

THE CORPORATION OF THE TOWNSHIP OF SABLES-SPANISH RIVERS

REGULAR MEETING

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JUNE 22 2022

PRESENT: MAYOR: Leslie GAMBLE
COUNCILLORS: Kevin BURKE; Edith FAIRBURN; Patricia HNATUIK; Cheryl PHILLIPS;
Dale RIVERS; Tim WEATHERLEY
CLERK-ADMINISTRATOR: Anne WHALEN

Councillor T. Weatherley declared a conflict of interest on Agenda Item F1 – Consent Application as he is related to the applicant.

Councillor E. Fairburn declared a conflict of interest on Agenda Item E5 – Noise Exemption request as she is an employee of the applicant.

Motion No: 2022-193
Moved By: D. RIVERS
Seconded By: T. WEATHERLEY
WHEREAS there is a quorum of Council present and the time is 6:00 p.m.;
BE IT RESOLVED THAT this regular meeting be open for business at the Massey & District Community Centre & Arena;
AND THAT the minutes of the regular meeting of June 8, 2022 be approved;
CARRIED

Motion No. 2022-194
Moved By: K. BURKE
Add to Agenda Seconded By: C. PHILLIPS
BE IT RESOLVED THAT the following be added to the regular agenda:
C1 – Algoma/Front Street Watermain Project – Award Tender
E6 – Invoice from Perry + Perry – Arena Renovations
F2 – J.L. Richards – Update on Trailer Licensing & Zoning Review
CARRIED

Bylaw 1st & 2nd Motion No. 2022-195
Reading Moved By: K. BURKE
Seconded By: C. PHILLIPS
BE IT RESOLVED THAT Bylaw 2022-27 being a Bylaw to amend a Bylaw Providing for Procurement Policies and Procedures be read a first and second time.
CARRIED

Bylaw 3rd Motion No. 2022-196
& Final Moved By: P. HNATUIK
Reading Seconded By: E. FAIRBURN
BE IT RESOLVED THAT Bylaw 2022-27 being a Bylaw to amend a Bylaw Providing for Procurement Policies and Procedures be read a third and final time and passed in open council.
CARRIED

Algoma/ Motion No. 2022-197
Front St Moved By: K. BURKE
Watermain Seconded By: T. WEATHERLEY
Project BE IT RESOLVED THAT as per the recommendation from WSP Canada Inc, the tender received from J.I. Enterprises in the amount of \$1,499,650.40 inclusive of HST for the Algoma/Front St. Watermain Replacement Project be accepted.
CARRIED

Library Motion No. 2022-198
Minutes Moved By: K. BURKE
Seconded By: T. WEATHERLEY
BE IT RESOLVED THAT the Library Board Minutes of May 26, 2022 be accepted.
CARRIED

WCCB Motion No. 2022-199
Minutes Moved By: C. PHILLIPS
Seconded By: E. FAIRBURN
BE IT RESOLVED THAT the Walford Community Centre Board Minutes of June 13, 2022 be accepted.
CARRIED

Motion No. 2022-200
Exempt Ag Moved By: D. RIVERS
Society Seconded By: P. HNATUIK
from Noise BE IT RESOLVED THAT BE IT RESOLVED THAT the Massey Agricultural Society be granted a permit for an
Bylaw exemption under Bylaw 2021-09, a bylaw to regulate and prohibit noise in the Township, in order to provide
Aug. 26- outdoor music entertainment; a midway and motorized vehicle competitions located on the Massey Agricultural
28/22 Society property, from 4:00 pm on Friday, August 26th to 6:00 pm on Sunday, August 28th, 2022;
AND FURTHER that the permit fee be waived.
CARRIED

THE CORPORATION OF THE TOWNSHIP OF SABLES-SPANISH RIVERS

REGULAR MEETING

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JUNE 22 2022

Declare
Massey
Fair as
significant
event

Motion No. 2022-201
Moved By: E. FAIRBURN
Seconded By: K. BURKE
BE IT RESOLVED THAT the Council of the Township of Sables-Spanish Rivers acknowledges that the Massey Fair is a long-standing public event that holds municipal significance for our community;
AND THAT we have no objection to a Special Occasion Permit being applied for, for the Massey Fair, from August 26 – 28, 2022.
CARRIED

