

Corporation of the Township of Selwyn

**Regular Council Meeting
Tuesday, January 19, 2021**

Virtual Council Meeting

A regular meeting of the Council of the Township of Selwyn was held on Tuesday, January 19, 2021.

Council Present (Virtual):

Mayor Andy Mitchell
Deputy Mayor Sherry Senis
Councillor Donna Ballantyne
Councillor Gerry Herron
Councillor Anita Locke

Staff Present (Virtual):

Janice Lavalley, Chief Administrative Officer
R. Lane Vance, Manager of Finance/Treasurer
Robert Lamarre, Manager of Building and Planning
Jeannette Thompson, Planner
Mike Richardson, Manager of Recreation
Rick Dunford, Manager of Public Works
Michelle Thornton, Deputy Treasurer/I. T. Coordinator
Tania Goncalves, Deputy Clerk

The Council meeting commenced at 6:17 PM with Mayor Mitchell in the Chair.

Declaration of Pecuniary Interest

Councillor Anita Locke declared a pecuniary interest as it relates to the Notice of Motion under New Business regarding rapid COVID19 testing and vaccination for long-term care homes. Councillor Locke declared an indirect pecuniary interest as she is an employee of a long term care facility.

Minutes

Resolution No. 2021 – 001 – Minutes

Deputy Mayor Sherry Senis – Councillor Anita Locke –

That the minutes of the regular Council meeting of December 8, 2020 and the special Council meetings of December 10, 2020 regarding 2021 Preliminary Work Plans / Pre-Budget Items and CAO Evaluation No. 2. be adopted.

Carried.

Deputations and/or Invited Persons and/or Public Meeting

Resident Mike Muir made a presentation to Council regarding the proposal for a cannabis cropping operation at 290 Cork Line, Ennismore. Mr. Muir expressed specific concerns with the proposed 50 metre setback for the outdoor Cannabis operation.

Resolution No. 2021 – 002 – Cannabis Cultivation Licence – 290 Cork Line, Ennismore Ward

Councillor Donna Ballantyne – Deputy Mayor Sherry Senis –

That the report of the Manager of Building and Planning regarding a pending Health Canada outdoor cannabis cultivation licence application related to 290 Cork Line be received for information; and

That staff correspond with the land owner and their agent requesting that they consider the following crop management and site design characteristics as a function of their site development process:

- That any lighting required on the site for access or security purposes be dark sky compliant and designed to ensure that no light spillage occurs onto neighbouring residential properties.
- The existing vegetative buffer located along the north boundary of the property which is shared with the residential Zone be maintained and further improved to mitigate the view of the crop.
- That any water required to irrigate the crop be drawn from the adjacent surface water source (Pigeon Lake). This will avoid any possible concern with the drawdown of the local aquifer tied to the use of a well for irrigation purposes.
- That the land owner/licensee keep the Township abreast of relevant milestones as they progress through the Health Canada licensing process; and

That Selwyn Township, on behalf of the residents in the vicinity of the Cork Line property, send correspondence to Health Canada immediately, and again at the time of being notified of an application being made for a licence, for their consideration noting the following concerns of area residents:

- site security
- use of the aquifer for irrigation
- managing waste by-products
- close proximity to adjacent residential properties and impacts of odour and visual views of fencing, cameras etc... ; and

That residents be encouraged to contact Health Canada directly to express their concerns related to the possibility of a cannabis cultivation operation in their vicinity so that Health Canada has a full and complete understanding of their specific concerns and needs; and further that staff forward the livestreaming link for the January 19, 2021 Council meeting to Health Canada and to MP Maryam Monsef and request that they provide confirmation of having received the video link.

Carried.

Brandon Robinson of Nick Carchidi Excavating Limited made a presentation to Council regarding the Lakefield Sanitary Sewer Extension Tender Award. Mr. Robinson expressed concerns regarding the process used to select the successful bidder.

