

**THE CORPORATION OF THE TOWNSHIP OF ESSA
VIRTUAL REGULAR COUNCIL MEETING**

**WEDNESDAY, OCTOBER 6, 2021
(To follow Committee of the Whole)**

To view our live stream visit the Township of [Essa's YouTube Channel](#)

AGENDA

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

p. 1 Recommendation: *Be it resolved that the motions duly passed and approved at the Committee of the Whole meeting of this date be approved; and That the minutes of the Committee of the Whole and Regular Council meetings held on the 15th day of September, 2021 be adopted as circulated.*

- 4. CONSENT AGENDA**

Recommendation: *Be it resolved that the items listed in the Consent Agenda dated October 6, 2021 be received for information, and that the necessary actions be taken.*

- 5. COMMITTEE REPORTS**

- p. 10 **a. Essa Public Library Board**

Recommendation: *Be it resolved that the minutes of the Essa Public Library Board from their meeting of June 28, 2021 be received.*

- 6. PETITIONS**
- 7. MOTIONS AND NOTICES OF MOTIONS**
- 8. UNFINISHED BUSINESS**
- 9. BY-LAWS**

- p. 13 **a. By-law 2021-41**

Recommendation: *Be it resolved that leave be granted to introduce By-law 2021-41, that being a By-law to appoint a Municipal Law Enforcement Officer; and also a Tobacco Enforcement Officer, Weed Inspector and Zoning By-law Enforcement Officer; and, that said By-law be read a first, and taken as read a second and third time and finally passed.*

p. 15 **b. By-law 2021-42**

Recommendation: *Be it resolved that leave be granted to introduce By-law 2021-42, that being a By-law to appoint a Chief Building Official, Property Standards Officer, By-law Enforcement Officer and Zoning Administrator for the Corporation of 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. 16 **c. By-law 2021-43**

Recommendation: *Be it resolved that leave be granted to introduce By-law 2021-43, that being a By-law to amend Zoning By-law 2003-50, affecting 203 Barrie Street, Thornton; and, that said By-law be read a first, and taken as read a second and third time and finally passed.*

p. 19 **d. By-law 2021-44**

Recommendation: *Be it resolved that leave be granted to introduce By-law 2021-44, that being a By-law respecting construction, demolition, private sewage disposal systems, change of use, inspections and related matters as authorized by Section 7 of the Building Code; 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:*

- *Personal Matters About an Identifiable Individual [Municipal Act 2001, s.239(2)(b)]*
- *Labour Relations [Municipal Act 2001, s.239(2)(d)]*
- *Litigation or Potential Litigation [Municipal Act 2001, s.239(2)(e)]*
- *Information Supplied in Confidence by a Third Party [Municipal Act 2001, s.239(2)(i)]*

Note: Livestream does not run during Closed Session Deliberations.

Motion to Rise and Report from Closed Session Meeting of October 6, 2021.

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

12. CONFIRMATION BY-LAW

p. 32 **By-law 2021-45**

Recommendation: *Be it resolved that leave be granted to introduce By-law 2021-45, that being a By-law to confirm the proceedings of the Council and Committee of the Whole meetings held on this 6th day of October, 2021; 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 Committee of the Whole of the Township of Essa adjourn at _____ p.m. to meet again on the 20th day of October, 2021 at 6:00 p.m.*

THE CORPORATION OF THE TOWNSHIP OF ESSA
VIRTUAL COMMITTEE OF THE WHOLE MEETING
WEDNESDAY, SEPTEMBER 15, 2021

MINUTES

A Committee of the Whole meeting was held virtually on Wednesday, September 15, 2021 and was livestreamed to the public on the Township of Essa's YouTube Channel.

In attendance: Mayor Sandie Macdonald
Deputy Mayor, Michael Smith
Councillor Pieter Kiezebrink
Councillor Henry Sander
Councillor Ron Henderson

Staff in attendance: C. Healey-Dowdall, Chief Administrative Officer
A. Powell, Manager of Planning and Development
R. Rosilius, Deputy Treasurer
M. Mikael, Manager of Public Works
J. Coleman, Manager of Parks and Recreation
K. Pascoe, Deputy Clerk
L. Lehr, Manager of Legislative Services

1. OPENING OF MEETING BY THE MAYOR

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

2. DISCLOSURE OF PECUNIARY INTEREST

None.

3. DELEGATIONS / PRESENTATIONS / PUBLIC MEETINGS

- a. Delegation – Michael Ryan, Simcoe County Food Council**
re: Raising Awareness about the Food Council

Mr. Ryan was in attendance to provide Council with an overview of the Simcoe County Food Council. He reviewed the Food Council's framework stating that it is the blueprint for furthering awareness and provided Council with an overview of the goals of the Food Council. He spoke of the collaborated efforts between multiple organizations that are committed to reducing food insecurity in the County of Simcoe.

- b. Delegation – Wes Crown, MHBC Planning**
re: Update on Official Plan Review Project

Wes Crown from MHBC was in attendance to provide Council with an update on the Township's Official Plan Review Project. He briefly presented Council with an overview of works completed to date, and quickly reviewed the revised schedule.

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STAFF REPORTS

4. PLANNING AND DEVELOPMENT

- a. **Staff Report PD018-21 submitted by the Manager of Planning and Development, re: Request for Proposal Results – Heritage Consultants.**

Resolution No: CW112-2021 Moved by: Keizebrink Seconded by: Smith

Be it resolved that Staff Report PD018-21 be received; and That Council authorize Archeological Research Associates Ltd. (ARA) and Archeological Services Inc. (ASI) as Heritage Consultants to perform peer review Heritage Impact Assessments that accompany Planning Applications on behalf of the Township; and That this service be retained on an as needed basis, with all costs being charged back to the landowner, developer or proponents of the application that the work pertains to.

---Carried---

- b. **Staff Report PD019-21 submitted by the Manager of Planning and Development, re: Part Lot Control, Plan 51M-1130 Lancaster Homes East Part Lot 31, Concession 3, Angus.**

Resolution No: CW113-2021 Moved by: Henderson Seconded by: Sander

Be it resolved that Staff Report PD019-21 be received; and That Council adopt a Part Lot Control By-law in order for Part Lot Control, as prescribed by Section 50 of the Planning Act, to be applied to permit for the division of Lots 14-17 and 24-28 of Plan 51M-1130, into Semi-Detached units for Lancaster Homes at East Part Lot 31, Concession 3, Angus.

---Carried---

5. PARKS AND RECREATION / COMMUNITY SERVICES

6. FIRE AND EMERGENCY SERVICES

7. PUBLIC WORKS

- a. **Staff Report PW024-21 submitted by the Manager of Public Works, re: Winter Sand Tender Results.**

Resolution No: CW114-2021 Moved by: Kiezebrink Seconded by: Henderson

Be it resolved that Staff Report PW024-21 be received; and That the tender received from DARPAK INC. for the purchase, mixing and stacking of winter sand in the amount of \$164,840.00 plus H.S.T be accepted as per Township specifications.