Exempt
Agnew
Lake Lodge
from Noise
Bylaw
July 3/22

Motion No. 2022-202
Moved By: D. RIVERS
Seconded By: C. PHILLIPS
BE IT RESOLVED THAT Agnew Lake Lodge be granted a permit for an exemption under Bylaw 2021-09, a bylaw to regulate and prohibit noise in the Township, in order to set off fireworks on July 3rd, 2022 between the hours of 9:00 pm and 11:00 pm;
FURTHER THAT should it rain, this exemption shall apply for July 4, 2022 between the same times..
CARRIED

Approve
Invoice –
Perry+
Perry

Motion No. 2022-203
Moved By: K. BURKE
Seconded By: P. HNATUIK
BE IT RESOLVED THAT the invoice from Perry + Perry Architects for Massey & District Community Centre & Arena upgrades in the amount of \$22,600.00 be approved for payment.
CARRIED

Consent
File C22-02
Presseau

Motion No. 2022-204
Moved By: D. RIVERS
Seconded By: K. BURKE
BE IT RESOLVED THAT Consent Application File No. C22-02 as applied for y Richard Presseau be PROVISIONALLY APPROVED this 22nd day of June 2022;
The land in subject application is composed of land in the Township of Salter, BF Concession, Lot 4, Parcel 6561 & 6240;
The purpose of this consent is to allow for the creation of one new lot in the Rural zone. It is hereby provisionally approved with the schedule of conditions attached hereto.
CARRIED

JL Richards
to prepare
Zoning
Bylaw
Amend.

Motion No. 2022-205
Moved By: K. BURKE
Seconded By: C. PHILLIPS
BE IT RESOLVED THAT Council of the Township of Sables-Spanish Rivers concurs with the memorandum from J.L. Richards regarding recreational vehicles and regulatory mechanisms;
AND FURTHER THAT we proceed with the recommended amendments to the zoning bylaw.
CARRIED

Closed
Session

Motion No. 2022-206
Moved By: E. FAIRBURN
Seconded By: D. RIVERS
BE IT RESOLVED THAT pursuant to Section 239(2) of the Municipal Act we move into closed session to consider the following:
- personal matters about identifiable individuals
- labour relations
CARRIED

Resolution No. 2022-207 & 2022-208 were dealt with in closed session and are in a sealed envelope and filed in the office of the Clerk.

Councillor Phillips left at 7:50 pm

Open
Session

Motion No. 2022-209
Moved By: T. WEATHERLEY
Seconded By: K. BURKE
BE IT RESOLVED THAT this closed session be adjourned at 8:33 p.m. and the regular meeting resumed.
CARRIED

Motion No. 2022-210
Moved By: D. RIVERS
Seconded By: K. BURKE
BE IT RESOLVED THAT the time is 8:52 p.m. and this meeting be adjourned until the next regular meeting or call of the Chair.
CARRIED

MAYOR – L. GAMBLE

CLERK-ADMINISTRATOR – A. WHALEN

THE CORPORATION OF THE TOWNSHIP OF SABLES-SPANISH RIVERS

BYLAW NO. 2022-27

Being A Bylaw to Amend a Bylaw Providing for
Procurement Policies and Procedures

AND WHEREAS Section 270 (1) (3) of the Municipal Act, 2001, as amended, states that a municipality shall adopt and maintain policies with respect to its procurement of goods and services;

AND WHEREAS Bylaw 2005-04 provides for procurement policies and procedures;

NOW THEREFORE the Council of The Corporation of the Township of Sables-Spanish Rivers ENACTS AS FOLLOWS:

1. THAT the following Sections of Bylaw 2005-04 are hereby amended to read as follows;
 - 4.2.1 The Department Head or designate shall be responsible for approval of accounts within the approved budget or any amendment to same, up to \$2,500.00, excluding applicable taxes and freight charges.
 - 4.2.2 For expenditures exceeding \$2,500.00, Department Heads shall prepare the specifications for a quotation or tender, and submit the full document to the Treasurer for approval before proceeding with the bid solicitation.
 - 6.3.1 Any approved budgetary expenditure up to \$2,500.00, excluding taxes and shipping charges, shall be considered a miscellaneous expenditure. The Department Head shall complete the purchase order and obtain the approval of the Treasurer before proceeding with the purchase.
 - 6.4.1 The Treasurer is authorized to approve recommendations from Department Heads for the purchase of goods and services for estimated expenditures exceeding \$2,500.00 and less than \$5,000.00 excluding applicable taxes and freight charges, and upon such terms and conditions as the Treasurer deems appropriate.
2. THAT this Bylaw hereby amends Bylaw 2005-04

READ A FIRST AND SECOND TIME THIS 22nd DAY OF JUNE , 2022.


