

Corporation of the Township of Selwyn

**Regular Council Meeting
Tuesday, April 27, 2021**

Virtual Council Meeting

A regular meeting of the Council of the Township of Selwyn
was held on Tuesday, April 27, 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
Angela Chittick, Manager of Community & Corporate Services /Clerk
R. Lane Vance, Manager of Finance/Treasurer
Robert Lamarre, Manager of Building and Planning
Mike Richardson, Manager of Recreation
Rick Dunford, Manager of Public Works
Jeannette Thompson, Planner
Michelle Thornton, Deputy Treasurer/I. T. Coordinator
Tania Goncalves, Deputy Clerk
Meaghan Larocque, Communications & Marketing Coordinator

The Council meeting commenced at 6:00 PM with Mayor Mitchell in the Chair.

Declaration of Pecuniary Interest

None.

Minutes

Resolution No. 2021 – 103 – Minutes

Deputy Mayor Sherry Senis – Councillor Donna Ballantyne –

That the minutes of the regular Council meeting of April 13, 2021 be adopted.

Carried.

Deputations and/or Invited Persons and/or Public Meeting

Director of Ontario Waterways for Parks Canada David Britton made a presentation to Council to provide an update on the challenges surrounding wild rice harvesting on Pigeon Lake. Mr. Britton advised that Parks Canada is working to find a balance between the harvesting rights of the Indigenous community while understanding the concerns of the shoreline property owners.

Mayor Mitchell removed himself from the Chair in order to move a motion.

Deputy Mayor Sherry Senis assumed the Chair.

Resolution No. 2021 – 104 – Parks Canada and Pigeon Lake

Mayor Andy Mitchell – Councillor Donna Ballantyne –

Whereas the desire to develop a management plan for Pigeon Lake has been a long standing request; and

Whereas the development of the management plan needs to recognize the Treaty and inherent rights of Indigenous communities; and

Whereas many of our residents have interests in the waters of Pigeon Lake and own adjacent property; and

Whereas any plan needs to be negotiated in a government to government process between the Government of Canada and Treaty 20 First Nations; and

Whereas progress on this issue has been very slow;

Now therefore be resolved that the Township of Selwyn send correspondence to the Minister of the Environment and Climate Change, copied to Parks Canada, MP Monsef, and surrounding Townships, calling on the Government of Canada to develop a lake management plan for Pigeon Lake with Curve Lake First Nation and other Treaty 20 First Nations and that the plan addresses, among other things, the issue of planting and harvesting of wild rice and that it is consistent with Treaty and inherent Indigenous rights and takes into account the interests of local residents; and

Further, that Selwyn Township send correspondence to Parks Canada urging them to monitor and enforce regulations that ensure safe boating for all practices that are exercised on Pigeon Lake; and

Further, that Selwyn Township requests that Parks Canada organize a meeting with representatives of local municipal governments prior to June 30, 2021 and that the meeting discusses issues relating to a proposed management plan and that the meeting be used to provide Parks Canada a further understanding of the matters raised by residents and that the matters identified be communicated in their negotiations with First Nation governments.

Carried.

Mayor Mitchell resumed the Chair.

Director of Ontario Waterways for Parks Canada David Britton continued his presentation to Council and provided updates regarding the vegetation removal permitting process, the 2021 operating season and infrastructure projects.

Resolution No. 2021 – 105 – Parks Canada Update

Councillor Anita Locke – Councillor Donna Ballantyne –

That the report from Director of Ontario Waterways for Parks Canada David Britton regarding various Parks Canada updates be received for information.

Carried.

Richard Steiginga of Baker Tilly KDN LLP made a presentation to Council regarding the 2019 Financial Statements.

Resolution No. 2021 - 106 - 2019 Financial Statements

Deputy Mayor Sherry Senis – Councillor Gerry Herron –

That the presentation by Richard Steiginga of Baker Tilly KDN LLP regarding the 2019 Financial Statements be received for information; and

That the report of the Manager of Financial Services regarding the audited financial statements for the year ending December 31, 2019 be received for information; and

That the statements as presented by Baker Tilly KDN LLP - Chartered Accountants at the April 27, 2021 regular Council meeting be approved and prepared for posting on the Township website.

