THE CORPORATION OF THE TOWNSHIP OF SEVERN
SPECIAL COUNCIL MEETING

Wednesday, October 23, 2019
Council Chambers - Municipal Office
(to follow the Corporate Services Committee Meeting)

AGENDA

A. CALL TO ORDER
B. MOMENT OF REFLECTION / O CANADA
C. DISCLOSURE OF PECUNIARY INTEREST & THE GENERAL NATURE THEREOF
D. ADOPTION OF COUNCIL MINUTES
   "NIL"
E. PUBLIC MEETING/HEARINGS
   "NIL"
F. PRESENTATIONS/DELEGATIONS
   "NIL"
G. ACCOUNTS
   "NIL"
H. REPORTS FROM OFFICIALS (for information)
   "NIL"
I. REPORTS FROM OFFICIALS (for direction)
   1 Planning & Development
      "NIL"
   2 Recreation & Facilities
      "NIL"
   3 Public Works
      "NIL"
   4 Fire & Emergency Services
      "NIL"
5 Corporate Services
5.1 Amendment of Resolution No. C100219-10 - Special Council Meeting Agenda Content

6 Administration
"NIL"

J. CORRESPONDENCE (for information)
"NIL"

K. CORRESPONDENCE (for direction)
"NIL"

L. ADOPTION OF COMMITTEE REPORTS
1 Culture & Recreation Advisory Committee - October 8, 2019 1-8

M. MOTIONS

N. INQUIRIES FOR STAFF REPORTS

O. GENERAL BY-LAWS
1 By-law No. 2019-67, Being a By-law to Impose Interim Control on the Use of Lands, Buildings and Structures respecting Short Term Rental Accommodations within the Corporation of the Township of Severn 9-10

P. CONFIDENTIAL AGENDA
1 Reports from Officials "NIL"
2 Correspondence "NIL"

Q. CONFIRMING BY-LAW
1 By-law No. 2019-68, Being a By-law to Adopt the Proceedings of a Special Council Meeting held on the 23rd day of October, 2019 and to Authorize Their Execution 11-12

R. ADJOURNMENT

Dates for Future Council Meetings
Wednesday, November 6, 2019 - 6:00 p.m.
Wednesday, December 4, 2019 - 6:00 p.m.
MINUTES OF A MEETING OF THE CULTURE & RECREATION ADVISORY COMMITTEE HELD AT ADMINISTRATION BUILDING, 1024 HURLWOOD LANE, TUESDAY, OCTOBER 8, 2019 AT 7:00 P.M.

PRESENT:

Members
Vicki Ball, Chair
Grace Smith, Vice-Chair
Barb Clare-Powell
Bill Harvey
Kerri Deir
Dave Detta
Judith Cox
Sarah Valiquette-Thompson

STAFF:
Manager of Recreation & Facilities  Patricia J. Harwood
Secretary  Wendy Dewey
CAO  Laurie Kennard
Director of Public Works  Derek Burke

CALL TO ORDER

Vicki Ball, Chair called the meeting to order at 7:02 pm.

DISCLOSURE OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF

- “NIL”

PRESENTATIONS / DELEGATIONS

- “NIL”

REPORTS FROM OFFICIALS (for information)

Culture & Recreation Advisory Committee Minutes – August 13, 2019
R19-054 Activity Report from Manager of Recreation & Facilities
Sport Court example built in Marchmont area - Verbal Discussion
Splash Pads - Article for Information
Westshore Recreation Facility – Verbal Discussion
MOTION CRAC10082019-01: Moved by Member Clare-Powell and seconded by Member Detta that the Culture and Recreation Advisory Committee recommends to Council, that Council reconsider motion C100219-13 applying for the (CCR) ICIP Funding stream grant applications for the Westshore Recreation Facility.