MAYOR-L. GAMBLE


CLERK-A. WHALEN

READ A THIRD AND FINAL TIME AND PASSED IN OPEN COUNCIL THIS 22nd DAY OF JUNE , 2022.


MAYOR- L. GAMBLE


CLERK- A. WHALEN



June 22, 2022

Ms. Anne Whalen
Clerk-Administrator
Township of Sables-Spanish Rivers
11 Birch Lake Road, Municipal Office
Massey, Ontario P0P 1P0

Dear Ms. Whalen:

Subject: Job No. 181-04419-00 – Massey Watermain Pipe Replacement- Tender Report

We are pleased to provide our Tender Evaluation Report and recommendation for the Tenders received for the Massey Watermain Pipe Replacement.

PROJECT DESCRIPTION

The work generally consists of the replacement of the watermain on Algoma Street beginning at the Montreal Street intersection and heading easterly to Imperial Street, it also includes the watermain replacement on Front Street beginning at the Imperial Street intersection and heading East until Second Street. The distance for both sections is approximately 425 metres altogether. Engineering services required for this project include the design, contract administration and field inspection of a municipal road including watermain and appurtenances.

TENDERING OF THE WORKS

The call for tenders was advertised through the Construction Association. Copies of the contract documents were also emailed to local contractors.

Tenders closed at the Township of Sables-Spanish Rivers Office on Thursday, June 2, 2022 at 3:00 p.m.

TENDER PRICES

Three (3) tenders were received for the works. The tenders were checked for arithmetic accuracy and any changes are noted in the table below. The tender prices, inclusive of H.S.T. were as follows:

CONTRACTOR		TOTAL TENDER PRICE (INCLUDING HST)	RANKING
JI Enterprises	Submitted	\$ 1,499,650,40	1
	Checked	\$ 1,499,650,40	
Denis Gratton Construction	Submitted	\$ 1,531,463,58	2
	Checked	\$ 1,531,463,58	

185 East Street
Sault Ste. Marie, ON
Canada P6A 3C8

T: +1 705 942-2070
F: +1 705 942-3532
wsp.com



Mailloux Construction	Submitted	\$ 1,629,971.46	3
	Checked	\$ 1,629,969.87	

All of the tenders were submitted with the appropriate Tender Deposit in the amount of \$70,000.00. The Tender Deposits were retained by the Township for safe keeping. The submitted tenders all included a Contingency Allowance in the amount of \$200,000.00.

A breakdown of the bids by Tender Items is attached.

WSP requested some clarifications from the low bidder (JI Enterprises) on their submission. The letter is attached for reference. The clarifications did not change the submission results.

WSP'S EXPERIENCE WITH THE LOW BIDDER

WSP is familiar with JI Enterprises and have worked on several municipal projects with them. It is our opinion that they are qualified and have the ability to successfully complete the assignment.

TENDER VALIDITY

The contract documents stipulated that tenders be open for acceptance for a period of 60 days following the closing date, or until August 1, 2022.

AWARD

WSP recommends that the Township award the Tender to JI Enterprises, for a Total Tender Price of \$ 1,499,650.40 (inclusive of HST).

TENDER DEPOSITS

We recommend that the tender deposits for JI Enterprises and Denis Gratton Construction, the two low bidders, be retained until such time as a contract has been executed between the Township and JI Enterprises.

The above is respectfully submitted. If you have any questions, please do not hesitate to contact the undersigned.

Yours sincerely,

David Spacek P.Eng., PMP
Manager of Municipal Infrastructure

Encl.

WSP ref.: 181-04419-00

Sables-Spanish Rivers Public Library Board
Minutes from a Meeting – Via Zoom
May 26, 2022 – 6:00 p.m.

Present:

Board Chair	Kevin Burke
Board Member	Eira Robinson
Board Member	Ursula Robinson
Board Member	Denise Trenaman
Board Member	Carolyn O'Higgins, Recording Secretary
Library CEO	Serena Mariage

Guest: Marc Belanger of Baker Tilley met with the Board to discuss the audit for 2021.