Resolution No. 2021 – 003 – Lakefield Sanitary Sewer Extension Tender Award

Councillor Anita Locke – Councillor Gerry Herron –

That the presentation from Brandon Robinson of Nick Carchidi Excavating Limited regarding the Lakefield Sanitary Sewer Extension Tender Award be received for information.

Carried.

Township Planner, Jeannette Thompson announced that the Township of Selwyn is holding a public meeting to consider applications to amend the Comprehensive Zoning By-law for the Township of Selwyn, in accordance with Section 34 of The Planning Act. The prescribed notice of the public meeting was provided by prepaid first class mail to all residents within a 120 metre radius of the subject properties as well as by way of a sign being posted on the properties. The notice was provided to the prescribed ministries and agencies via email and was also available on the Township website. If a person or public body does not make an oral submission at the public meeting or make a written submission to the Township of Selwyn before the Zoning By-law is passed the person or public body is not entitled to appeal the decision of the Council of the Township of Selwyn to the Local Planning Appeal Tribunal, nor can a person or public body be added as a party to the hearing of an appeal before the Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so. In order to be

notified of the decision of the Township of Selwyn on the proposed Zoning By-law Amendments, a written request must be made to the Township.

A public meeting commenced at 7:07 PM to amend the Township's Comprehensive Zoning By-law in accordance with Section 34 of The Planning Act. The amendment related to property described as being Part of Lot 12, Concession ECR in the Smith Ward, municipally known as 871 Ward Street, Bridgenorth (Value-Mart Plaza). The subject lands are designated Commercial; and are zoned Development (D). The proposed Zoning By-law Amendment related to the subject lands would change the zoning on a portion of the property from Development (D) Zone to Local Commercial Exception 179 (C1-179) Zone. The amendment is a condition of Consent to Sever Application File No. B-13-20 imposed by the Township. The purpose of the consent to sever application is to create a commercial lot (severed lot). The severed lot is presently developed with the plaza that is made up of mixed commercial uses (i.e. retail, service, professional offices). The retained lot is to remain undeveloped/vacant at this time and will remain zoned Development. The amendment will also recognize certain deficiencies to the side and rear yard setback requirements. It was noted that the Township has received correspondence from the Otonabee Region Conservation Authority (ORCA) stating no objections to the application. The Planner noted that comments were received in objection to the application from residents Doug Bean and Ross Jopling. The applicant's Planner, Amanda Dougherty from DM Wills, was in attendance in support of the application. The applicants were also in attendance in support of their application. No one spoke in opposition to the application during the meeting. There were 3 members of the public present. The public meeting concluded at 7:16 PM.

Resolution No. 2021 – 004 – Zoning By-law Amendment – 871 Ward Street

Councillor Anita Locke – Councillor Gerry Herron –

That the report of the Planner regarding the Zoning By-law Amendment related to lands described as Part of Lot 12, Concession ECR in the Smith Ward be received for information; and

That By-law 2021-001, being a By-law to rezone certain lands situated on Part of Lot 12, Concession ECR in the Smith Ward from Development (D) Zone to Local Commercial Exception 179 (C2-179), be brought forward to the By-law section of the agenda for consideration; and

That the Mayor and Clerk be authorized to sign any agreements related to Consent Application File No. B-13-20.

Carried.

Question Period

None.

Municipal Officers & Staff Reports – Direction

Resolution No. 2021 – 005 – Generator System Replacement at Various Selwyn Water and Wastewater Facilities

Councillor Gerry Herron – Deputy Mayor Sherry Senis –

That the report of the Manager of Financial Services and the Project Coordinator – Water & Sewer with respect to the Generator System Replacement at Various Selwyn Water and Wastewater Facilities be received for information; and

That the Township of Selwyn reject all bids related to the Request for Proposal for the Generator System Upgrades at Selwyn Water and Wastewater Facilities; and alternatively that staff be directed to complete and issue a Tender for Generator System Replacement at Selwyn Water and Wastewater Facilities.

Carried.