---Carried---

8. FINANCE

9. CLERKS / BY-LAW ENFORCEMENT / IT

- a. **Staff Report C022-21 submitted by the Manager of Legislative Services,
re: By-Law Enforcement Activity Summary (May 1 – August 31, 2021).**

Resolution No: CW115-2021 Moved by: Sander Seconded by: Henderson

Be it resolved that Staff Report C022-21 be received for information.

----Carried----

- b. **Staff Report C023-21 submitted by the Manager of Legislative Services,
re: Municipal Modernization Program Funding – New Website.**

Resolution No: CW116-2021 Moved by: Smith Seconded by: Henderson

*Be it resolved that Staff Report C023-21 be received; and
That Council accept the quote as received from eSolutionsGroup in the amount of
\$20,000.00 (plus HST), and authorize staff to engage the services of eSolutionsGroup
for the development of a new website.*

----Carried----

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

- a. **Staff Report CAO039-21 submitted by the Chief Administrative Officer,
re: Rainbow Campground, 62 Brentwood Road.**

Resolution No: CW117-2021 Moved by: Smith Seconded by: Henderson

*Be it resolved that Staff Report CAO039-21 be received; and further
That the Chief Administrative Officer be directed to send a letter on behalf of Council
to the County of Simcoe recommending that they accept the road widening which they
requested August 5, 2016, fronting 62 Brentwood Road, in conjunction with their
approval of the 2016 site plan pertaining to the former "campground" lands.*

----Carried----

- b. **Staff Report CAO041-21 submitted by the Chief Administrative Officer,
re: Xplornet Communications Request for a Statement of Concurrence for
6004 Scotch Line.**

Resolution No: CW118-2021 Moved by: Henderson Seconded by: Smith

*Be it resolved that Staff Report CAO041-21 be received; and further
That Xplornet Communications seek an alternate location other than that presented to
Council at their September 1st meeting since neighbours oppose the site at 6004
Scotch Line and it is typically preferred by the municipality if a compromise solution
can be sought out, and in order to enhance land use compatibility.*

----Carried----

11. OTHER BUSINESS

12. ADJOURNMENT

Resolution No: CW119-2021 Moved by: Kiezebrink Seconded by: Smith

Be it resolved that this meeting of Committee of the Whole of the Township of Essa adjourn at 6:46 p.m., to meet again on the 6th day of October, 2021 at 6:00 p.m.

----Carried-----

Sandie Macdonald, Mayor

Lisa Lehr, Manager of Legislative Services

THE CORPORATION OF THE TOWNSHIP OF ESSA
VIRTUAL REGULAR COUNCIL MEETING
WEDNESDAY, SEPTEMBER 15, 2021

MINUTES

A Regular Meeting of Council was held virtually on Wednesday, September 15, 2021 following Committee of the Whole and was livestreamed to the public on the Township of Essa's YouTube Channel.

In attendance: Mayor Sandie Macdonald
Deputy Mayor, Michael Smith
Councillor Pieter Kiezebrink
Councillor Henry Sander
Councillor Ron Henderson

Staff in attendance: C. Healey-Dowdall, Chief Administrative Officer
A. Powell, Manager of Planning and Development
R. Rosilius, Deputy Treasurer
M. Mikael, Manager of Public Works
J. Coleman, Manager of Parks and Recreation
K. Pascoe, Deputy Clerk
L. Lehr, Manager of Legislative Services

1. OPENING OF MEETING BY THE MAYOR

Mayor Macdonald opened the meeting at 6:46 p.m.

2. DISCLOSURE OF PECUNIARY INTEREST

None.

3. ADOPTION OF PREVIOUS MINUTES AND MOTIONS

Resolution No: CR166-2021 Moved by: Sander Seconded by: Kiezebrink

*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 and Regular Council meetings held on the 1st day of September, 2021 be adopted as circulated.*

----Carried----

4. CONSENT AGENDA

Resolution No: CR167-2021 Moved by: Sander Seconded by: Kiezebrink

*Be it resolved that the items listed in the Consent Agenda dated September 15, 2021 be received for information, and
That Item A6 be referred to Section C of the Consent Agenda for a Report to be brought forward at a future date.*

----Carried----

5. COMMITTEE REPORTS

a. Traffic Advisory Committee

Resolution No: CR168-2021 Moved by: Henderson Seconded by: Sander

Be it resolved that the minutes of the Traffic Advisory Committee from their meeting of July 6, 2021 be received.

----Carried-----

6. PETITIONS

7. MOTIONS AND NOTICES OF MOTIONS

**a. National Day for Truth and Reconciliation - September 30, 2022
(Flag Raising Ceremony to be held at Administration Centre)**

Resolution No: CR169-2021 Moved by: Kiezebrink Seconded by: Sander

WHEREAS the Truth and Reconciliation Commission released its final report on June 2, 2015, which included 94 Calls to Action to redress the legacy of residential schools and advance the process of Canadian reconciliation; and

WHEREAS the recent discoveries of remains and unmarked graves across Canada have led to increased calls for all levels of government to address the recommendations in the TRC's Calls to Action; and

WHEREAS all Canadians and all orders of government have a role to play in reconciliation; and

WHEREAS Recommendation #80 of the Truth and Reconciliation Commission called upon the federal government, in collaboration with Aboriginal peoples, to establish, as a statutory holiday, a National Day for Truth and Reconciliation to ensure that public commemoration of the history and legacy of residential schools remains a vital component of the reconciliation process; and

WHEREAS the Federal Government has announced September 30th, 2021, as the first National Day for Truth and Reconciliation (National Orange Shirt Day) and a statutory holiday;

THEREFORE, BE IT RESOLVED THAT the Council of the Township of Essa of does hereby commit to recognizing September 30th, 2021, as the National Day for Truth and Reconciliation (National Orange Shirt Day) by sharing the stories of residential school survivors, their families, and communities.

----Carried-----

8. UNFINISHED BUSINESS

9. **BY-LAWS**

a. **By-law 2021-36**

Resolution No: CR170-2021 Moved by: Smith Seconded by: Henderson

Be it resolved that leave be granted to introduce By-law 2021-36, that being a By-law to provide for the prohibition of certain noises and to amend By-law 2018-47; 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 2021-37**

Resolution No: CR171-2021 Moved by: Sander Seconded by: Kiezebrink

Be it resolved that leave be granted to introduce By-law 2021-37, that being a By-law to amend the Township's Zoning By-law 2003-50, as amended, affecting 203 Barrie St., Thornton; 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 2021-38**

Resolution No: CR172-2021 Moved by: Henderson Seconded by: Sander

Be it resolved that leave be granted to introduce By-law 2021-38, that being a By-law to provide for the regulation of vehicle parking, standing and stopping on highways or parts of highways under the jurisdiction of the Corporation of the Township of Essa, and to amend By-law 2005-96; 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 2021-39**

Resolution No: CR173-2021 Moved by: Kiezebrink Seconded by: Henderson

Be it resolved that leave be granted to introduce By-law 2021-39, that being a By-law to remove Lots 14-17 and 24-28 of Plan 51M-1130 from the Part Lot Control Provisions of the Planning Act; and, that said By-law be read a first, and taken as read a second and third time and finally passed.