1. The Chair opened the meeting at 6:00 p.m.
2. The meeting began with a Statement of Indigenous Respect & Acknowledgement.
3. Additions to the Agenda: None
4. Approval of Agenda and Minutes of the March Meeting:

MOVED by Denise Trenaman, seconded by Eira Robinson, that the Minutes of the meeting held April 26, 2022 be approved. **CARRIED.** 2022-20
5. Disclosure of Conflict of Interest – None
6. Business Arising from the Minutes:
Panic Buttons. The CEO reported that the panic button for staff has been installed and is operational at the Webbwood Branch. There is an issue with the one installed in Massey which will be corrected within the next week.
7. Correspondence: None
8. Librarian's Report:
 - 8.1 Audit Report: Marc Belanger of Baker Tilley presented and reviewed the audit prepared by his company for the 2021 fiscal year. Discussion concerned the following:
 - the auditors have given a clean opinion for 2021
 - accounts receivable – HST rebates
 - accounts payable – wages for 2019 were paid in January 2020
 - there were no changes to the notes
 - accumulated surplus
MOVED by Ursula Robinson, seconded by Carolyn O'Higgins, that the financial statements reported by the auditors, Baker Tilley, for the 2021 fiscal year be approved. **CARRIED.** 2022-21
 - 8.2 Covid-19 Developments: Serena reported that, after being apprised of the Board's recommendation the staff have been better about wearing a mask at work when in close proximity to patrons,

- 8.3 Fundraising: The online auction held April/May realized a profit of \$752. The CEO commended Ruth DeClerck on her efforts to host this event. There is a plan to hold another in November/December.
- 8.4 Programming:
- a) Scientists in School – The CEO was successful in changing the date of this online event to a Saturday, rather than a school day. Eleven children signed up to participate.
 - b) Good in Every Grain – An event sponsored by the Grain Farmers of Ontario. Kits for growing grain were supplied free of charge and 9 have been picked up already.
 - c) TD Summer Reading Program/ Story Walk – This event will take place in June at both library branches.
- 8.5 Community Partnership:
- a) Webbwood Clinic – Fourteen people attended this vaccination clinic on May 17th.
 - b) Welcome to Kindergarten – Leanne Prevost invited Serena to St. Mary's Public School to introduce the library system to students at this event. The CEO and senior staff (Ruth DeClerck and Tracey Vandergulik) will attend and hand out posters and other information. Rebecca will close the Massey Public Library on that day. It was suggested that Serena might wish to contact S. Geiger Public School as well, with an offer to provide something similar for their students.
 - c) Elections Ontario – will use the Harold Maze Room at the Webbwood Branch for voting on June 2nd. Tracey Vandergulik will be present at the public library for this.
 - d) Nicole McMurray from Our Children Our Future has inquired about resuming a program for new mothers at the Webbwood Public Library, beginning June 21st. The Board felt that this was a good program and use of the space.

9. New Business – None

10. Policy Review: The Board received two new policies via email prior to the meeting: *Patron Code of Conduct (4.18)* and *User Fees (4.19)*. Concerning decisions to suspend patrons, the CEO be the will determine lengths of suspension and the requirement to renew privileges (signing of the Patron Code of Conduct).

MOVED by Denise Trenaman, seconded by Eira Robinson, that the Patron Code of Conduct Policy (4.18), be approved. **CARRIED.** 2022-22

MOVED by Carolyn O'Higgins, seconded by Ursula Robinson, that the User Fees Policy (4.19) be approved. **CARRIED.** 2022-23

The CEO introduced a new policy at the time of the meeting which was reviewed by the Board: Disconnecting from Work Policy (4.15).

MOVED by Eira Robinson, seconded by Denise Trenaman, that the Disconnecting from Work Policy (4.15) be approved. **CARRIED.** 2022-24

The Policy Review Schedule was considered. Three more policies will be reviewed at the next Board meeting in June.

11. Financial Report:

The Board discussed the new format for the monthly financial report prepared by the CEO; there was consensus that this new format is easier to deal with and approve than the previous report format – and comes with a level of explanation that is helpful.

MOVED by Denise Trenaman, seconded by Ursula Robinson, that the expenses for April 2022 in the amount of \$13,701.37 be approved. **CARRIED.** 2022-25

12. Council Report:

The Municipal Council vacancy left by the resignation of Glenda Massicotte was filled by Tim Weatherly (Walford). The Library Budget for 2022-23 was approved by Council and included a 2% pay raise for all employees (including back pay to January 2022).