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 property as

well as by way of a sign being posted on the property. 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 relates to property described as being Part of Lot 6, Concession 5 in the Ennismore Ward, municipally known as 734 Tara Road. The subject lands are designated Rural; and zoned Rural Residential (RR). The property owners are proposing to operate a home-based business on the subject lands, which would fall outside of the scope of what would be permitted as a home occupation and/or a bed and breakfast. The proposal includes the hosting of small weddings (the applicant has termed them as 'elopement weddings'). The zoning By-law amendment proposes to rezone the subject lands to Rural Residential Exception 583 (RR-583), which would permit the proposed use, subject to site specific zone regulations. Applicant Vera Payne was in attendance in support of the application. No one spoke against the application. There were three (3) members of the public in attendance. The public meeting concluded at 7:13 PM.

Resolution No. 2021 – 107 – ZBA – 734 Tara Road

Deputy Mayor Sherry Senis – Councillor Donna Ballantyne –

That the report of the Planner regarding the Zoning By-law Amendment related to lands described as Part of Lot 6, Concession 5 in the Ennismore Ward, municipally known as 734 Tara Road be received for information; and

That By-law 2021-031, being a By-law to change the zone category of certain lands in Part of Lot 6, Concession 5 in the Ennismore Ward to Rural Residential Exception 583 (RR-583) Zone, in order to permit additional uses of the subject land, namely small weddings, be brought forward to the By-law section of the agenda for consideration.

Carried.

A public meeting commenced at 7:13 PM to amend the Township's Comprehensive Zoning By-law in accordance with Section 34 of The Planning Act. The amendment relates to property described as being Part of Lot 6, Concession 5 in the Ennismore Ward, municipally known as Plan 44, Lot 18, Part Lot 19 in the Smith Ward (96 Stoney Lake – Big Island). The property owners are proposing to reconstruct and expand the existing boathouse situated on the subject property. Presently the lands are designated Seasonal Residential and Environmental Constraint Area; and zoned Lakeshore Residential (LR) and Environmental Protection (EP). The proposed amendment will place a site specific exception zone on the property, to permit the reconstruction and expansion of the existing boathouse to a maximum building area of 108 square metres. The Environmental Protection area will remain the same. Agent Ashlyn Kennedy from EcoVue Consulting was in attendance in support of the application. No one spoke against the application. There were two (2) members of the public in attendance. The public meeting concluded at 7:16 PM.

Resolution No. 2021 – 108 – ZBA – 96 Stoney Lake – Big Island

Councillor Gerry Herron – Councillor Anita Locke –

That the report of the Planner regarding the Zoning By-law Amendment related to lands described as Plan 44, Lot 18, Part Lot 19 in the Smith Ward (96 Stoney Lake – Big Island) be received for information); and

That By-law 2021-030, being a By-law to change the zone category of certain lands in Plan 44, Lot 18, Part Lot 19 in the Smith Ward to Lakeshore Residential Exception 584 (LR-584) Zone, in order to permit the reconstruction and expansion of the existing boathouse, and to establish site specific zone regulations be forwarded to the By-law section of the agenda for consideration.

Carried.

Question Period

Council entertained questions from the public from 7:23 PM to 7:32 PM.

Municipal Officers & Staff Reports – Direction

Resolution No. 2021 – 109 – Building & Planning Services Review Implementation – Site Plan Approval

Councillor Donna Ballantyne – Councillor Anita Locke –

That the report of the Manager of Building and Planning related to Building & Planning Services Review Implementation Recommendation #16, being a recommendation to develop a site plan approval policy which would outline minimum service standards in urban and rural areas be received for information; and

That the report be deferred in order to provide Council additional time to review the proposed recommendations for discussion at the next Council meeting.

