Administrative Penalty issued is not paid within 30 calendar days after it becomes due and payable, the Owner of the vehicle in respect of which the Penalty Order was issued shall pay to the Township, in addition to any other fees, a Late Fee.
- 9.6 Where an Administrative Penalty is not paid within 30 calendar days after it becomes due and payable in accordance with a Screening Decision or Hearing Decision, the Owner of the vehicle in respect of which the Penalty Order was issued shall pay to the Township, in addition to any other fees, a Late Fee.
- 9.7 Where a person provides a method of payment to the Township for payment of any Administrative Penalty or Administrative Fee, which has insufficient funds available in the account on which the instrument was drawn, the Owner shall, in addition to any other fees, be liable to pay to the Township an NSF Fee.
- 9.8 All amounts due and payable to the Township pursuant to this By-law constitute a debt to the Township.
- 9.9 Where a person makes a request for an extension of time for payment, and the request is granted, the date on which the Administrative Penalty is due and payable shall be the date established in accordance with the extension of time, and:
- a) the Penalty Order will not be subject to the Late Payment Fee, until the time for payment has expired, and then in accordance with the provisions herein; and
 - b) the enforcement mechanisms available to the Township shall be suspended until the extension of time has expired, and then shall apply in accordance with the provisions herein.
- 9.10 Where an Administrative Penalty is cancelled by a Screening Officer or a Hearing Officer, any Administrative Fee is also cancelled.
- 9.11 Where a person has paid an Administrative Penalty or an Administrative Fee that is cancelled or reduced by a Screening Officer or Hearing Officer, the Township shall refund the amount cancelled or reduced.
- 9.12 No Officer may accept payment in respect of an Administrative Penalty or Administrative Fee.
- 9.13 Payments of an Administrative Penalty or Administrative Fee must be received by the date on which they are due and payable, or any extended due date in accordance with this By-law and will not be credited until received by the Township.

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- 9.14 Any time limit that would otherwise expire on a Holiday is extended to the next day that is not a Holiday.
- 9.15 An authorized representative is permitted to appear on behalf of a person at a Screening Review or Review by Hearing Officer or to communicate with the Township of Essa on behalf of a person in accordance with a written authorization satisfactory to the Director.
- 9.16 Any person claiming financial hardship under this By-law shall provide documented proof of the financial hardship to the Director, Screening Officer or Hearing Officer, as applicable.

10.0 SEVERABILITY

10.1 Should any provision, or any part of a provision, of this By-law, be declared invalid, or to be of no force and effect, by a court of competent jurisdiction, it is the intent of Council that such a provision, or part of a provision, shall be severed from this By-law, and every other provision of this By-law shall be applied and enforced in accordance with its terms to the extent possible according to law.

11.0 OFFENCES

11.1 Any person or Owner who:

- a) Makes a false, misleading or fraudulent statement in relation to a Penalty Order, or on any form submitted to the Township in relation to a Penalty Order; or
- b) Obstructs an Officer exercising any authority under this By-law,

is guilty of an offence and, upon conviction, is subject to a penalty in accordance with the *Provincial Offences Act*.

11.2 No person shall attempt, directly or indirectly, to communicate with a Screening Officer or Hearing Officer for the purpose of influencing or interfering, financially, politically or otherwise with, the Screening Officer or Hearing Officer respecting a Penalty Order and/or respecting a Power of Decision in a proceeding that is or will be pending before a Screening Officer or Hearing Officer, except:

- a) A person who is entitled to be heard in the proceeding or the person's lawyer, licensed paralegal or authorized representative; and
- b) Only by that person or the person's lawyer, licensed paralegal or authorized representative during the hearing of the proceeding in which the issues arises.

Nothing in this Section prevents a Screening Officer or a Hearing Officer from seeking or receiving legal advice.

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11.3 Any person who contravenes Section 11.2 is guilty of an offence and, upon conviction, is subject to a penalty in accordance with the *Provincial Offences Act*.

12.0 EFFECTIVE DATE

12.1 This By-law shall come into force and effect upon the date it is finally passed.

READ A FIRST TIME AND TAKEN AS READ A SECOND AND THIRD TIME
AND FINALLY PASSED on this the 5th day of July, 2023.