13. Strategic Planning & Marketing: Update scheduled for the June meeting.

14. Date of Next Meeting: **Thursday, June 16, 2022 at 5:30 p.m.** – in-person meeting preceded by a potluck dinner.

15. Adjournment: Carolyn O'Higgins moved to adjourn the meeting.

Chairperson

Recording Secretary

WALFORD COMMUNITY CENTRE BOARD

REGULAR MEETING

June 13, 2022

PRESENT: Cheryl Phillips, Stanley Phillips, Jean Wuorinen, Robert Hopkins, Julie Vuorensyrja, Bryan Lees, Theresa Minten, Ellen Phillips, Pauline Zarichney, Donna Mcinnis

ABSENT: Jewel Sanftenberg, Jeff Minten

Motion No. 2022-18

Moved by: Jean Wuorinen

Seconded by: Pauline Zarichney

BE IT RESOLVED THAT the Walford Community Centre Board is open for business and that the minutes be read.

CARRIED

Motion No. 2022-19

Moved by: Bryan Lees

Seconded by: Robert Hopkins

BE IT RESOLVED THAT the minutes be approved as read.

CARRIED

Motion No. 2022-20

Moved by: Theresa Minten

Seconded by: Pauline Zarichney

BE IT RESOLVED THAT the TSSR pay Just Roofing for the roof repair at the Walford Community Centre.

CARRIED

Motion No. 2022-21

Moved by: Jean Wuorinen

Seconded by: Robert Hopkins

BE IT RESOLVED THAT Theresa purchase a bench to put by her mural up to \$1200.

CARRIED

Motion No. 2022-22

Moved by: Pauline Zarichney

Seconded by: Theresa Minten

BE IT RESOLVED THAT Bryan and Stan will supervise the ceiling repairs at the Community Centre this summer.

CARRIED

Motion No. 2022-23

Moved by: Bryan Lees

Seconded by: Jean Wuorinen

BE IT RESOLVED THAT we purchase the supplies for the rink repairs and the eavestroughing on the dormer over the main doors at the Community Centre. PO # WH85 & WH86.

CARRIED

Motion No. 2022-24

Moved by: Theresa Minten

Seconded by: Pauline Zarichney

BE IT RESOLVED THAT we sell 50 yellow chairs for \$5 a piece and sell the salad bar table for a reserve bid of \$1000.

CARRIED

Motion No. 2022-25

Moved by: Bryan Lees

Seconded by: Robert Hopkins

BE IT RESOLVED THAT we pay Cheryl Phillips for the new plug end for the floor polisher and screws for the letters on the Community Centre \$46.31. Paid \$46.30 from petty cash.

CARRIED

Motion No. 2022-26

Moved by: Jean Wuorinen

Seconded by: Robert Hopkins

BE IT RESOLVED THAT the meeting be adjourned until July 14, 2022 or the call of the chair.

CARRIED

Meeting Discussions:

1. Flower beds - Amanda Vachon donated more flowers, fill will be delivered soon
2. The Walford Community Centre sign was taken down, repainted and replaced.
3. Ellen, Theresa, and Pauline will work together to coordinate the Volunteer Appreciation bash.

Upcoming events:

Baby shower

Volunteer Appreciation in September

Wedding reception rental in October (Jewel Sanftenberg)

Next meeting will be held on July 14, 2022

SECRETARY

CHAIRPERSON

Executive for 2022-2023

PHILLIPS, Cheryl - Councillor	Chairperson
Councillor Alternate	None appointed
ZARICHNEY, Pauline - CWL	
PHILLIPS, Ellen - CWL Alternate	Vice-Chairperson
LEES, Bryan - UCW	
UCW Alternate - none appointed	
VUORENSYRJA, Julie - WCC	Secretary/Treasurer
PHILLIPS, Stanley - WCC Alternate	
HOPKINS, Robert - Seniors	
MCINNIS, Donna - Seniors Alternate	
WUORINEN, Jean - Fire Dept.	
SANFTENBERG, Jewel - Fire Dept. Alternate	
MINTEN, Theresa - Anglers & Hunters	
MINTEN, Jeff - Anglers & Hunters Alternate	

Tina Davis-King remains our Booking Agent

174 Larch Street - Suite 201
Sudbury, Ontario, P3E 1C6
(705) 688-0440
(705) 688-0439 Fax
cperry@pparchitects.com

COPY TO COUNCIL

Invoice No. 01

Perry + Perry ARCHITECTS Inc

HST #R136958709

To: Kim Sloss, Clerk-Administrator
Township of Sables-Spanish Rivers
11 Birch Lake Road
Massey, ON, P0P 1P0