Carried.

Resolution No. 2021 – 110 – Cannabis Regulations and Consultation – Medical Cannabis Licensing

Councillor Donna Ballantyne – Deputy Mayor Sherry Senis –

That the report of the Managers of Building & Planning and Community & Corporate Services/Clerk providing an update on the review of the Township's current cannabis regulatory By-law and the consultation process for medical cannabis licensing be received for information; and

That the following comments be submitted to Health Canada by the Township of Selwyn related to medical cannabis licensing:

- Health Canada stop allowing for the pooling of licences; allow (one) 1 license per property;
- Discontinue the opportunity to split addresses into units; allow (one) 1 license per property;
- That physician scrutiny be a larger part of the approval process; limiting the amount of prescribed cannabis per day;
- Health Canada revisit the yield calculation amounts when determining the number of allowable plants from 150 grams per plant to at least 450 grams and possibly up to 900 grams to result in significantly less plants being grown under a licence;
- Requiring a licensee to comply with Building Code requirements for any amendments made to a structure to support the production of medical cannabis e.g. ventilation sufficient to remove excess moisture and humidity to prevent mould; changes to the structure or electrical system, etc...;
- Requiring a licensee to safely handle and store any chemical products, such as pesticides, to manage environmental impacts;
- Requiring licensee to safely manage solvents etc...that pose significant safety risks, such as fire and explosion;
- Health Canada to implement an inspection mechanism to confirm compliance with requirements and the ability to revoke/suspend licences that do not comply - note that there have been no inspections completed in 2020);

- Prior to Health Canada issuing a licence, the licensee be required to comply with the Township's Zoning By-law related to cannabis cultivation and processing including relevant set-back requirements, by ensuring that local municipal authorities are part of the approval process for medical cannabis licenses;
- Health Canada suspend the issuance of any new medical cannabis licensing until such time as this review is complete and in place and further that any existing medical cannabis licences already issued be required to comply with the final amendments that Health Canada approves.

Carried.

Resolution No. 2021 – 111 – Lakefield Water & Sewer Budget 2021

Councillor Anita Locke – Councillor Gerry Herron –

That the report related to the Lakefield Water & Sewer Budget 2021 be received for information; and

That the Township of Selwyn adopt the Budget Compliance Report for expenses excluded from the 2021 Lakefield Water & Sewer budget as outlined in and as a requirement of Ontario Regulation 284/09; and

That the Department # 30 Lakefield Sewer and Department # 31 Lakefield Water Budget 2021 be approved as presented.

Carried.

Resolution No. 2021 – 112 – Town of Plympton-Wyoming - Suicide and Crisis Prevention Hotline

Deputy Mayor Sherry Senis – Councillor Anita Locke –

That the Township of Selwyn supports the motion passed by the Town of Plympton-Wyoming pertaining to the resolution passed by the Town of Caledon in support of 988, a 3-Digit Suicide and Crisis Prevention Hotline.

Carried.

Consent

Resolution No. 2021 – 113 – Municipal Officer's and Staff Reports – Information/Housekeeping/Non-Controversial

Councillor Anita Locke – Councillor Donna Ballantyne –

That the report of the Manager of Financial Services regarding the 2021 Consolidated Tax Rates be received for information; and that By-law 2021-037, being a By-law to establish the rates of taxation for the year 2021, be forwarded to the By-law section of the agenda for consideration; and

That the report of the Communications & Marketing Coordinator regarding the 2020 Strategic Plan Report Card be received for information; and

That the report of the Manager of Community & Corporate Services/Clerk regarding various By-laws be received for information; and that By-law 2021-036, a By-law to authorize the execution of a funding agreement with the Ontario Trillium Foundation, project # RF111144, be brought forward to the By-law section of the agenda for consideration; and that Schedule "A" of By-law 2016-026, being the Township's Tariff of Fees By-law be received for information; and