----Carried----

10. **QUESTIONS**

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11. **CLOSED SESSION**

Resolution No: CR174-2021 Moved by: Smith Seconded by: Sander

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

- *Acquisition or Disposition of Land [Municipal Act 2001, s.239(2)(c)]*

----Carried-----

Note: Livestream does not run during Closed Session Deliberations.

Council proceeded into Closed Session for deliberations at 6:55 p.m.

Motion to Rise and Report from Closed Session Meeting of September 15, 2021.

Resolution No: CR175-2021 Moved by: Sander Seconded by: Smith

Be it resolved that Council rise and report from the Closed Session Meeting at 7:54 p.m.

----Carried-----

Council passed the following in the public forum:

- ACQUISITION OR DISPOSITION OF LAND [s. 239(2)(c)]
Confidential Staff Report PW023-21 submitted by the Manager of Public Works, re: Potential Land Acquisition.**

Resolution No: CR176-2021 Moved by: Sander Seconded by: Smith

Be it resolved that Confidential Staff Report PW023-21 be received; and That Council authorize staff to proceed in accordance with Option 4 as contained within this report.

----Carried-----

- ACQUISITION OR DISPOSITION OF LAND [s. 239(2)(c)]
Confidential Staff Report PW025-21 submitted by the Manager of Public Works, re: Potential Land Disposition.**

Resolution No: CR177-2021 Moved by: Kiezebrink Seconded by: Smith

Be it resolved that Confidential Staff Report PW025-21 be received; and That Council authorize staff to proceed in accordance with Option 2 as contained within this report.

----Carried-----

- c. ACQUISITION OR DISPOSITION OF LAND [s. 239(2)(c)]
Confidential Staff Report CAO040-21 submitted by the Chief
Administrative Officer, re: Acquisition of Land.**

Resolution No: CR178-2021 Moved by: Kiezebrink Seconded by: Sander

*Be it resolved that Confidential Staff Report CAO040-21 be received; and
That Council authorize staff to proceed in accordance with Option 2 as contained
within this report.*

----Carried-----

- d. ACQUISITION OR DISPOSITION OF LAND [s.239(2)(c)]
Verbal Report from Chief Administrative Officer, re: Sale of Land.**

Resolution No: CR179-2021 Moved by: Kiezebrink Seconded by: Smith

*Be it resolved that the Chief Administrative Officer be authorized to proceed as
directed by Council.*

----Carried-----

12. CONFIRMATION BY-LAW

By-law 2021-40

Resolution No: CR180-2021 Moved by: Sander Seconded by: Henderson

*Be it resolved that leave be granted to introduce By-law 2021-40, that being a By-law to
confirm the proceedings of the Council and Committee of the Whole meetings held on
this 15th day of September, 2021; 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: CR181-2021 Moved by: Henderson Seconded by: Kiezebrink

*Be it resolved that this meeting of Committee of the Whole of the Township of Essa
adjourn at 7:56 p.m. to meet again on the 6th day of October, 2021 at 6:00 p.m.*

----Carried-----

Sandie Macdonald, Mayor

Lisa Lehr, Manager of Legislative Services

Essa Public Library Board
Minutes
Monday, June 28, 2021, 7:00pm
Virtual meeting

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Present: J. Bushey, J. Hunter, S. Malick, D. McKeever, G. Newbatt, H. Sander,
L. Wark

Absent with Notice: C. Cryer

Absent: A. Morrison

1. Call to Order at 7pm by Chair D. McKeever.
2. Respect and Acknowledgement Declaration (S. Malick):
Essa Public Library Board acknowledges that we are situated on the traditional land of the Anishnaabeg people. We acknowledge the enduring presence of First Nation, Métis and Inuit people on this land and are committed to moving forward in the spirit of reconciliation and respect. As fitting as it is that this Board acknowledges our debt to our First Nations People's through this declaration I would like to note that true respect goes beyond words; real respect demands action. So, it is wonderful to see EPL taking action by partnering with an Indigenous Educational Facilitator to create a Heart Garden. May this be the start of many more such actions.
3. Approval of the Agenda
2021:035 Moved: HS Seconded: SM Carried
THAT the Agenda for June 28, 2021 be approved as circulated with the addition of Item 13.5 LS:013 Administration Fees Policy Review, and a correction to items mentioned in 11.3 and 11.4 of the CEO Report.
4. No Conflicts of Interest are declared for proceedings before this Board.
5. Minutes of the Preceding Regular Meeting: May 31, 2021
2021:036 Moved: HS Seconded: JB Carried
THAT the Minutes of the May 31, 2021 Regular Meeting be approved as circulated.
6. Business Arising from past Minutes: None
7. Communications:
 - 7.1 Borden Citizen article on [EPL Story Walks](#) (June 8)
 - 7.2 Township of Essa Community Awareness Day on August 26th
8. Chairperson's Remarks: Thank all the staff for the great job they are doing. An update on former Board member, Rosemary Cade – in hospital and expected to return home.

J. Hunter joins the meeting

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9. Treasurer's Report:

9.1 Reserve Funds to Dec 31, 2020 for Thornton Branch: \$21,172.50

9.2 Budget Trial Balance from Essa Treasury to June 22, 2021

9.3 Capital Budget report from Essa Treasury to May 31, 2021

2021:037 Moved: JB Seconded: SM Carried
THAT the Treasurer's Report be received as circulated.

10. Library Report: May 2021

11. CEO Report, June 2021.

11.1 Heart Garden proposal for Angus campus

11.2 Working Committee Minutes from May 20, 2021

11.3 Simcoe Libraries Data Request from KPMG

11.4 Announcement of new Executive Director for the Federation of Ontario Public Libraries (FOPL)

2021: 038 Moved: JB Seconded: HS Carried
THAT the Library Board receives the CEO Report as circulated.

12. Ontario Library Service (OLS) Trustee Representative (C. Cryer): Overview

13. Committees:

13.1 Planning Committee (Chairperson: C. Cryer): No report

13.2 Personnel Committee (Chairperson: J. Hunter): No report

13.3 Finance Committee (Chairperson: S. Malick): No report

13.4 Committee of the Whole: Library Board Assessment (J. Hunter)
Discussion of action for September meeting.

13.5 Review and Update of EPL Policy LS:013_Administration Fees Policy

The fee schedule will reflect that Fax services are no longer available.

2021:039 Moved: SM Seconded: JH Carried
THAT EPL Board approves an update to Library Service Policy LS:013 Administration Fees Policy as shared.