Sandie Macdonald, Mayor

Lisa Lehr, Manager of Legislative Services

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SCHEDULE "A" TO BY-LAW 2023-38

ADMINISTRATIVE FEES

ITEM	FEE
Fee - Non-Appearance - Hearing	\$60.00
Fee - Non-Appearance - Screening	\$60.00
Fee - MTO Search	\$8.25
Fee - Plate Denial	\$20.00
Late Payment Fee	\$20.00
<p>NOTE: the fees and charges as listed in this Schedule "A" will be subject to applicable taxes, including Harmonized Sales Tax (H.S.T.) where applicable.</p>	

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SCHEDULE "B" TO BY-LAW 2023-38

Administrative Penalty Amounts

Excerpt from O. Reg. 355/22

6. (1) The amount of the administrative penalty shall be the sum of the following amounts:

1. In respect of a contravention of subsection 128 (1) of the Act, the amount determined in accordance with the following formula,

$$A \times B$$

in which,

"A" is the number of kilometres per hour by which the person driving the motor vehicle exceeds the speed limit set out in subsection 128 (1) of the Act, and

"B" is the penalty rate set out in Column 2 of Table 1 that is opposite the value of "A" described in Column 1 of Table 1.

2. In respect of a contravention of subsection 144 (18) of the Act,

i. \$260, if the contravention did not occur in a community safety zone, or

ii. \$400, if the contravention occurred in a community safety zone.

3. In respect of a contravention of subsection 175 (11.1) or (12.1) of the Act, \$400.

4. Not applicable.

5. \$8.25, to reflect costs incurred by the authorized person to access the name and most recent address of the person who is subject to the penalty order.

6. The amount determined under subsections (2) to (4) as applicable, to be credited to the victims' justice fund account in accordance with O. Reg 355/22 section 19.

(2) For a contravention of subsection 128 (1) of the Act, the amount mentioned in paragraph 6 of subsection (1) is,

(a) if the amount determined under paragraph 1 of subsection (1) is \$1000 or less, the amount set out in Column 2 of Table 2 that is opposite the amount determined under paragraph 1 of subsection (1) described in Column 1 of Table 2; or

(b) if the amount determined under paragraph 1 of subsection (1) is greater than \$1000, the amount that is 25 per cent of that amount.

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- (3) For a contravention of subsection 144 (18) of the Act, the amount mentioned in paragraph 6 of subsection (1) is,
 - (a) \$60, if the contravention did not occur in a community safety zone; or
 - (b) \$85, if the contravention occurred in a community safety zone.
- (4) For a contravention of subsection 175 (11.1) or (12.1) of the Act, the amount mentioned in paragraph 6 of subsection (1) is \$85.

TABLE 1

Item	Column 1 Kilometres per hour over the maximum speed limit	Column 2 Penalty rate in community safety zone or school zone
1.	1 to 19 kilometres per hour over the maximum speed limit	\$5.00 per kilometre
2.	20 to 29 kilometres per hour over the maximum speed limit	\$7.50 per kilometre
3.	30 to 49 kilometres per hour over the maximum speed limit	\$12.00 per kilometre
4.	50 kilometres per hour or more over the maximum speed limit	\$19.50 per kilometre

TABLE 2

Item	Column 1 Amount determined under paragraph 1 of subsection (1) of this section	Column 2 Amount mentioned in paragraph 6 of subsection (1) of this section
1.	\$0 - \$50	\$10
2.	\$51 - \$75	\$15
3.	\$76 - \$100	\$20
4.	\$101 - \$150	\$25
5.	\$151 - \$200	\$35
6.	\$201 - \$250	\$50
7.	\$251 - \$300	\$60
8.	\$301 - \$350	\$75
9.	\$351 - \$400	\$85
10.	\$401 - \$450	\$95
11.	\$451 - \$500	\$110
12.	\$501 - \$1000	\$125

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THE CORPORATION OF THE TOWNSHIP OF ESSA

BY-LAW 2023 - 39

Being a By-law to delegate administrative and hearing powers to Screening and Hearing Officers, for adjudication of reviews and appeals for Administrative Penalties.