Correspondence for Direction

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

1. The Friends of Lakefield Park - Boating Docks

That the correspondence from the Friends of Lakefield Park requesting that the Township take steps to prevent the installation of docks at the Lakefield Campground be received for information; and

That the Friends of Lakefield Park be advised that given the future utilization of the Campground property is being reviewed in 2021 and that the current Operator has been advised that the operating agreement will not be extended beyond the 2022 camping season, that the current operator is permitted to continue offering docking facilities until the current agreement expires; and further

That the Township will review the area where docks are stored in the winter to ensure that the storage is not encroaching on the trail; and

Correspondence for Information

That the following items of correspondence be received for information:

2. AMO Update – Back to Remote Learning, Connecting Links Funding, and Funeral, Burial and Cremation Services Act Regulation Changes
3. AMO Update – New COVID-19 Enforcement Measures, Two-Week Extension of Emergency Declaration and Emergency Child Care
4. AMO Update – Federal Budget Highlights, Revised COVID Measures and Red Tape Bill
5. Minister of Infrastructure - EORN 1Gig project
6. Kawartha Chamber of Commerce and Tourism – NewsFlash! April 20, 2021
7. Board of Health Meeting Summary – April 14, 2021
8. Township of Essa – Bill 25
9. Township of Terrace Bay - Municipal Insurance Rates
10. Town of Mono - Cannabis Licencing and Enforcement
11. Township of the Archipelago - Road Management on Invasive Phragmites
12. Town of Plympton-Wyoming – Suicide and Crisis Prevention Hotline
13. Town of Cochrane - Support for Fire Departments and Letter to Premier Ford
14. Municipality of Calvin - Carbon Tax for Primary Agriculture Producers
15. City of Cambridge Council – Request for Paid Sick Leave; and

County Correspondence for Information

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

1. CAO First Quarter Activity Report
2. County Official Plan Project Update and Anticipated 2021-2022 Timeline
3. Proposed Revisions to Sign By-law Report and Draft Sign By-law
4. County Official Plan Project: Focus on Natural Heritage Report and Provincial Heritage Mapping System
5. Notice of Construction - Lower Buckhorn Lake Bridge and the Trent Canal Bridge
6. Regular County Council Meeting Minutes - April 7, 2021; and

Committee Reports

That the minutes of the Trail Advisory Committee of April 6, 2021 be received for information; and that staff be directed to prepare a report for Council with respect to the Secret Garden proposal, including an update on the status of the barn removal project and related budgetary impacts

Carried.

Petitions

None.

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 – 114 – Special Meeting

Councillor Anita Locke – Councillor Donna Ballantyne

That a special meeting of Council be scheduled for May 13th, 2021 at 5:00 PM so that Council may receive an update on the County Official Plan update process.

Carried.

By-laws

Resolution No. 2021 – 115 – By-laws First, Second & Third Reading

Councillor Anita Locke – Councillor Gerry Herron –

That By-law 2021-030, being a By-law to change the zone category of certain lands in Plan 44, Lot 18, Part Lot 19 in the Smith Ward to Lakeshore Residential Exception 584 (LR-584) Zone; and

That By-law 2021-031, being a By-law to change the zone category of certain lands in Part of Lot 6, Concession 5 in the Ennismore Ward to Rural Residential Exception 583 (RR-583) Zone; and

That By-law 2021-036, being a By-law to authorize the execution of a funding agreement with the Ontario Trillium Foundation, project # RF111144; and

That By-law 2021-037, being a By-law to establish the rates of taxation for the year 2021 be read a first, second and third time and finally passed.

Carried.

Resolution No. 2021 – 116 – Confirming

Deputy Mayor Sherry Senis – Councillor Donna Ballantyne –

That By-law 2021-038, a By-law to confirm the proceedings of the meeting of Council held on April 27, 2021 be read a first, second and third time and finally passed.

Carried.

Adjournment

Resolution No. 2021 – 117 – Adjournment

Councillor Gerry Herron – Councillor Donna Ballantyne –

That the meeting be adjourned. (8:28 PM)

Carried.