14. Closed Meeting:

2021:040 Moved: JH Seconded: JB Carried
THAT the Board proceed to Closed Session at 7:45pm to discuss:

- ✓ other matters pertaining to personal matters about an identifiable individual, including Board employees

2021:041 Moved: JH Seconded: JB Carried
THAT the Board rise from the Closed Session at 7:48pm.

2021:042 Moved: JH Seconded: JB Carried

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THAT the CEO is authorized to proceed as directed by the Library Board.

- 15. Other Business: None
- 16. Next Meeting: Monday, September 27th, 2021, 7:00pm at Thornton Branch.
- 17. Adjournment
2021:043 Moved: JH Carried
THAT the Meeting be adjourned at 7:50pm.

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THE CORPORATION OF THE TOWNSHIP OF ESSA

BY-LAW 2021 - 41

A By-law to appoint a Municipal Law Enforcement Officer; and also a Tobacco Enforcement Officer, Weed Inspector and Zoning By-law Enforcement Officer.

WHEREAS section 8 of the *Municipal Act*, 2001, S.O. 2001, c. 25, as amended, provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under the Act; and

WHEREAS Section 11 of the *Municipal Act*, 2001, provides that a lower-tier municipality may pass By-laws respecting matters within the spheres of jurisdiction set out therein, and is responsible for the enforcement of the By-laws pertaining to those sections; and

WHEREAS Section 227 of the *Municipal Act*, 2001, authorizes Councils to pass By-laws for appointing such officers and employees as may be necessary for the purposes of the Corporation, for carrying into effect the provisions of any By-law of the Council; and

WHEREAS provisions contained in Section 1.1 of the *Provincial Offences Act*, R.S.O. 1990, c.P.33, include a Provincial Offences Officer as an officer, employee or agent of any municipality or of any local board of any municipality whose responsibilities include the enforcement of a By-law, an Act or a regulation under an Act, while in the discharge of his or her duties; and

WHEREAS provisions are included under the *Provincial Offences Act*, the *Weed Control Act*, the *Pounds Act*, the County of Simcoe and Township of Essa prohibitive smoking By-laws, and the Township of Essa Zoning By-law to provide for municipal enforcement; and

WHEREAS Section 15 of the *Police Services Act*, R.S.O. 1990 c. P.15, as amended, authorizes a Municipal Council to appoint persons who shall be peace officers for the purposes of enforcing municipal By-laws; and

WHEREAS Council of the Township of Essa deems it advisable to appoint a Municipal Law Enforcement Officer and any inspectors and administrators as are necessary for the purposes of the enforcement of said Acts and By-laws;

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

1. That Alana McLennon be and is hereby appointed to the position of Municipal Law Enforcement Officer in accordance with the *Police Services Act*, R.S.O. 1990, c. P. 15, as amended, for the Township of Essa for the term of her

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employment with the municipality, to carry out the duties and responsibilities as set out in the job description for the period during which she is an employee of the municipality.

2. That Alana McLennon be and is hereby appointed as Tobacco Enforcement Officer, Weed Inspector, Canine Control and Zoning Enforcement Officer; 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 Alana McLennon does hereby agree and acknowledge to abide by the Township of Essa's policies and procedures, including the Acceptable Computer Usage Policy, the Employee Code of Conduct, the Corporation's Health and Safety Program, and other policies as provided.
4. That the said appointment shall become effective as of October 12, 2021.
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 6th day of October, 2021.

Sandie Macdonald, Mayor

Lisa Lehr, Manager of Legislative Services

THE CORPORATION OF THE TOWNSHIP OF ESSA

BY-LAW NO. 2021 – 42

Being a By-law to appoint a Chief Building Official also a Property Standards Officer, By-law Enforcement Officer and Zoning Administrator for the Corporation of the Township of Essa; and to Repeal By-law 2018-48.

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;

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

1. That Pedro Granes be and is hereby appointed as Chief Building Official for the Corporation of the Township of Essa and shall have the title as such until such a time as he is no longer employed by the Corporation of the Township of Essa.
2. That Pedro Granes be and is hereby appointed as Property Standards Officer, By-law Enforcement Officer and Zoning Administrator for the Corporation of the Township of Essa and shall have the title as such until such time as he is no longer employed by the Council of the Township of Essa.
3. That Pedro Granes shall perform all duties required to be performed by the Chief Building Official under statutory authority, and any other lawful duties that may be imposed by the Chief Administrative Officer and/or Council. Said duties shall include, but not be limited to, those forming the job description for the Chief Building Official position. The said job description may be amended at any time at the sole discretion of the Chief Administrative Officer.
4. That By-law 2018-48 be and is hereby repealed.
5. This By-law shall come into force and take effect as of October 12, 2021.

READ A FIRST, AND TAKEN AS READ A SECOND AND THIRD TIME AND FINALLY PASSED on this the 6th day of October, 2021.

Sandie Macdonald, Mayor

Lisa Lehr, Manager of Legislative Services

9c

THE CORPORATION OF THE TOWNSHIP OF ESSA

BY-LAW NO. 2021 – 43

Being a By-law to Amend By-Law No. 2003-50, of the Township of Essa, affecting 203 Barrie Street, Thornton.

WHEREAS pursuant to Section 34 of the Planning Act, R.S.O., 1990, Chapter P.13, as amended, By-law No. 2003-50, as amended constitutes the Zoning By-law for the Township of Essa and was passed to control the use of lands, buildings and structures;

AND WHEREAS the Council for the Corporation of the Township of Essa is in support of an application to rezone the subject property, legally known as Part Lot 16 & 17, Concession 11, and municipally known as 203 Barrie Street, to a Community Commercial Special (C1-2) Zone to permit a commercial building with medically related office uses;

AND WHEREAS the Council for the Corporation of the Township of Essa deems it appropriate, and in the public interest, to pass an amendment to the aforesaid Zoning By-law No. 2003-50, as amended;

AND WHEREAS the matters herein as set out conforms to the Official Plan of the Township of Essa.

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

1. That Schedule "C" of By-law No. 2003-50, as amended, is hereby further amended by changing the zoning on the property legally known as Part Lot 16 & 17, Concession 11, and municipally known as 203 Barrie Street of the Township of Essa, from Residential Low Density Detached (R1) Zone to Community Commercial Special (C1-2) Zone, as shown on the Schedule "A" attached hereto.
2. That Section 19.4, Special Provisions of By-law 2003-50, as amended is further amended by adding Section 19.4.2 as follows:

"19.4.2 C1-2: Part Lot 16 & 17, Concession 11, 203 Barrie Street

Notwithstanding Section 18, General Provisions for Commercial Zones, on lands zoned C1-2 Zone, a landscape buffer to road allowance of 2.3 m is permitted. All other applicable provisions of the C1 Zone contained in Section 18 shall apply.