WHEREAS Section 4 of O. Regulation 355/22 made under the *Highway Traffic Act*, R.S.O 1990, c.H.9 as amended (the "HTA"), prescribes persons authorized to impose an administrative penalty for contraventions detected using camera systems, with such persons meeting the criteria as designated in this section; and

WHEREAS Section 21.1 of the HTA and O. Reg. 355/22, authorizes a municipality to establish an administrative penalty system to promote compliance with the HTA and its Regulations, and impose administrative penalties within a prescribed time period on a prescribed class of persons that have contravened or failed to comply with prescribed provisions of the HTA and its Regulations; and

WHEREAS Section 434.1 of the *Municipal Act*, S.O. 2001, c.25, permits the Township of Essa to require a person, subject to such conditions as the municipality considers appropriate, to pay an administrative penalty if the municipality is satisfied that the person has failed to comply with a By-law of the municipality; and

WHEREAS sections 23.2, 23.3 and 23.5 of the *Municipal Act* authorize the Township of Essa to delegate its administrative and hearing powers; and

WHEREAS the Province adopted the Administrative Penalties Regulation, O. Reg 355/22, pursuant to the HTA which applies to administrative penalties in respect of contraventions detected using camera systems; and

WHEREAS under the Administrative Penalties Regulation a person who receives a Penalty Notice shall have the right to request a review of the administrative penalty by a Screening Officer appointed by the municipality; and

WHEREAS under the Administrative Penalties Regulation a person who receives notice of a decision from a Screening Officer shall have the right to a review of the Screening Officer's decision by a Hearing Officer appointed by the municipality; and

WHEREAS the Township of Essa considers it desirable and necessary to establish the position of a Screening Officer and a Hearing Officer which are required for the operation of the Township's Administrative Penalty By-law;

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

1.0 TITLE

1.1 This By-law may be referred to as the "Screening and Hearing Officer By-law".

2.0 DEFINITIONS

2.1 For the purposes of this By-law:

Administrative Penalty - means a monetary penalty as set out and calculated in accordance with Section 6 of O. Reg 355/22;

CAO - means the Chief Administrative Officer, or his or her delegate(s);

Council - means the elected Council of the Township of Essa;

Power of Decision - means a power or right, conferred by or under this By-law and the Administrative Penalty By-law, to make a decision deciding or prescribing, the legal rights, powers, privileges, immunities, duties or liabilities of any Person:

- a) in the case of a Screening Officer, in respect of a request to review an Administrative Penalty, and
- b) in the case of a Hearing Officer, in respect of an appeal from a Screening Decision.

Hearing Officer - means a person from time to time appointed by Council pursuant to this By-law;

Parent - means a person who has demonstrated a settled intention to treat a child as a member of her or his family whether or not that person is the natural parent of the child; and

Person - includes an individual and a corporation;

Regulation - means the Administrative Penalties Regulation for Contraventions Detected Using Camera Systems, O. Reg 355/22;

Relative" includes any of the following persons:

- a) Spouse, common-law partner, or any person with whom the person is living as a spouse outside of marriage;
- b) Parent;
- c) Child, including a step child and grandchild;
- d) Siblings and children of siblings;
- e) Aunt, uncle, niece and nephew;
- f) In laws, including mother, father, sister, brother, daughter and son; or
- g) Any person who lives with the person on a permanent basis;

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- h) "Screening Decision" means a notice which contains the decision of a Screening Officer;

Screening Officer - means a person from time to time appointed by Council pursuant to this By-law.

Spouse - means a person to whom the person is married or with whom the person is living in a conjugal relationship outside marriage.

Township - means The Corporation of the Township of Essa.

3.0 SCREENING OFFICER

- 3.1 The position of Screening Officer is established for the purpose of exercising the Power of Decision in the review of an Administrative Penalty as set out in the Township's Administrative Penalty By-law.
- 3.2 The Screening Officer shall have all of the powers of review as set out in the Township's Administrative Penalty By-law and the Regulation.
- 3.3 A Screening Officer shall be appointed by Council in accordance with Ontario Regulation 355/22.

4.0 HEARING OFFICER

- 4.1 The position of Hearing Officer is established for the purpose of exercising the Power of Decision in the appeal of a Screening Decision as set out in the City's Administrative Penalty By-law.
- 4.2 The Hearing Officer shall have all of the powers of review as set out in the Township's Administrative Penalty By-law and the Regulation.
- 4.3 A Hearing Officer shall be appointed by Council in accordance with Ontario Regulation 355/22.