CARRIED

MOTION CRAC10082019-02: Moved by Member Smith and seconded by Member Detta that the following reports from officials be received as information:

1. Culture & Recreation Advisory Committee Minutes – August 13, 2019
2. R19-054 Activity Report from Manager of Recreation & Facilities
3. Sport Court example built in Marchmont area - Verbal Discussion
4. Splash Pads - Article for Information
5. Westshore Recreation Facility – Verbal Discussion

CARRIED

MOTION CRAC10082019-03: Moved by Member Harvey and seconded by Member Valiquette-Thompson that the following reports from officials be received as information:

1. Planning & Development Committee - August 28, 2019
2. Corporate Services Committee - August 28, 2019
3. Council Meeting - September 4, 2019
4. Planning & Development Committee - Sept 18, 2019
5. Annual Road Tour - September 23, 2019
6. Corporate Services Committee - September 25, 2019

CARRIED
REPORTS FROM OFFICIALS (for direction)

Culture & Recreation R19-055 re: Turtles on Uhthoff Trail

MOTION CRAC10082019-04: Moved by Member Deir and seconded by Member Harvey that Report No. R19-055, dated October 8, 2019, with respect to Turtles on Uhthoff Trail be received;

AND FURTHER THAT the workshops be free to the general public;

AND FURTHER THAT the costs of the Turtle workshop and any costs of purchasing turtle cages be incorporated into the Special Event Programs budget for 2020.

CARRIED

Culture & Recreation R19-056 re: Severn Shores Public School Presentation

MOTION CRAC10082019-05: Moved by Member Harvey and seconded by Member Clare-Powell that Report No. R19-056, dated October 8, 2019, with respect to Severn Shores Public School Presentation be received for information;

AND FURTHER THAT one program idea and one project idea be prioritized for deliberation in the 2020 budget process;

AND FURTHER THAT the committee prefers the following ideas:

Project Idea: Skatepark in Westshore and Washago
Program Idea: Art related activities

CARRIED
October 8, 2019

Culture & Recreation Report No. R19-057 re: Mosquito Spraying Results for 2019

MOTION CRAC10082019-06: Moved by Member Valiquette-Thompson and seconded by Member Deir that Report No. R19-057 with respect to Mosquito Spraying Results for 2019 be received;

AND FURTHER THAT the 2020 budget request for sprayings by increased to $4,000 for Council’s consideration.

CARRIED

Severn Parks Visioning - Verbal Discussion

MOTION CRAC10082019-07: Moved by Member Smith seconded by Member Detta that the verbal discussion re: Severn Parks Visioning be received.

CARRIED

Manager of Recreation & Facilities re: Draft #2 2020 Capital and Operations Budget

Recreation - Verbal Discussion

MOTION CRAC10082019-08: Moved by Member Harvey and seconded by Member Detta that the information presented with respect to Draft#2 2020 Capital and Operation Budget – Recreation be received.

CARRIED

Manager of Recreation and Facilities re Township of Severn 2020 Administration Grant Requests

MOTION CRAC10082019-09: Moved by Member Clare-Powell and seconded by Member Smith that the grant application from Marchmont Ratepayer’s Association, dated September 26th be received.

CARRIED
CORRESPONDENCE (for information)

- "NIL"

CORRESPONDENCE (for direction)

Matchedash Community Heritage Centre re: Bike/Cycling Rest Stop

**MOTION CRAC10082019-10:** Moved by Member Harvey and seconded by Member Clare-Powell that correspondence from the Matchedash Community Heritage Centre, dated September 18, 2019, with respect to a bike Cycling rest stop be received.

CARRIED

ADJOURNMENT

Motion to adjourn.

**MOTION CRAC10082019-11:** Moved by Member Detta and seconded by Member Deir that this meeting be and is hereby now adjourned at 9:18 pm.

CARRIED

Vicki Ball
Chair

Wendy Dewey
Secretary
Hello Vicki,

I attended the Oct 2nd Severn Council meeting, and have some follow up questions that I hope your committee can answer regarding the results of the vote by three councillors (Taylor, Betsworth, and Valiquette-Thompson) and Deputy Mayor Dunlop to not request a grant of up to $5 million from the Province towards the construction of the planned and promised Westshore Recreation Centre.

All Councillors (except Valliquette) were members of the previous council that supported the Centre, and which still appears on the Township website. But some Councillors have now changed their minds. The Centre was a key decision for my family in moving to this area in 2016.

The Councillors said on Oct 2nd that the reason for changing their votes was because current (2019) building cost estimates were not provided to them.