Notwithstanding Section 30, Non-Residential Zone Regulations, on lands zoned C1-2 Zone, a minimum lot area of 2,356.3 m² with partial or private services is permitted. All other applicable regulations of the C1 Zone contained in Section 30 shall apply.

3. That Schedule "A" is hereby declared to form part of this By-law.

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4. That this By-law shall come into force on the date of passage and take effect after the last date for filing a notice of appeal where no notice of appeal is filed, or, where a notice of appeal is received, upon approval of the Ontario Land Tribunal, and, in either case, in accordance with the provisions of Section 34 of the Planning Act, R.S.O. 1990, Ch. P.13, as amended.

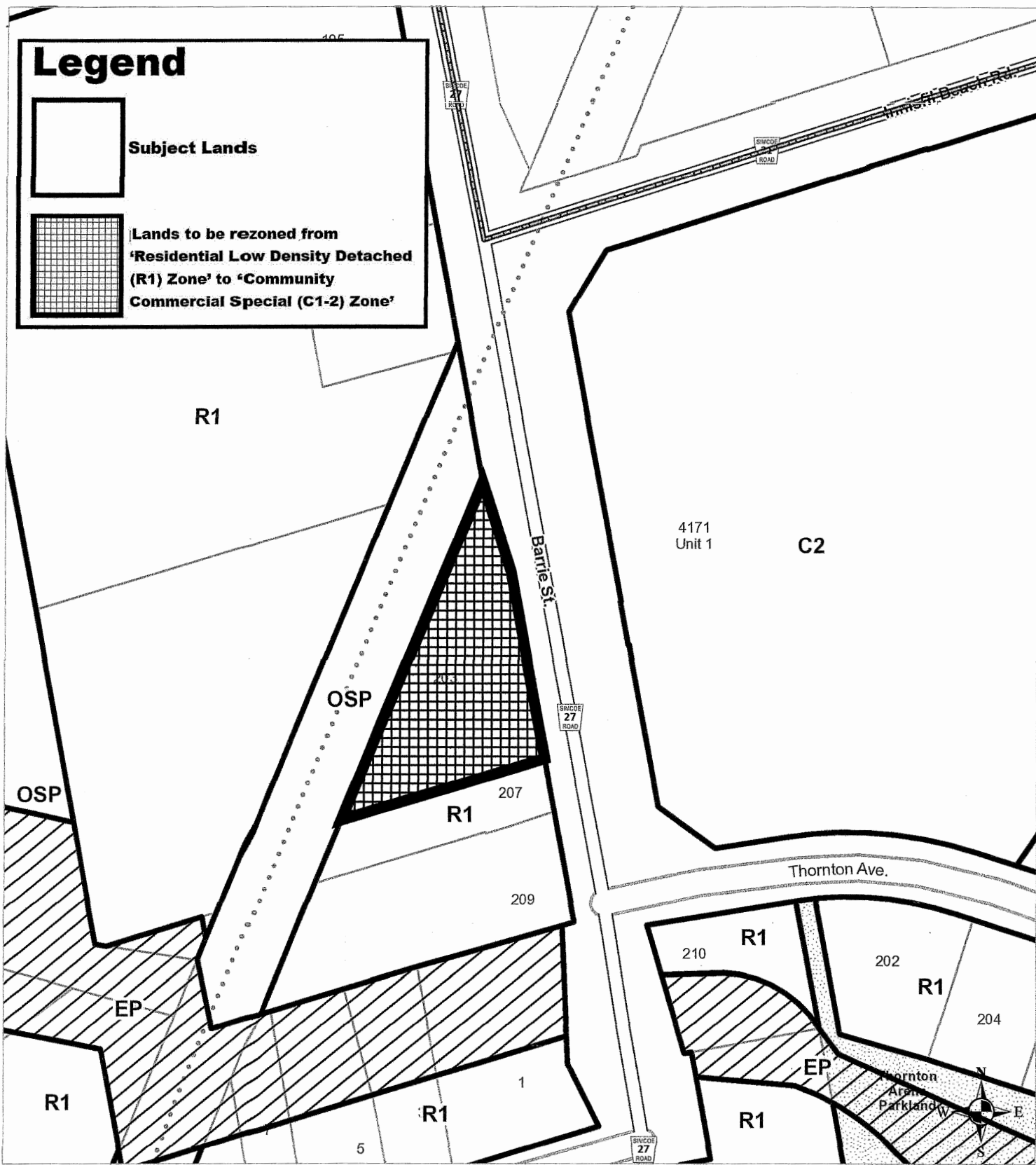
READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED on this 6th day of October 2021.

Sandie Macdonald
Mayor

Lisa Lehr
Manager of Legislative Services

Township of Essa Schedule 'A'

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This is Schedule 'A' to Zoning By-law 2003-50
passed the 6th day of October 2021

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THE CORPORATION OF THE TOWNSHIP OF ESSA

BY-LAW NUMBER 2021 – 44

A By-Law respecting Construction, Demolition, Private Sewage Disposal Systems, Change of Use, Inspections and related matters, as authorized by Section 7 of the Building Code Act, 1992, S.O. 1992, c.23; and to repeal By-Law 2006-32.

WHEREAS Section 7 of the *Building Code Act, 1992, s.o.1992, c.23*, empowers Council to pass by-laws respecting construction, demolition, private sewage disposal systems, change of use and inspections.

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

1. DEFINITIONS

- 1.1 Terms not defined in this By-Law shall have the meaning ascribed to them in the *Act* or the *Building Code*.
- 1.2 In this By-law words and phrases listed below have the following meaning:
 - 1.2.1 **Act** means *the Building Code Act, 1992, S.O. 1992, c.23* including its amendments.
 - 1.2.2 **Applicant** means the *owner* of a building or property who applies for a *permit* or any person authorized to apply for a *permit* on the *owner's* behalf, or any person or corporation empowered by statute to cause the construction or demolition of a building or buildings and anyone acting under the authority of such person or corporation.
 - 1.2.3 **Applicable Law** means any general or special Act, and all regulations and by-laws enacted under them that prohibit the proposed use of the building unless the Act, regulation or by-law is complied with.
 - 1.2.4 **Architect** means a holder of a licence, certificate of practice, or a temporary licence under the Architect Act as defined in the *Building Code*.
 - 1.2.5 **As Constructed Drawings** means constructed plans as defined in the *Building Code*.
 - 1.2.6 **Building** means a building as defined in section 1(1) of the *Act*.
 - 1.2.7 **Building Code** means the regulation made under Section 34 of the *Act*.
 - 1.2.8 **Building Permit** means permission or authorization given, in writing, to perform work related to, and/or occupy, and/or use of

buildings regulated by this By-Law and the *Act* including *farm buildings*.