5.0 GENERAL PROVISIONS

- 5.1 The following persons are not eligible for appointment as a Screening Officer or a Hearing Officer:
1. A member of Council;
 2. The Relative of a person referenced in subsection 5.1 (1); or
 3. A person indebted to the Township other than
 - a) in respect of current real property taxes; or
 - b) pursuant to an agreement with the municipality the terms with which the person is in compliance.
- 5.2 No Person shall attempt, directly or indirectly, to communicate with or influence a Screening Officer or a Hearing Officer respecting the

determination of an issue respecting a Delegated Power of Decision in a proceeding that is or will be pending before the Screening Officer or Hearing Officer except a person who is entitled to be heard in the proceeding or the person's lawyer or licensed representative and only by that person or the person's lawyer or licensed representative during the hearing of the proceeding in which the issue arises.

- 5.3 Section 5.2 does not prevent a Screening Officer or a Hearing Officer from seeking and receiving legal advice.
- 5.4 Any Person who contravenes any provision of this By-law is guilty of an offence and is liable, upon conviction, to a maximum fine as established pursuant to the *Provincial Offences Act*, R.S.O. 1990, c.P.33, as amended.
- 5.5 A Screening Officer or a Hearing Officer shall have no authority to further delegate his/her powers or duties.
- 5.6 Neither a Screening Officer or a Hearing Officer has the jurisdiction to consider questions relating to the validity of a statute, regulation or By-law or the constitutional applicability or operability of any statute, regulation or By-law.

6.0 EFFECTIVE DATE AND VALIDITY

- 6.1 If a court of competent jurisdiction declares any provision, or any part of a provision, of this By-law to be invalid, or to be of no force and effect, it is the intention of the Council in enacting this By-law, that each and every other provision of this By-law authorized by law, be applied and enforced in accordance with its terms to the extent possible according to law.
- 6.2 This By-law shall come into force and effect on the date it is finally passed.

READ A FIRST, AND TAKEN AS READ A SECOND AND THIRD TIME AND FINALLY PASSED on this the 5th day of July, 2023.

THE CORPORATION OF THE TOWNSHIP OF ESSA

Sandie Macdonald, Mayor

Lisa Lehr, Manager of Legislative Services

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THE CORPORATION OF THE TOWNSHIP OF ESSA

BY-LAW NO. 2023 – 40

A By-law to appoint Hearing Officers for the adjudication of Reviews and Appeals of Administrative Penalties.

WHEREAS Section 21.1 of the *Highway Traffic Act* (“HTA”) and O. Reg. 355/22, authorize the Township of Essa to establish an administrative monetary penalty system to promote compliance with the HTA and its Regulations, and impose an administrative penalty within a prescribed time period on a prescribed class of persons that have contravened or failed to comply with prescribed provisions of the HTA and its Regulations; and

WHEREAS Council of the Township of Essa (“Council”) passed the Administrative Penalty System By-law 2023-38 for Contraventions Detected using Automated Speed Enforcement (ASE) Cameras at its meeting held on July 5, 2023; and

WHEREAS Council wishes to appoint certain persons as Hearing Officers pursuant to Essa By-law 2023-39, a By-law of which delegates administrative and hearing powers to Screening and Hearing Officers for the adjudication of reviews and appeals under its Administrative Monetary Penalty System;

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

1. The person(s) listed in Schedule “A” are hereby appointed as Hearing Officers pursuant Essa By-law 2023-39 which delegates administrative and hearing powers for the adjudication of reviews and appeals under its Administrative Monetary Penalty System.
2. That Schedule “A” forms part of this By-law.
3. This By-law shall come into force and effect upon the date it is finally passed.

READ A FIRST, AND TAKEN AS READ A SECOND AND THIRD TIME AND FINALLY PASSED on this the July 5, 2023.

Sandie Macdonald, Mayor

Lisa Lehr, Manager of Legislative Services

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ESSA BY-LAW 2023 - 40

SCHEDULE "A"

HEARING OFFICERS

HEARING OFFICERS NAME	APPOINTMENT DATE
Kayla Stephenson	July 5, 2023
Natasha Bronfman	July 5, 2023

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THE CORPORATION OF THE TOWNSHIP OF ESSA

BY-LAW NO. 2023 - 41

Being a By-law to Deem Lot 7, 7A, 8, 9, 10 on Plan 1330, Essa Township; County of Simcoe not to be a part of a Registered Plan of Subdivision for purposes of Section 50 (3) and (5) of the Planning Act, R.S.O., 1990, c.P.13.