Project: Massey & District Community Centre
Arena Building Upgrades

Project No: 2039

Date: March 31, 2022

For Professional Services Rendered:		
Reference:	Standing Agreement	
Fee and Reimbursable Expenses for Period:		
January 1, 2021 to March 31, 2022		
Fee Payable to Date:		
Architectural Services		\$ 17,500.00
Subtotal:		\$ 17,500.00
Reimbursable Expenses: (Travel)		\$ 2,500.00
HST:		\$ 2,600.00
Total Payable to Date:		\$ 22,600.00
Less Previously Invoiced:		\$ -
TOTAL THIS INVOICE:		\$ 22,600.00
Fee Payable This Period:		\$ 17,500.00
Reimbursable Expenses This Period:		\$ 2,500.00
Subtotal:		\$ 20,000.00
HST:		\$ 2,600.00
TOTAL:		\$ 22,600.00

This is an account for professional services and, as such, is due and payable on presentation. Accounts not paid within 30 days are subject to a service charge of 2% per month.

Draft Resolution and Schedule of Conditions:

Provisional Approval – Consent Application File No. C-22-02

Schedule of Conditions:

1. Road Allowance – That if a survey is required, the road allowance(s) deemed to be approximately 33 ft. from the centre of the existing road(s) in front of the land to be severed to be surveyed, and together with other road allowances that may be on this or existing surveys be conveyed to the Township of Sables-Spanish River at the applicant's expense and appropriately certified that the Township's title is free and clear of all encumbrances and the Township has a good and marketable title.
2. Public Road – The Township requests that the roads on the applicant's lands deemed to be approximately 33 ft. from the centre of the existing road and approved by the Township, be acknowledged as public road and if shown on a survey, title of these public roads shall be conveyed to the Township at the applicant's expense.
3. No deviation - The official survey must not deviate substantially from the application. The applicant must provide a copy of the draft reference plan to the Municipality.
4. Administration fee – That a \$100.00 administration fee be paid to the Municipality.
5. That pursuant to Section 65(1) of the Drainage Act, R.S.O. 1990, the applicant is responsible for having the drainage assessment apportioned appropriately where a municipal drain affects the subject lands.
5. No arrears - That there be no arrears owing to the Municipality by the applicant unless payment is guaranteed by the applicant's solicitor upon closing.
6. The applicant shall cause a restriction under Section 118 of the Land Titles Act, R.S.O. 1990 to be entered in the parcel register for the benefiting parcel of the severed portion to read as follows: No transfer of the lands shall be made or charge created unless the consent of the Township of Sables-Spanish Rivers is obtained.

MEMORANDUM



**J.L. Richards
& Associates Limited**
314 Countryside Drive
Sudbury, ON Canada
P3E 6G2
Tel: 705 522 8174
Fax: 613 728 6012

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To: Anne Whalen, Clerk-Administrator
Township of Sables-Spanish Rivers

Date: June 17, 2022

JLR No.: 28964(02)

CC:

From: Sarah Vereault, MCIP, RPP

Re: Recreational Vehicles – Regulatory Mechanisms

Background

The Township of Sables-Spanish Rivers ("Township") has been receiving an increase in requests from residents to use recreational vehicles (RVs) for temporary habitation on vacant land, along with situations where multiple RVs are parked on rural properties, creating "pop-up" campgrounds on lands where this use is not permitted. The Township would like to clarify the existing regulatory framework on RVs and consider permitting temporary habitation in an RV on vacant lands in the Resource Recreational (RR) and Rural (R) Zones.

Numerous considerations arise from the use of RVs and unregulated campgrounds on rural properties including proper servicing of these sites for potable water, black and grey water, and solid waste. As well, visual considerations, accessory structures, and noise can also be issues.

The Township has requested that J.L. Richards and Associates Limited (JLR) review the Township's current planning framework to address the use of RVs and such matters as location, servicing, permitting, accessory structures, etc. Subsequent to this initial review JLR will work with the Township to prepare amendments to the current planning documents, as necessary, and make recommendations for additional regulatory tools such as a Licensing By-law.

Review of Township's Current Policy Framework

Official Plan

The Township's Official Plan from 2020 addresses RVs in Section 4.18. This section provides details about what is considered an RV, where they can be used and how they can be used on an individual's property. Detailed excerpts of this section are contained in the Attachment to this memo.

The Official Plan policies regarding RVs are sufficiently clear in describing how and where these vehicles can be used. The Official Plan is clear that RVs can only be used on seasonal basis and not as a permanent dwelling. RVs are not permitted on lots bordering the Spanish River within Massey. It states that RV parks are only allowed in a Rural Area on land that is zoned to permit a campground. It also provides the possibility for the municipality to license the use of RVs if desired.