- 1.2.9 **Chief Building Official** means the Chief Building Official appointed by the by-law by Council for the purposes of enforcement of the *Act*, *the Building Code*, and this By-Law.
- 1.2.10 **Complete Application** means an application that meets the requirements for applications set out in the *Building Code*.
- 1.2.11 **Construct** means construction as defined in subsection 1(1) of the *Act*.
- 1.2.12 **Demolish** means construction as defined in subsection 1(1) of the *Act*.
- 1.2.13 **Farm Building** means a building as defined in the *Building Code*.
- 1.2.14 **Inspector** means an Inspector appointed under Section 3 of the *Act*.
- 1.2.15 **Mobile Home** means a transportable single family dwelling unit designed and built to be transported on its own chassis or frame. It may contain parts that can be folded, collapsed, or telescoped when being towed and expanded later to provide additional floor space. It can also be two or more separately towable components that are joined on the chosen site. A mobile home is designed for long term, year round occupancy. It has facilities for cooking, eating, living, sleeping and sanitation. A mobile home shall not include a travel trailer, tent trailer or trailer otherwise designed.
- 1.2.16 **Owner** means, in respect of the property on which the construction is to take place, the registered owner of the land and, may include lessee, mortgagee in possession and the person acting as the owner's authorized agent.
- 1.2.17 **Permit** means written permission or written authorization from the *Chief Building Official* to perform work regulated by this by-law and the *Act*, or to change the use of a building or part of a building or parts thereof as regulated by the *Act*.
- 1.2.18 **Person(s)** means any human being, association, firm, partnership, private club, incorporated company, corporation, agent or trustee and their heirs, executors or other legal representatives of a person to whom the context can apply according to law.
- 1.2.19 **Permit holder** means the *owner* to whom the permit has been issued.
- 1.2.20 **Plumbing** means plumbing as defined in Section 1(1) of the *Act*.

1.2.21 **Private Sewage Disposal System** means a sewage system as defined in Subsection 1.4.1.2 of Division A Part 1 of the *Building Code*.

1.2.22 **Professional Engineer** means a person who holds a licence or temporary licence under the Professional Engineer's Act, as defined in the *Building Code*.

1.2.23 **Regulations** mean regulations made under the *Act*.

1.2.24 **Reinspection** means any inspection of a construction stage carried out pursuant to a previous inspection of the same stage and was required because at the time of the previous inspection, the construction stage was incomplete or otherwise did not comply with the requirements of this By-Law. A reinspection is carried out subsequent to notification of readiness by the owner or their agent in accordance with the *Ontario Building Code*.

1.2.25 **Renovation** means the repair, replacement, installation or application of roofing materials, exterior wall cladding, storm windows, storm doors, eaves trough, exterior porch and stair railings, guards, masonry repair, caulking, insulation and heating systems. All renovation work is carried out in or on a previously existing building and does not include the structural changes or affect the life safety systems of the building.

1.2.26 **Revised Submission** means addition information filed with the *Chief Building Official* which depicts one or more changes to the proposed or as-constructed design of a building or part of a building for which a permit has already been issued and for which approval by the *Chief Building Official* is required.

1.2.27 **Township** means the Corporation of the Township of Essa.

2. **SHORT TITLE**

2.1 This By-law may be cited as the Building By-Law.

3. **ADMINISTRATIONS**

3.1 **Building Permit Required**

3.1.1 No person shall construct, alter renovate, demolish, remove, or relocate or cause to be constructed, altered, renovated, demolished, removed, relocated a building, construct, repair, renew or alter plumbing, or septic systems or occupy or use a building regulated by this By-law within the territorial limits of the Township of Essa unless a permit has been issue by the *Chief Building Official*.

3.1.2 No person shall make a material change, or cause change to be made to a plan, specification, document or other information on the

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basis of which a permit was issued, without notifying the *Chief Building Official* and filing details of such changes with him/her for the purpose of obtaining authorization.

- 3.1.3 Applications may be made for revision to a building permit after issuance and such application shall be made in the same manner as the original permit.
- 3.1.4 Where property changes ownership for which a permit has been issued, the new registered owner shall assume full responsibility for the building permit.
- 3.1.5 Every building permit holder shall post in a conspicuous location on the work site, the building permit placard that is issued with the building permit and shall be responsible for maintaining the placard in a legible condition until the work allowed by the permit is complete.
- 3.1.6 In accordance with the provisions of Section 8, Subsection 10, and Section 25 of the Act, the *Chief Building Official* may revoke a building permit.

4. PERMITS NOT ASSIGNABLE

- 4.1 Building permits are not assignable. In the event that property changes ownership when work allowed by a building permit is not completed, the construction permit shall become invalid, and the new owner or agent of the owner shall make application for a permit for any work proposed for which a construction permit is required.

5. CLASSES OF PERMITS

- 5.1 For purposes of provision Subsection 3.1.1, the prescribed class of permits are :
 - 5.1.1 **Building Permit.** This permit is generally used for all types of construction governed by the Building Code, including plumbing, septic systems, renovations, signs, designated structures and farm buildings, but not limited to the aforementioned.
 - 5.1.2 **Demolition Permit.** This permit governs both the type and method of demolition under the Building Code and is a requirement under Section 8.(1) of the Act. The applicant for a permit for the demolition of a building is required to retain a professional engineer to undertake a general review of the project during demolition of the building and meets certain criteria as outlined by Division C, Part 1, 1.2.2.3. **Demolition of a Building** in the *Building Code*.
 - 5.1.3 **Plumbing Permit.** This permit is for all construction and renovation of plumbing system defined in Section 1(1) of the Act and Part 7 of the Building Code.

- 5.1.4 **Designated Structure Permit.** This permit is for the construction of all designated structures as defined under Division A, Part 1, 1.3.1.1. **Designated Structures** in the *Building Code*.
- 5.1.5 **Sign Permit.** This permit is required for all signs to be issued/installed pursuant to Section 3.15 of the *Building Code*.
- 5.1.6 **Change of Use Permit.** This permit is used where a change of use resulting in an increase in hazard as determined under Division A Part 1, 1.1.2.5. **Application of Part 10** and Division C Part 1, 1.3.1.4 **Permits Under Section 10 of the Act.** in the *Building Code*.
- 5.1.7 **Restricted Occupancy Permit.** This permit is used for Buildings deemed by the *Township* to be of a temporary nature.
- 5.1.8 **Sewage System Permit.** This permit is for the construction and repair of sewage systems in accordance with Part 8 of the *Building Code*.
- 5.1.9 **Heating, Ventilation and Air Conditioning Permit.** This permit is for the installation and assessment of compliance with the mechanical components of the *Building Code*.
- 5.1.10 **Conditional Permit.** This permit may be issued in the discretion of the *Chief Building Official* to authorize any stage of construction, even though all of the requirements under subsection 8(2) of the *Act* have not been met such as compliance with other *applicable law*. The requirements of Section 8(3) (a)(b) and (c) of *the Act* must be met before a conditional permit may be issued.