WHEREAS the Council of the Corporation of the Township of Essa is empowered to pass by-laws to designate any Plan of Subdivision, or part thereof, that has been registered for eight years or more, to be deemed not to be a registered Plan of Subdivision for the purposes of Section 50 (3) and (5) of the Planning Act, R.S.O. 1990 under Section 50 (4) of this same Act; and

WHEREAS Plan 1330 was registered on the 15th day of May 1972.

WHEREAS it is deemed expedient to designate Lots 7, 7A, 8, 9, 10 on Plan 1330, Essa Township; County of Simcoe not to be a part of a registered Plan of Subdivision for purposes of Section 50 (3) and (5) of the Planning Act.

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

1. That Lot 7 Plan 1330; Township of Essa be deemed not to be a part of a registered Plan of Subdivision for the purposes of Section 50 (3) and (5) of the Planning Act, R.S.O. 1990, c.P.13.
2. That Lot 7A Plan 1330; Township of Essa be deemed not to be a part of a registered Plan of Subdivision for the purposes of Section 50 (3) and (5) of the Planning Act, R.S.O. 1990, c.P.13.
3. That Lot 8 Plan 1330; Township of Essa be deemed not to be a part of a registered Plan of Subdivision for the purposes of Section 50 (3) and (5) of the Planning Act, R.S.O. 1990, c.P.13.
4. That Lot 9 Plan 1330; Township of Essa be deemed not to be a part of a registered Plan of Subdivision for the purposes of Section 50 (3) and (5) of the Planning Act, R.S.O. 1990, c.P.13.
5. That Lot 10 Plan 1330; Township of Essa be deemed not to be a part of a registered Plan of Subdivision for the purposes of Section 50 (3) and (5) of the Planning Act, R.S.O. 1990, c.P.13.

- 6. This By-law shall come into force pursuant to the provisions of and regulations made under the Planning Act, R.S.O. 1990, c.P.13.

READ A FIRST AND TAKEN AS READ A SECOND AND THIRD TIME AND FINALLY PASSED THIS 5th DAY OF JULY, 2023.

Sandie Macdonald, Mayor

Lisa Lehr, Manager of Legislative Services

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THE CORPORATION OF THE TOWNSHIP OF ESSA

BY-LAW NO. 2023 – 42

**Being a By-law to appoint a Building Inspector; and also
a Plumbing Inspector, Property Standards Officer and
Zoning Administrator**

WHEREAS Section 3(1) of The Building Code Act, S.O. 1992, c.23, as amended, states that the Council of each municipality is responsible for the enforcement of the Building Code Act in the municipality; and

WHEREAS Section 3(2) of The Building Code Act, S.O. 1992, c.23, as amended, states that the Council of each municipality shall appoint a Chief Building Official and such Inspectors as are necessary for the enforcement of this Act in the areas in which the municipality has jurisdiction; and

WHEREAS the Council of The Township of Essa deems it advisable to appoint a Building Inspector and any such Inspectors and Administrators as are necessary for the purposes of the Enforcement of said Act and the Township's Building and Plumbing By-law;

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

1. That Audra Marshall be and is hereby appointed to the position of Building Inspector for the Corporation of the Township of Essa, to carry out the duties and responsibilities as set out in the job description for the position for the period during which she is an employee of the municipality;
2. That Audra Marshall be and is hereby appointed as Plumbing Inspector, Property Standards Officer and Zoning Administrator, and shall perform all the duties required to be performed by the said titles under statutory authority and other duties that may be imposed by the Council of the Township of Essa for the period during which she is an employee of the municipality;
3. That By-law 2022-05 be repealed;
4. That the said appointment shall become effective as of June 26, 2023;
5. 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 5th day of July, 2023.

Sandie Macdonald, Mayor

Lisa Lehr, Manager of Legislative Services

THE CORPORATION OF THE TOWNSHIP OF ESSA

BY-LAW 2023-43

Being a By-law to appoint a Deputy Chief Building Official, Plumbing Inspector, Property Standards Officer and Zoning Administrator.