I understand that the majority of Severn residents who were solicited by mail by the previous council to gauge their support for the Westshore Community Centre, said “yes” it is needed and wanted.

For these reasons I’m respectfully putting forward the following questions for response by your committee:

1. Did the current councillors/committee request updated costing estimates in advance of making/ changing their original decisions to support a Centre? Are the committee and council members aware of the plan in place that incorporates the costs of running the Centre without increasing taxes?
2. Were residents consulted by the current council/committee? If not, why not?
3. The four opposing councillors came to the Oct 2nd meeting with a pre-written motion listing 9 (per Betsworth) alternate infrastructure improvements. How and when was this list drafted? Ontario requires municipalities “…to conduct meetings in a transparent and accountable way.”
   Did the four council members who supported Betsworth new motion and who also voted against the current motion to support the grant for the Centre, consult/meet in advance of the Council meeting to draft the new motion that was read? I observed on Oct 2nd that the three Council members who supported the grant toward the Centre, were visibly surprised by the introduction of Betsworth’s new motion and they each expressed that. For that reason, and further to the Act that states “a meeting means any regular, special or other meeting of a council, of a board, or of a committee of either of them, where, a) a quorum if members is present, b) members discuss or otherwise deal with any matter in a way that materially advances the business or decision making of the council, local board, or committee”.
   I would like to know how this new motion among four of the Council members came to be, and whether their collaboration in preparing their motion meets the definition of a meeting in the Act.
4. There are no recreation centres in Severn Township, although I recall hearing council incorrectly refer to the halls in Coldwater and Washago as recreation centres. The rooms in both the Coldwater and Washago Community Centre can’t hold sporting and recreational activities, aren’t structurally sound (council spoke of capital repairs needed), and are not self sustaining from a financial perspective.
Similarly, the recent school board decision to close area feeder schools requiring capital improvements, and instead build one new Severn Shores school is a sound investment model proven to save money, reduce duplicative operating costs, resourcing, staffing, etc.

Furthermore, on October 6 I posted a question on a local community Facebook page “West Shores, Ardtrea, Cumberland Beach, Washago” which Councillor Valliquette and Chair Ball are members, asking for reaction regarding the Centre decision made at Council. I received a strong response (40 comments, including mine, the councillors and chairs) that support holding a community meeting to discuss the wants and needs for the Centre to be constructed as promised, and specifically:

- the township catchment area is growing in population with additional planned housing developments in an area within walking distance of the Centre. At the Oct 2nd Council meeting, Valliquette stayed that residents could “drive 10 minutes down the road into Orillia” to use existing rec centres. Note: I already pay the Orillia YMCA almost $100 per month for a membership - but prefer to pay my local township. Also, travelling into another city during the 5 or 6 winter months can be treacherous.
- a local Centre supports the current environmental crisis that we are All called upon to help solve...and being told by Council to drive to Orillia for several hundred families living within walking distance of the planned Centre is alarming and shameful
- the Centre meets the townships emergency preparedness requirements (ie highway closures, train derailments)
- my area, Cumberland Beach is a lower income area where families do not all have access to personal vehicles and therefore are prevented from driving to Orillia
- the Centre will provide a revenue stream through memberships and facility and meeting room rentals (which are virtually non existent and in very limited supply) in Severn
- the new motion only considers young families and outdoor facilities - not supported by residents without children and older adults who have unique mobility needs. Additionally, the use of the proposed infrastructure items will not be used during inclement weather, after sunset or throughout the winter months.
- the items put forward by the four councillors do not provide any revenue or employment opportunities, whereas the new Centre does provide both

I have gathered additional feedback and concerns that will be shared at the community meeting and then will be brought to Council as a fulsome report. In the interim, I felt it was critically important to bring the above concerns to your Committee attention and for response.