6. REQUIREMENTS FOR APPLICATION

- 6.1 To obtain a permit, the owner or an agent authorized in writing by the owner shall file an application in writing by completing a prescribed form(s) available from the Township office or from the Building Code website www.obc.mah.gov.on.ca .
- 6.2 **Building Permits**
 - 6.2.1 Every building permit shall be submitted to the *Chief Building Official*, and contain the following information:
 - 6.2.2 Where an application is being made for a Building Permit under Section 8(1) of the *Act*, the application shall:
 - (a) Identify and describe in detail the work to be covered by the permit for which application is being made.

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- (b) Describe the land on which the work is to be done, by a description that will readily identify and locate the building lot.
- (c) Include complete plans and specifications as described in this By-law for work to be covered by the permit and show the occupancy of all parts of the building, details of the existing Sewage System, if any.
- (d) State the estimated value of the proposed work including materials and labour and to be accompanied by the required fees.
- (e) State the names, addresses and phone numbers and may state the fax number and/or cell phone numbers, of the owner, architect, engineer or other designer and constructor.
- (f) Be accompanied by complete plans and specifications as described in this by-law for the work to be covered by the permit and show the occupancy or all parts of the building, details of the existing Sewage System, if any.
- (g) State the names, addresses and telephone numbers and may state the fax number and/or cell numbers of the owner, architect or a professional engineer to carry out the field review of the construction where required by the Ontario Building Code.
- (h) State the names for each individual who reviews and takes responsibility for the design activities with respect to the project and shall state the design activities for which each individual is qualified pursuant to the Building Code.
- (i) Be signed by the owner or authorized agent who shall certify the truth of the contents of the application.
- (j) Be accompanied by all the necessary approvals required by law as set out in the Schedules and referenced in Division A Part 1, 1.4.1.3 **Definition of Applicable Law** in the Building Code.

6.3 Demolition Permits

6.3.1 Where an application is made for a demolition permit under Section 8(1) of the Act, the application shall:

- (a) Contain the information required by clauses 6.2.2.(a) to (g).
- (b) Suitable drawings identifying the location of the building(s) to be demolished and any other buildings within the proximity of the demolition which are to remain.

- (c) Be accompanied by satisfactory proof that arrangements have been made with the proper authorities for the cutting off and plugging of all water, sewer, gas, electric, telephone or other utilities and services.

6.4 Conditional Permits

6.4.1 Where application is made for a conditional permit under Subsection 8(3) of the *Act*, the application shall:

- (a) Contain the information required by clauses 6.2.2.(a) to (g).
- (b) Contain such other information, plans and specifications concerning the complete project as the Chief Building Official may require.
- (c) State the reasons why the applicant believes that unreasonable delays in construction would occur if a conditional permit is not granted.
- (d) State the necessary approvals which must be obtained in respect of the proposed building and the time in which such approvals will be obtained, and
- (e) State the time in which plans and specifications of the complete building will be filed with the *Official Chief Building*.

6.5 Change of Use Permits

6.5.1 Every application for a change of use permit issued under Section 10(1) of the *Act* shall be submitted to the *Chief Building Official*, and shall:

- (a) Contain the information required by clauses 6.2.2 (a) to (g).
- (b) Describe the building in which the occupancy is to be changed, using a description that will readily identify and locate the building.
- (c) Identify and describe in detail the current and proposed occupancies of the building or part of a building for which the application is made.
- (d) Include plans and specifications which show the current and proposed occupancy for all parts of the building and which contain sufficient information to establish compliance with the requirements of the Building Code including: floor plans, details of wall, ceiling and roof assemblies identifying required fire resistance ratings and load bearing capacities, details of existing sewage system if any.

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- (e) Be accompanied by the required fee.
- (f) State the name, address, telephone, and fax number of the owner.
- (g) Be signed by the owner or his or her authorized agent who shall certify the truth of the contents of the application.

6.6 Sewage System Permits

6.6.1 Every application for a sewage system shall be submitted to the *Chief Building Official*, and contain the following information:

- 6.6.1.1.
- (a) The information required by clauses 6.2.2 (a) to (g) in respect to building permits.
 - (b) The name, address, telephone number and Building Code Identifier Number of the person installing the Sewage System.

and

- 6.6.1.2.
- (a) Site evaluation which shall include all of the following items, unless otherwise specified by the *Chief Building Official*.
 - (b) The date the evaluation was done.
 - (c) Name, address, telephone number and signature of the person who prepared the Evaluation.
 - (d) A scaled map of the site showing:
 - the legal description, lot size, property dimension, existing rights-of-way, easements of municipal/utility corridors
 - the location of items listed in column 1 of Tables 8.2.1.5.A, 8.2.1.5.B, and 38.2.1.5.C,
 - the location of the proposed sewage system,
 - the location of any unsuitable, disturbed, or compacted areas and,
 - proposed access routes for system maintenance.
 - (e) Depth to bedrock
 - (f) Depth to zones of soil saturation.

- (g) Soil properties, including soil permeability (T Time Test)
- (h) Soil conditions, including the potential for flooding.

6.7 Conditional Permits

6.7.1 This permit may be issued at the discretion of the *Chief Building Official* to authorize any stage of construction, even though all of the requirements under Subsection 8(2) of *the Act* have not been met such as compliance with other applicable law. The requirements of Section 8(3) (a), (b) and (c) of the *Act* must be met before a conditional permit may be issued.

6.8 Plans Specifications and Information

6.8.1 Sufficient information shall be submitted with each application for a permit to enable the *Chief Building Official* to determine whether or not the proposed construction, demolition, or change of use will conform with *The Act, The Building Code* and any other applicable law.

6.8.2 Each application shall, unless otherwise permitted by *the Chief Building Official*, shall be accompanied by two(2) complete sets of plans and specifications required under this By-law.

6.8.3 Plans shall be drawn to scale on paper, or other durable commonly used material, shall be legible and, without limiting the generality of the foregoing, shall include such working drawings as set out in the Schedules.

6.8.4 Unless otherwise permitted by *the Chief Building Official*, site plans shall refer to an up to date survey. When an applicant is required to demonstrate compliance with *the Act, the Building Code* or other applicable law, a copy of the survey shall be submitted to the *Chief Building Official*.

6.8.5 Site Plans shall show:

- (a) Lot size and dimensions of property lines and setbacks to any existing or proposed buildings,
- (b) Existing and finished ground levels or grades, and
- (c) Existing right of way, easements, and municipal services
- (d) Proposed fire access routes and existing fire hydrant locations.

6.8.6 Plans and specifications furnished according to this by-law or otherwise required by the Act shall become the property of the

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municipality and will be disposed of or retained in accordance with relevant legislation.

6.8.7 On completion of the construction of a building, the Chief Building Official may require the applicant to file a set of "as constructed" plans, including a plan of survey showing the location of the building.