WHEREAS Section 3(1) of the *Building Code Act*, S.O. 1992, c.23, as amended, states that the Council of each municipality is responsible for the enforcement of the *Building Code Act* in the municipality; and

WHEREAS Section 3(2) of the *Building Code Act*, S.O. 1992, c.23, as amended, states that the Council of each municipality shall appoint a Chief Building Official and such Inspectors as are necessary for the enforcement of this Act in the areas in which the municipality has jurisdiction; and

WHEREAS the Council of the Township of Essa deems it advisable to appoint a Deputy Chief Building Official, Building Inspector and any such Inspectors and Administrators as are necessary for the purposes of the enforcement of said Act and the Township's Building and Plumbing By-laws;

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

1. That Domenic Malatesta be and is hereby appointed to the position of Deputy Chief Building Official for the Corporation of the Township of Essa, to carry out all duties and responsibilities as set out in the job description for the position for the period during which they are an employee of the municipality.
2. That Domenic Malatesta be and is hereby appointed as Plumbing Inspector, Property Standard Officer and Zoning Administrator and shall perform all duties required to be performed by the said titles under statutory authority and other duties that may be imposed by the Township of Essa for the period during which they are an employee of the municipality.
3. That By-law 2021-20 be repealed;
4. That the said appointments shall become effective as of June 26, 2023.
5. 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 5th day of July, 2023.

Sandie Macdonald, Mayor

Lisa Lehr, Manager of Legislative Services

THE CORPORATION OF THE TOWNSHIP OF

ESSA BY-LAW NO. 2023-44

A By-law to adopt Amendment No. 39 to the Official Plan for the TOWNSHIP OF ESSA

WHEREAS the Council of the Corporation of the Township of ESSA, in accordance with the provisions of the Planning Act, R.S.O. 1990, as amended, HEREBY ENACTS AS FOLLOWS:

1. THAT the attached explanatory text, policies and schedule constitute Amendment No. 39 to the Official Plan for the Township of Essa shall be and is hereby adopted.
2. THAT the Clerk is hereby authorized and directed to make application to the County of Simcoe for approval of the aforementioned Amendment No. 39 to the Official Plan for the Township of Essa.
3. THAT this Bylaw shall come into force and take effect on the date of its final passing, subject to the approval of the County of Simcoe.

Read three times and finally passed in open Council this 5th day of July, 2023.

Mayor Sandie Macdonald

Manager of Legislative Services,
Lisa Lehr

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AMENDMENT NO. 39
TO THE OFFICIAL PLAN FOR
THE TOWNSHIP OF ESSA

THE CONSTITUTIONAL STATEMENT

PART A - THE PREAMBLE Does not constitute part of this amendment.

PART B - THE AMENDMENT Consisting of the following text, appendix and Schedule A and constitutes Amendment No. 39 of the Township of Essa Official Plan.

PART C THE APPENDIX which does not constitute part of this Amendment. This appendix contains the Public Meeting Minutes, Staff Report, and the Council Resolution associated with this Amendment

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AMENDMENT NO. 39

TO THE TOWNSHIP OF ESSA OFFICIAL

PLAN PART A - THE PREAMBLE

1.0 PURPOSE

The purpose of the Official Plan Amendment is to alter Schedule B 'Angus' of the Township of Essa Official Plan. The amendment intends to redesignate Part of Lot 29, Concession 3 from Residential to Residential Multiple.

2.0 LOCATION

The lands affected by this amendment are known as Part of Lot 29, Concession 3, and are municipally known as 34 Mill Street. The subject property consists of an area of 2.5 hectares with frontage along Mill Street and County Road 10.

3.0 BASIS

The proposed Official Plan Amendment intends to permit construction of a residential development consisting of 148 townhouse units as well as a private park, stormwater management facility on private condominium roads. The subdivision will be municipally serviced with town water and sewage once the appropriate agreement has been accepted by the Township. The Official Plan Amendment will redesignate the subject lands from 'Residential' to 'Residential Multiple' in order to facilitate an appropriate development given its proximity to schools, recreation centre and CFB Borden. The development is also within walking distance to a number of commercial amenities.

The development will assist the Township of Essa and the County of Simcoe in meeting intensification targets in multiple levels of planning policy and is consistent with the general goals and objectives of the Planning Act, Provincial Policy Statement (2020), Growth Plan (2020), Simcoe County Official Plan and Township of Essa Official Plan. The developer will bear the cost of any new infrastructure, and thus will not burden the existing tax base.