Policy 4.18.5 states that RVs can be stored as an accessory use on properties which permit a seasonal or permanent dwelling and used for temporary habitation on such property. This section goes on to state that:

"Recreational vehicles may be permitted on an individual lot zoned for that purpose, provided the lot is of an adequate size for the use, for on-site servicing (see Section 3.12 - Water Supply and Sewage Disposal) and will not create a land use conflict with a neighbouring residential or other use."

The above-noted clause appears to contemplate the use of RVs on vacant lands, when implemented by the Zoning By-law, and subject to appropriate size, servicing, and compatibility.

It is our opinion that the policies in the Official Plan currently permit temporary habitation in RVs in campgrounds and on residential lots as an accessory and temporary/seasonal use. In addition, Section 4.18.5 permits RV use on an individual

lot zoned for that purpose, provided site conditions are met. As such, the Official Plan provides flexibility to permit use of an RV on vacant lands, provided the lands are zoned and site conditions are appropriate. No Official Plan Amendment is required to facilitate temporary habitation in an RV on vacant lands.

Zoning By-law

The Zoning By-law for the Township from 2020 regulates the use of RVs in Section 4.26.4. This section provides details regarding where and how RVs may be stored on a residential lot, including several performance standards that one must comply with regarding the storage and location of the RV rather than the use of the vehicle. However, the Zoning By-law currently includes no information regarding lots zoned for residential use and temporary habitation within RVs on any land. Below are certain definitions that are key in understanding the current policy framework:

Recreational Vehicle

Shall mean any vehicle so constructed that is suitable for being attached to a motor vehicle for the purpose of being drawn or is self-propelled and is capable of being used on a short-term basis for living, sleeping, or eating accommodation of persons. The term recreational vehicle includes the following: motor homes, travel trailers, tent trailers, campers, motor homes but does not include recreational equipment such as boats, snowmobiles, personal watercraft, all-terrain vehicles, or other equipment used for recreational purposes (see illustrations).

Residential Use

Means the use of land, buildings, or structures for human habitation or as a dwelling.

Residential Zone

Means an R1, R2, RR, or MHP zone.

Campground

Means an area of land, managed as a unit, providing short term accommodation for tents, recreational vehicles, or campers but shall not include mobile homes, park model trailers, or a mobile home park.

Based on the current zoning framework and definitions, RVs are a permitted use in the following residential zones: R1, R2, RR, and MHP. This is as a storage use and an accessory use only, where another structure or use must be the primary use for the lot. The By-law is clear in providing performance standards in how and where RVs can be stored on a residential lot including setbacks, specified yards, and quantity.

Further, Section 4.26.4, provision 3 provides:

"No lot in any other zone shall be used for the storage or use of a recreational vehicle unless otherwise listed as a permitted use in the zone."

The by-law provides no permissions for the use of an RV for temporary habitation outside of a campground. Specifically, there are no permissions for temporary habitation in Section 4.26.4, either on a lot in a residential zone, where such RV is permitted to be stored, or on vacant lands where such storage and use is prohibited.

Should Council wish to permit temporary habitation in RVs on vacant lands in the Resource Recreational (RR) and Rural (R) Zones, amendments to the Zoning By-law will be needed to Section 4.26.4 to regulate the use (location, number, duration, etc.), and in the provisions of the RR and R Zones to permit such use.

Municipal Practices to Regulate Recreational Vehicles

In regulating the use of RVs, municipalities have options for creating policies and regulations through their Official Plan, Zoning By-law, and licensing through the Municipal Act. Currently, the Township has policies in the Official Plan and the Zoning By-law which provides details for where and how RVs can be used on individual lots. Further regulation through licensing under Section 164 of the Municipal Act would give the Township the ability to ensure issues regarding proper servicing for potable water, black and grey water, and solid waste, visual considerations, accessory structures, and noise can be addressed and mitigated where necessary.