6.9 Deemed Abandonment

6.9.1 Where an application for a permit remains incomplete and inactive for six months (6) after it is made, the application may be deemed by the *Chief Building Official* to have been abandoned and notice may be sent to the applicant.

6.9.2 Where a building permit, if after six months after its issuance, the construction or demolition in respect of which it was issued has not, in the opinion of the *Chief Building Official*, been seriously commenced may be revoked or deemed abandoned.

6.9.3 Where a building permit, if the construction or demolition of the building is, in the opinion of the *Chief Building Official*, substantially suspended or discontinued for a period more than one year may be revoked or deemed abandoned.

7. FENCING OF CONSTRUCTION SITES

7.1 In the opinion of the *Chief Building Official*, if a construction site presents a particular hazard to the public, he or she may require the erection of such fencing as he or she deems appropriate to the circumstances. The required fencing shall be as described in the National Building Code, Section 8.2.

7.2 In considering the hazard presented by a construction site, the necessity for fencing, and its construction, the *Chief Building Official* shall have regard for:

- (a) The proximity of construction site to the occupied dwellings;
- (b) The proximity of the construction site to lands accessible to the public, including but not limited to streets, parks, commercial and institutional activities,
- (c) The hazards presented by the construction activities and materials
- (d) The feasibility and effectiveness of site fencing, and
- (e) The duration of the hazard.

8. APPROVAL IN PART

8.1 In order to expedite work, when approval for a building permit for a portion of the building, or project is desired, prior to the issuance of the permit for

the complete building or project, an application shall be made and fees paid for the complete project. Complete plans and specifications for the portion desired, shall be submitted with the application together with sufficient information relative to the whole project to enable the *Chief Building Official* to determine whether or not the whole of the work proposed will conform with the requirements of this by-law and any other applicable law at the time of the application.

- 8.2 Where a permit is issued for part of a building or project, the issuance of the permit shall not be construed to authorize construction beyond the plans for which approval was given, nor that approval will necessarily be granted for the entire building or project.
- 8.3 Permits required for the remainder of the project will be granted subject to the laws, rules and regulations in effect at the time a subsequent application is made.

9. PAYMENT OF FEES

- 9.1 Fees for a required permit shall be set out in the Township's Schedule of Fees By-Law. The Minimum Permit Fee is payable upon the submission of a Building Permit application to the Township. Remaining fees, if applicable, are payable upon the issuance of the Permit.
- 9.2 All fees and deposits associated with a permit shall be paid in full, prior to issuing of the permit and the commencement of construction.
- 9.3 Where the fees payable in respect of an application for a permit issued under Subsection 8(1) of the Act or under Subsection 8(3) of the Act are based on floor area, floor area shall mean the total floor space of all storeys above grade measured as the horizontal area between the exterior walls of the building, except that floor areas below ground are measured as the horizontal area between the interior of the foundation walls.
- 9.4 The *Chief Building Official* may place a valuation on the cost of the proposed work for the purpose of establishing the permit fee, and where disputed by the applicant, the applicant shall pay the required fee under protest and within six months of completion of the project, shall submit an audited statement of actual costs, and where the audited costs are determined to be less than the valuation, the *Chief Building Official* shall issue a refund.

10. REFUND OF FEES

- 10.1 Building permit holders shall be eligible for a refund in accordance with the provisions set out below:
 - 10.1.1. When the work with respect to an issued permit is not commenced and the permit holder applies for a refund within six (6) months from the date of the permit issuance;

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- 10.1.2 When the work with respect to an issued permit is commenced and then abandoned and the permit holder applies for a refund within six (6) months from the date of the issuance of the permit;
- 10.1.3 When the work has commenced and the issued permit has become invalid by reason of change of ownership of the property and the permit holder applies for a refund with twelve (12) months from the date of issuance of the permit;

Amount of refunds

10.2 Where work for which an issued building permit is not commenced, or has been abandoned, or when a building permit has become invalid a portion of the fees paid may be refunded as follows:

- 10.2.1 90% of the fee paid if only administrative functions have been performed by the *Township*;
- 10.2.2 80% of the fee paid if administrative and zoning functions have been performed by the *Township*;
- 10.2.3 60% of the fee paid if administrative, zoning and plan examination functions have been performed by the *Township*; and
- 10.2.4 55% of the fee paid less \$60.00 for each site inspection made by an Inspector if administrative, zoning, plan examination functions and site inspection have been performed by the *Township*.
- 10.3 There shall be no refund of any building permit fees when:
 - 10.3.1 A building permit has become void; and
 - 10.3.2 A building permit has been revoked.
- 10.4 Building fee refunds are only payable to the building permit holder, unless a written direction **from the building permit holder indicates otherwise, is received by the Chief Building Official**, before a refund is issued.

11. NOTICE OF REQUIREMENTS FOR INSPECTIONS

- 11.1 With respect to "**Prescribed Notices**" under Division C Part 1, 1.3.5.1. of the *Building Code*, the owner or an authorized agent shall notify the *Chief Building Official*, or *Inspector* at least two (2) business days prior to each stage of construction for which notice is required under the *Building Code*.
- 11.2 The *Chief Building Official* may, at the time of the building permit issuance, waive the requirement for notification for any construction stage, if such a requirements for notification is deemed not applicable to the proposed work.

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responsible for the provisions of service, labour or materials to the building from the full and sole responsibility for carrying out the work or having the work carried out in accordance with the requirements of this *By-law*, the Act, its regulations and any other applicable legislation.

16.2 The granting of any permit, or the acceptance of any drawings or specification, or the making of any inspections by the *Inspector* shall not, in any way, relieve the owner of such building or person responsible for the provisions of service, labour or materials to the building from the full and sole responsibility for carrying out the work or having the work carried out in accordance with the requirements of the *By-law*, the *Act*, its regulations and any other applicable legislation.

17. ATTACHED SCHEDULES

17.1 All schedules attached to this *By-law* shall be incorporated into and form part of this Building *By-law*.

18. REPEAL OF PREVIOUS BY-LAW

18.1 *By-law* No. 2006- 32 of the Corporation is hereby repealed.

19. EFFECTIVE DATE

19.1 This *By-law* shall come into force and take effect on the day of passing.

READ A FIRST, AND TAKEN AS READ A SECOND AND THIRD TIME AND FINALLY PASSED on this 6th day of October, 2021.

Sandie Macdonald, Mayor

Lisa Lehr, Manager of Legislative Services

THE CORPORATION OF THE TOWNSHIP OF ESSA

BY-LAW 2021 – 45

Being a By-law to confirm the proceedings of the Council meeting held on the 6th day of October, 2021.

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 6th day of October, 2021 and, in respect of each recommendation contained in the Minutes of the Regular Council meeting held on the 15th day of September, 2021 and the Committee of the Whole meeting held on the 15th day of September, 2021; 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 6th day of October, 2021.

Sandie Macdonald, Mayor

Lisa Lehr, Manager of Legislative Services