Appreciated,

Wanda Minnings
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WHEREAS Section 38 of the Planning Act, R.S.O. 1990, c. P. 13, as amended, authorizes council of a municipality to pass an interim control by-law where the council has directed that a review or study be undertaken in respect of land use planning policies in the municipality, or in any defined area or areas for such purposes as are set out in the interim control by-law;

AND WHEREAS the Council of the Corporation of the Township of Severn has adopted a Resolution directing Staff and its Consultant to undertake a Land Use Planning Study to address Short Term Rental Accommodations in the Township and directing staff and the Township’s Planning Consultant to proceed with the creation of the necessary tools required to implement a Short Term Rental Licensing By-law;

AND WHEREAS Council has deemed it necessary and expedient to pass this Interim Control By-law to temporarily prohibit the establishment of new Short Term Rental Accommodations within specific zones in its Comprehensive Zoning By-law in order to provide the Township with the necessary time to undertake and complete this study and prepare the necessary planning tools to implement the findings of the study;

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

1. For the purposes of this By-law “Short Term Rental Accommodation” means the use of a dwelling unit or mobile home or any part of the foregoing as a place of temporary habitation, lodging or occupancy under authority of a concession, permit, lease, licence, rental agreement or similar commercial arrangement authorizing such temporary habitation, lodging or occupancy for a period equal to or less than thirty (30) consecutive calendar days. For the purpose of this By-law the definition of “Short Term Rental Accommodation” includes a Bed and Breakfast as defined in By-law 2010-65 as amended.

2. This by-law applies to all lands within the Township of Severn within the following zones:
   - Agricultural (A);
   - Rural (RU);
   - the following Residential Zones: R1, R2, RM1, RM2, SR1, SR2, SR3, RR, ER, MHR;
   - the following Miscellaneous Zones: CF, CL, EP, GL, I, OS; and
   - any exception zone to a zone listed above.
3. The establishment of any new Short Term Rental Accommodation use during the term of this By-law is prohibited.

4. If any provision or requirement of this By-law or the application thereof to any person shall to any extent be held to be invalid or unenforceable, the remainder of this By-law or the application of such provision or requirement to all persons other than those to which it is held to be invalid or unenforceable, shall not be affected thereby and each provision and requirement of this By-law shall be separately valid and enforceable to the fullest extent permitted by law.

5. That subject to the provisions of the Planning Act, R.S.O. 1990, as amended, this By-law shall come into force on the date it is passed by the Council of the Corporation of the Township of Severn and shall be in effect until October 23, 2020, being a period of one (1) year from the date of enactment, unless otherwise extended in accordance with the provisions of the Planning Act, R.S.O. 1990, as amended.

By-law read a first and second time this 23rd day of October, 2019.

By-law read a third time and finally passed this 23rd day of October, 2019.

CORPORATION OF THE TOWNSHIP OF SEVERN

___________________________________
MAYOR

___________________________________
CLERK
WHEREAS the Municipal Act, S.O. 2001, Chapter 25, Section 5(3), provides that a Municipal power, including a Municipality’s capacity, rights, powers and privileges, shall be exercised by By-law unless the Municipality is specifically authorized to do so otherwise;

AND WHEREAS certain actions of Council do not require the enactment of a specific By-law;

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

1. That subject to Paragraph 3. of this By-law, the proceedings of the above-referenced Council Meeting, including all Resolutions, By-laws, Recommendations, Adoptions of Committee Reports and all other motions and matters decided in the said Council Meeting are hereby adopted and confirmed, and shall have the same force and effect, as if such proceedings were expressly embodied in this By-law.

2. That the Mayor and Clerk are hereby authorized to execute all such documents, and to direct other officials of the Township of Severn to take all other action, that may be required to give effect to the proceedings of the Council Meeting referred to in Paragraph 1. of this By-law.

3. That nothing in this By-law has the effect of conferring the status of a By-law upon any of the proceedings of the Council Meeting referred to in Paragraph 1. of this By-law where any legal pre-requisite to the enactment of a specific By-law has not been satisfied.

4. That any Member of Council who complied with the provisions of Section 5. of the Municipal Conflict of Interest Act, R.S.O. 1990, Chapter M.50, respecting the proceedings of the Council Meeting referred to in Paragraph 1. of this By-law shall be deemed to have complied with said provisions in respect of this By-law.

By-law read a first and second time this 23rd day of October, 2019.

By-law read a third time and finally passed this 23rd day of October, 2019.

________________________________________
MAYOR

________________________________________
CLERK
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