The development is on lands vacant and unoccupied; however, they are designated Residential per the Township of Essa Official Plan. The proposed residential development represents the most appropriate and logical use of the property. As identified by the reports submitted in support of this application, no constraints have been identified that would prevent this development from proceeding.

This development will assist in making Angus a more complete community by diversifying the housing stock. The Amendment conforms to the applicable policies and represents good planning.

PART B - THE AMENDMENT

This part of the document, entitled "Part B - The Amendment", and consisting of the following changes to the text and Schedules, constitutes Amendment No. 39 of the Township of Essa Official Plan.

1.0 DETAILS OF THE AMENDMENT

1. Schedule B, as amended, is hereby further amended, by designating the lands known as 34 Mill Street from 'Residential' to 'Residential - Multiple', as shown on Schedule "A" attached hereto and forming part of this Amendment.

2.0 IMPLEMENTATION

The provisions of the Official Plan regarding the implementation of that Plan shall also apply to this Amendment.

3.0 INTERPRETATION

The provision of the Official Plan, as amended from time to time, shall apply in regard to the Amendment.

PART C – THE APPENDICES

Consists of the background information and planning considerations associated with this amendment. This section does not constitute part of the actual amendment.

- Planning Justification Report, prepared by Innovative Planning Solutions;
- Functional Servicing Report and Grading Plans, prepared by Pinestone;
- Transportation Impact Study, prepared by Tatham Engineering;
- Stage 1 and 2 Archaeological Assessment, prepared by Irving Heritage;
- Geotechnical Investigation Report, prepared by GEI Consulting;
- Hydrogeological Investigation Report, prepared by GEI Consulting;
- Landscape Concept Plan, prepared by MHBC Planning
- Landfill Assessment (MOE D4) Study, prepared by Aecom
- Tree Preservation Plan, prepared by BG Environmental
- Heritage Impact Assessment, prepared by Roots Environmental.

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THE CORPORATION OF THE TOWNSHIP OF ESSA

BY-LAW 2023 – 45

A By-law of the Township of Essa to amend Zoning By-law 2003-50 by rezoning the lands legally described as ESSA CON 3 W PT LOT 29 in the Township of Essa, municipally known as 34 Mill Street, from 'Residential, Low Density, Detached (R1) Zone' to 'Residential, High Density, Apartments (R5-2) Zone'.

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 has determined a need to rezone the lands described above; and

WHEREAS the Council of the Corporation of the Township of Essa deems the said application to be in conformity with the Official Plan of the Township of Essa, as amended, and deems it advisable to amend By-law 2003-50;

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 rezoning those lands described as ESSA CON 3 W PT LOT 29, in the Township of Essa, Simcoe County, municipally known as 34 Mill Street, from 'Residential, Low Density, Detached (R1) Zone' to 'Residential, High Density, Apartments (R5-2) 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 13: Residential, High Density, Apartments (R5) Zone, the following provisions shall be permitted on lands zoned as R5-2:
 - a. Permitted uses include the following:
 - i. Block/Cluster Townhouse
 - ii. Back to Back Townhouse
 - b. A back to back townhouse is defined as:
 - i. Shall mean a building containing four or more dwelling units divided vertically above and below grade by a common wall, including a rear common wall.
 - c. Minimum Lot Area: 800 m²
 - d. Minimum Front Yard setback (County Road 10): 4.5 m.
 - e. Minimum Exterior Side Yard setback (Mill Street): 3.23 m.
 - f. Minimum Rear Yard setback: 5.0 m (internal) and 2.9 m (corner).
 - g. Maximum Lot Coverage: 92%
 - h. Minimum Parking Stall Size: 2.61 m x 6.0 m (covered parking – 90 degree)
 - i. Minimum daylighting triangle (Section 8.3): 3.0 metres

The above site-specific standards shall be added to section 13.4, Special Provisions.

3. THAT all other provisions of Zoning By-law 2003-50, as amended, shall apply.
4. THAT Schedule "1", attached, does, and shall form part of this By-law.

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5. 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 5th day of July 2023.