Recommendations and Next Steps

After a review of the current policy framework regarding the use of RVs in the Township, certain steps should be taken if Council wishes to permit temporary habitation in RVs as an accessory use on a residential lot and on vacant lands in the Resource Recreational and Rural Zones. The following points summarize the recommendations and next steps for the Township:

- Based on Policy 4.18.5, amendments to the Official Plan are not needed from the current wording of the policy. Per the policy, RVs can be used on a lot that is zoned for that use provided that site conditions are appropriate.
- Zoning By-law Amendments will be needed to allow for the use of RVs for temporary habitation on a lot outside of a campground. Currently, the By-law states that they are **only permitted to be stored as an accessory use** in a residential zone. Amendments will be required to allow temporary habitation on lots with a primary use or on vacant land, given the appropriate provisions to address the site issues mentioned above.
- To amend the Zoning By-law, the *Planning Act* outlines steps that must be followed. These are summarized as the following:
 - Public notice of the proposed amendments is provided per O. Reg 545/06
 - A public meeting, where sufficient information is provided to residents to understand the proposed amendments and provide their input.
 - A decision by Council on the proposed amendments and notice of the decision is provided as per O. Reg 545/06
 - There is a 20-day appeal period, and if there are no appeals, the new amended By-law will come into force and effective on the day it was passed by Council.
- To ensure that environmental and compatibility issues will be addressed, the creation of a Licensing By-law for RVs under Section 164 of the Municipal Act is recommended.
- The Licensing By-law should include provisions for the amount of time habitation with an RV is allowed, what months during the year, whether accessory structures are permitted and the process for a lot to be serviced correctly to mitigate environmental and health concerns. With licensing, the municipality can monitor the use of RVs and provide regulations to address issues that may arise.

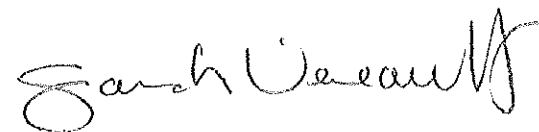
Should you have comments or require further information, please do not hesitate to contact the undersigned.

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Detailed Review of Section 4.18 of the Township's Official Plan

4.18.1: Development Concept

- *"It is expected that recreational vehicles parks would be operated on a seasonal basis (e.g. May-October) and closed during the winter months. The purpose of a Recreational Vehicle is to provide temporary living accommodation on a seasonal basis that is recreationally oriented. Recreational vehicles are not intended to be a substitute for a permanent dwelling."*
 - This section of the Official Plan provides an overview of when and how RVs should be used within the Township. It clearly defines the purpose of RVs as a means of temporary and seasonal habitation, not intended to act as permanent dwelling.

4.18.3: Recreational Vehicle Parks and Campgrounds

- *"Recreational vehicles... shall be permitted within a Recreational Vehicle Park or campground on land zoned for this purpose in the implementing Zoning By-Law. Recreational Vehicle Parks shall be a permitted use in the Rural Area and may include campgrounds for tents and day use activities."*
 - This section of the Official Plan provides specific details of where RV parks can be located and use in the municipality. The policy states that RV parks shall only be permitted in land zoned for this use and are a permitted use on land that is designated as "Rural Area".

4.18.5: Recreational Vehicles on Individual Lots

- *"One Recreational vehicle may be stored as an accessory use on any property zoned for a seasonal or permanent dwelling and may be used for recreation purposes while located on such a property provided the accommodation is temporary or seasonal only."*
- *"Recreational vehicles may be permitted on an individual lot zoned for that purpose, provided the lot is of an adequate size for the use, for on-site servicing (see Section 3.12 - **Water Supply and Sewage Disposal**) and will not create a land use conflict with a neighbouring residential or other use."*
 - This first paragraph of this section describes how one RV can be used on an individual lot, as an accessory use, on a property that is zoned for a seasonal or permanent dwelling, provided the use is strictly recreational and the RV is located there on a temporary basis only
 - This reinforces the previous Sections 4.18.1 and 4.18.3 that RVs can only be used as a seasonal use. It further states only one RV can be stored on an individual property and must be an accessory use on the land.
 - The second bullet paragraph provides a list of criteria for how RVs can be permitted on an individual lot. This criteria provides flexibility for RVs to be used on an individual lot if it is zoned appropriately, an adequate size, has on site servicing and will not create a land use conflict. If these four conditions are met on a lot, RVs could be used on that property.

4.18.6: Licensing

- *"Recreational vehicles may be licensed by the Municipality under the authority of the Municipal Act."*
 - This is a permissive sentence that gives the Township the ability to require licenses for the use of RVs on lots.

4.18.7: Planning Principles for Recreational Vehicle Parks and Campgrounds

- This section of the Official Plan provides a variety of details regarding general planning principles that should be followed when amendments to the Zoning By-law are considered for the use of RVs parks and campgrounds. This is not an exhaustive list but provides aspects that should be considered by Council.