Resolution No. 2021 – 006 – Former Scout Building Renovations New Lakefield Community Hall and Police Office Space

Councillor Gerry Herron – Councillor Anita Locke –

That the report of the Facilities Maintenance & Special Projects Coordinator regarding the bid submissions for renovations to the former Scout building to create a new Lakefield Community Hall and Police Office Space be received for information; and

That discussions related to this project be deferred to the 2021 Operations Budget Meeting on January 29, 2021.

Carried.

Resolution No. 2021 – 007 – Municipality of Leamington - Cannabis Production

Councillor Donna Ballantyne – Deputy Mayor Sherry Senis –

That the Township of Selwyn support the resolution passed by the Municipality of Leamington regarding Cannabis Production Facilities, the Cannabis Act, and Health Canada Guidelines and that this resolution be forwarded to the Prime Minister of Canada, Health Canada, the Premier of Ontario, the Ministry of Municipal Affairs and Housing, the Ontario Provincial Police and the Association of Municipalities of Ontario.

Carried.

Consent

Resolution No. 2021 – 008 – Municipal Officer's and Staff Reports – Information/Housekeeping/Non-Controversial

Councillor Gerry Herron – Councillor Donna Ballantyne –

That the report of the Manager of Financial Services entitled Borrowing By-law 2021 be received for information; and that the Borrowing By-law 2021-003 be brought forward to the By-law section of the agenda for Council consideration; and

That the report of the Manager of Financial Services entitled Interim Tax By-law 2021 be received for information; and that the Interim Tax By-law 2021-002 be brought forward to the By-law section of the agenda for Council consideration; and

That the report of the Manager of Community & Corporate Services/Clerk, with respect to approving the licensing of a new group to conduct lotteries, be received for information; and that approval be given to license the Kawartha Turtle Trauma Centre to conduct lottery gaming events in the Township of Selwyn, subject to all of the required documentation to comply with AGCO regulations being submitted to the Township's satisfaction; and

Correspondence for Direction

That the following items of correspondence be received for information and that staff proceed with the recommended direction therein:

1. Municipal Finance Officers Association - One-year Extension of Deadlines in O. Reg. 588/17: Asset Management Planning for Municipal Infrastructure under the Infrastructure for Jobs and Prosperity Act, 2015

That the correspondence from Trevor Pinn, President of the Municipal Finance Officers Association (MFOA) regarding a one-year extension request of all upcoming deadlines in O. Reg. 588/17: Asset

Management Planning for Municipal Infrastructure under the Infrastructure for Jobs and Prosperity Act, 2015 (O. Reg. 588/17) be received for information; and

That the Township of Selwyn supports the MFOA's letter to the Ministry of Infrastructure requesting a one-year extension of deadlines in O. Reg. 588/17: Asset Management Planning for Municipal Infrastructure under the Infrastructure for Jobs and Prosperity Act, 2015; so that all municipalities can focus on the immediate needs of the pandemic and engage in municipal asset management planning when capacity challenges are resolved; and

Correspondence for Information

That the following items of correspondence be received for information:

2. AMO Update – New Lock Down Measures and CSWB Plan Deadline
3. AMO Update – Initial Vaccination Approach, AG Annual Report, Wetland Conservation Program
4. AMO Update – COVID-19 Vaccine Task Force, New COVID-19 Measures and Long-Term Care Commission
5. AMO Update – COVID-19 Financial Impacts, Housing Expansion, Emergency Orders Extended and Fall Legislative Session Adjourned
6. AMO Update – Social Services Relief Funding and Vaccine Rollout Planning
7. AMO Update – Phase 2 Restart Agreement Municipal Funding
8. AMO Update – Additional COVID-19 Vaccine Sites, ESA Termination and Severance Provisions Extension
9. AMO Update – Long-Term Care Staffing, Conservation Authorities Working Group, Poverty Reduction and Mental Health and Addiction Services Funding
10. AMO Update – Province-Wide Lockdown, Communities Strategy and Enforcement, New School Protocols, Child Care and Small Business Grant
11. Solicitor General - Community Safety and Well-being Plan Deadlines
12. Minister of Environment, Conservation and Parks – Conservation Authorities Working Group
13. Ministry of Municipal Affairs and Housing - Safe Restart Agreement Funding
14. Minister's Office - Reducing Poverty in Ontario (2020-2025)
15. Chief Drinking Water Inspector Annual Report - Drinking Water 2020 & 2019-2020
16. MPP Dave Smith – Safe Restart Funding News Release
17. MP Maryam Monsef – Looking Forward to 2021 News Release
18. Board of Health – December 9, 2020 Meeting Summary
19. Kawartha Chamber of Commerce and Tourism – NewsFlash! December 8th, 15th, 22nd, 2020 and January 5th and 12th, 2021
20. Otonabee Region Conservation Authority - 2019 Financial Statements
21. Gravel Watch Ontario Re: On the Rocks Letter and Report
22. Mobility Access Group - Letters - Support of Lakefield Trail Committee and Water Street Rebuild
23. Lakefield Heritage Research - Christ Church Churchyard Rehabilitation
24. Selwyn Resident Letters - Bicycle Lane vs Parking on Water Street and Speeding Concerns – County Road 20
25. Lake of Bays - AODA Website Compliance Extension Request
26. Dufferin County - Aggregate Resource Property Valuation Assessment Criteria
27. Municipality of Marmora and Lake, Municipality of Chatham-Kent, Town of Orangeville, Lake of Bays and the Town of Puslinch – Bill 229 Conservation Authority Act

28. Southwest Middlesex and the Township of South Perth – Drainage Infrastructure and National Railways
29. Town of Carleton Place - COVID 19 Childcare Funding
30. City of Port Colborne - Ontario Heritage Act (Bill 108)
31. Township of Matachewan - Grant Application Deadlines
32. City of Hamilton - Cap on Gas Plant and Greenhouse Gas Pollution and Temporary Cap on Food Delivery Service Charges
33. Municipality of South Huron - Unauthorized Car Rallies
34. City of Kitchener - Cannabis Retail
35. Municipality of Leamington - Cannabis Production
36. Town of Kingsville and the Township of Nairn and Hyman - Closure of Small Businesses
37. Larder Lake - Municipal Insurance Costs
38. Town of Amherstburg - Development Approval Requirements for Landfills
39. Region of Peel and Township of Kinloss - Veterans Property Tax Exemption
40. Peterborough Humane Society – Thank You Letter
41. Peterborough United Way – Thank You Letter; and

County Correspondence for Direction

None.

County Correspondence for Information

That the following items of correspondence from the County of Peterborough be received for information:

1. Peterborough County 2020-2022 Warden Elected – Report and Photo
2. Selwyn Township Mayor Andy Mitchell Sworn in as Deputy Warden for 2020-2022 Term
3. Indexing of the County's Development Charges By-Law for 2021 - Report
4. County Official Plan Project: Focus on Agriculture and Rural Areas – Report and Maps
5. County Official Plan Project: Focus on Aggregate Resources
6. Blue Box Transition Update – Draft Regulation - Report
7. Peterborough County Council 2021 Meeting Calendar – Final
8. Special Meeting Minutes - Warden's Election December 9, 2020 and Regular Meeting Minutes – December 11, 2020
9. Community Safety, Wellbeing and Diversity Plan - Presentation
10. City of Peterborough - Coalition of Inclusive Municipalities Update and Joining the Coalition of Municipalities Against Racism and Discrimination
11. Delegation Request Re: Selwyn Road; and

Committee Reports

That the minutes of the Peterborough Police Services Board of November 10, 2020, December 8, 2020 and December 22, 2020 be received for information.

Carried.

Petitions

Resolution No. 2021 – 009 – Petition - Cannabis Cultivation Licence – 290 Cork Line, Ennismore Ward

Deputy Mayor Sherry Senis – Councillor Donna Ballantyne –

That the petition regarding a proposal for a Cannabis Cropping Operation at 290 Cork Line be received for information.