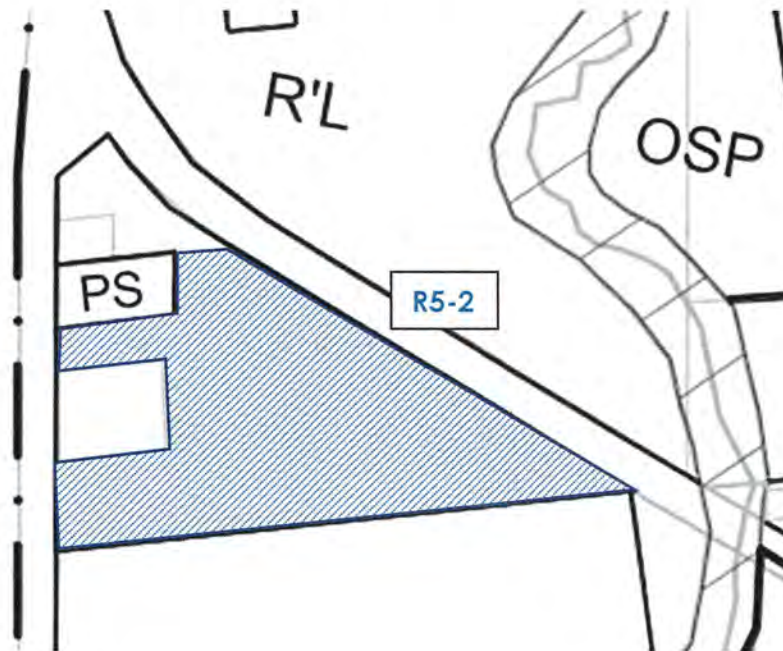
Sandie Macdonald, Mayor


Lisa Lehr, Manager of Legislative Services

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THE CORPORATION OF THE TOWNSHIP OF ESSA

Schedule 1 to By-Law 2023 – 45
Zoning By-law Amendment to the Township of Essa
Zoning By-law 2003-50



 Lands to be rezoned from “Residential, Low Density, Detached (R1) Zone” to “Residential, High Density, Apartments (R5-2) Zone”

THE CORPORATION OF THE TOWNSHIP OF ESSA

BY-LAW 2023 – 46

A By-law to provide for authorization to enter into a Subdivision Agreement and WWTP Servicing Agreement with Brookfield Residential (Ontario) Limited.

WHEREAS the Corporation of the Township of Essa (Township) draft approved the Brookfield Residential (Ontario) Limited (Brookfield) subdivision (File No: E-T-0602) in the community of Baxter in 2010 and extended the draft approval in February 2021 for an additional three (3) years; and

WHEREAS the Township and Brookfield have entered into a series of development agreements to support and advance the development of the residential subdivision; and

WHEREAS the Township administration has prepared drafts of the required Subdivision Agreement and Wastewater Treatment Plant (WWTP) Servicing Agreement to regulate and guide the proposed subdivision development; and

WHEREAS subs. 51(25) of the *Planning Act* permits the Township to require Brookfield to enter into one or more Agreement for the lands to which it applies dealing with such matters as are necessary for the development of the lands; and

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF ESSA ENACTS AND BE IT ENACTED AS FOLLOWS:

1. That the Mayor and Clerk are hereby authorized to execute the Subdivision Agreement and Wastewater Treatment Plant (WWTP) Servicing Agreement for the Brookfield Residential (Ontario) Limited subdivision (File No: E-T-0602) in the community of Baxter and affix thereto the seal of The Corporation upon advice from Township staff that all normal and required undertakings have been agreed to by Brookfield Residential (Ontario) Limited and as set out in the required Agreements.
2. That this By-law shall take effect and come into force upon passing.

READ A FIRST, AND TAKEN AS READ A SECOND AND THIRD TIME AND FINALLY PASSED on this the 5th day of July, 2023.

Sandie Macdonald
Mayor

Lisa Lehr
Manager of Legislative Services

THE CORPORATION OF THE TOWNSHIP OF ESSA

BY-LAW 2023-47

Being a By-law to confirm the proceedings of the Council meeting held on the 5th day of July, 2023.

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 5th day of July, 2023 and, in respect of each recommendation contained in the Public meetings held the 21st day of June, 2023, the Regular Council meeting held on the 21st day of June, 2023, and the Committee of the Whole meeting held on the 21st day of June, 2023, 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 June, 2023.

Sandie Macdonald, Mayor

Lisa Lehr, Manager of Legislative Services