Carried.

Council Portfolio Updates

Verbal updates were provided by Council members regarding the following Council Portfolios:

- Community Services, Transportation and Housing – Councillor Donna Ballantyne
- Economic Development, Business Retention and Attraction, Planning and Building Client Services – Deputy Mayor Sherry Senis
- Public Works and Recreation – Councillor Gerry Herron
- Sustainability, Culture and Senior Services – Councillor Anita Locke
- Governance and Inter-Governmental Relations – Mayor Andy Mitchell

Other, New & Unfinished Business

Resolution No. 2021 – 010 – Dashboard Review Meeting & CAO Evaluation Meeting

Councillor Donna Ballantyne – Councillor Gerry Herron –

That the following special meetings of Council be scheduled:

- Building and Planning Department Dashboard review – January 29, 2021 at 8:30 AM
- CAO Performance Review – February 9, 2021 at 3:00 PM

Carried.

Councillor Anita Locke left the meeting due to her earlier stated declaration of pecuniary interest.

Resolution No. 2021 – 011 – Notice of Motion – Rapid COVID19 Testing and Vaccinating for Long-Term Care Homes

Deputy Mayor Senis – Councillor Ballantyne –

Whereas we need measures immediately to reduce the number of positive cases and save lives in long term care homes; and

Whereas together we can make meaningful change that will directly result in saving lives of our most vulnerable seniors; and

Whereas owners of Torstar published a letter in all of their publications calling for specific immediate steps;

Therefore be it resolved that the Township of Selwyn request the Province of Ontario to deploy rapid COVID19 testing into Long Term Care (LTC) facilities to test residents and staff and commit to vaccinating all LTC residents, retirement and other congregate senior living facilities by February 15, 2021 and if necessary Federal authorities deploy the military to help the Province to establish a vaccine tracking system to trace rollout facility by facility; and

That the Province restore mandatory inspections of LTC homes and use transparent reporting on inspection results; and

That Federal and Provincial governments provide sufficient emergency funds to hire adequate staff, provide training and raise LTC wages to what Quebec has done; and

That the Province strike an emergency rapid response task force to act quickly as emergencies are identified; and

That Federal and Provincial governments appoint Federal and Provincial ombudspersons and establish a Health Canada regulatory authority to review all long term care complaints; and

That a copy of this resolution be sent to Prime Minister Justin Trudeau, MP Maryam Monsef, MP Jamie Schmale, MP Phillip Lawrence; MP Patty Hajdu, Minister of Health, Premier Doug Ford, MPP Dave Smith, MPP Laurie Scott, MPP David Piccini, MPP Merilee Fullerton Minister of Long Term Care, MPP Christine Elliott, Minister of Health and AMO.

Carried.

Councillor Anita Locke returned to the meeting.

By-laws

Resolution No. 2021 – 012 – By-laws First, Second & Third Reading

Councillor Anita Locke – Councillor Donna Ballantyne –
That By-law 2021-001, being a By-law to rezone certain lands situated in Part of Lot 12, Concession ECR in the Smith Ward from Development (D) Zone to Local Commercial Exception 179 (C2-179); and

That By-law 2021-002, being a By-law to provide for an interim levy for all tax classes for the year 2021; and

That By-law 2021-003, being a By-law to authorize the borrowing of money to meet current expenditures of the Corporation of the Township of Selwyn for the year 2021 be read a first, second and third time and finally passed.

Carried.

Resolution No. 2021 – 013 – Confirming By-law

Deputy Mayor Sherry Senis – Councillor Donna Ballantyne –
That By-law 2021-005, a By-law to confirm the proceedings of the meeting of Council held on January 19, 2021 be read a first, second and third time and finally passed.

Carried.

Adjournment

Resolution No. 2021 – 014 – Adjournment

Councillor Gerry Herron – Councillor Anita Locke –
That the meeting be adjourned. (8:23 PM)

Carried.