

**Corporation of the Township of Selwyn**

**Regular Council Meeting  
Tuesday, August 10, 2021**

A regular meeting of the Council of the Township of Selwyn was held on Tuesday, August 10, 2021.

Council Present: Mayor Andy Mitchell  
(in-person) Deputy Mayor Sherry Senis  
Councillor Donna Ballantyne  
Councillor Gerry Herron  
Councillor Anita Locke

Staff Present: Janice Lavalley, Chief Administrative Officer  
(virtually) Angela Chittick, Manager of Community & Corporate Services /Clerk  
R. Lane Vance, Manager of Finance/Treasurer  
Leisha Newton, Economic Development Coordinator (Acting)

Staff Present: Robert Lamarre, Manager of Building and Planning  
(in-person) Per Lundberg, Planner  
Tania Goncalves, Deputy Clerk

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

**Declaration of Pecuniary Interest**

None.

**Minutes**

**Resolution No. 2021 – 210 – Minutes**

Councillor Donna Ballantyne – Councillor Anita Locke –  
That the minutes of the regular Council meeting of July 13, 2021 and the special Council meeting of July 19, 2021 be adopted.

Carried.

**Deputations and/or Invited Persons and/or Public Meeting**

Tracie Bertrand, Director of Tourism with Peterborough and the Kawarthas Economic Development made a presentation to Council pertaining to the O'de Piitaanemaan Visitors Pledge.

**Resolution No. 2021 – 211 – The O'de Piitaanemaan Pledge**

Councillor Donna Ballantyne – Councillor Anita Locke –  
That the presentation from Tracie Bertrand, Director of Tourism with Peterborough and the Kawarthas Economic Development, regarding "The O'de Piitaanemaa Pledge" be received for information.

Carried.

**Resolution No. 2021 – 212 – Compensation Review for Council & Staff**

Deputy Mayor Sherry Senis – Councillor Donna Ballantyne –  
That the report of the Chief Administrative Officer with respect to the Joint County of Peterborough Request for Proposal for a Compensation Review of Council and Staff positions be received for information; and

That the Township of Selwyn proceed to engage Gallagher Benefits Services Group Inc. to conduct the Compensation Review; and

That the 2021 budget be amended to provide funding for this project, in the amount of \$9,665 plus applicable HST, by way of a transfer from the General Government Reserve.

Carried.

Township Planner Per Lundberg announced that the Township of Selwyn is holding a public meeting to consider an application 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 Amendment, a written request must be made to the Township.

A public meeting commenced at 6:30 PM to amend the Township's Comprehensive Zoning By-law in accordance with Section 34 of The Planning Act. The amendment relates to lands described as being Part of Lot 27, Concession 12 in the Smith Ward (municipally known as 2018 Twelfth Line). Mr. Lundberg noted that the Zoning By-law Amendment is a condition of consent to sever application B-28-21, which was imposed by the Township. The severed parcel will be zoned Rural Residential Exception 586 (RR-586) to recognize certain deficiencies with regard to the applicable zoning regulations for the existing buildings on the severed parcel. The retained parcel will be zoned Agricultural Exception 585 (A-585) Zone to prohibit future residential dwellings. It was noted that correspondence was received from Hydro One, Kawartha Pine Ridge District School Board, Otonabee Region Conservation Authority, Enbridge Gas and County of Peterborough Public Works Department stating no objections to the application. The applicants virtually attended the meeting to answer any questions. No one further spoke in favour or in opposition to the application. There was one (1) member of the public who attended in person and two (2) members of the public who attended virtually. The public meeting concluded at 6:33 PM

**Resolution No. 2021 – 213 – Zoning By-law Amendment -Part of Lot 27, Concession 12 in the Smith Ward (2018 Twelfth Line)**

Councillor Anita Locke – Councillor Gerry Herron –

That the report of the Planner regarding the Zoning By-law Amendment related to lands described as being Part of Lot 27, Concession 12 in the Smith Ward (municipally known as 2018 Twelfth Line) be received for information; and

That By-law 2021-059, being a By-law to rezone certain lands situated in Part of Lot 27, Concession 12 in the Smith Ward from Agricultural (A) Zone to Agricultural Exception 585 (A-585) Zone and from Agricultural (A) Zone to Rural Residential Exception 586 (RR-586) Zone be brought forward to the By-law section of the agenda for consideration.

Carried.

Manager of Building and Planning Robert Lamarre announced that the Township of Selwyn is holding a public meeting to consider an application 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 advertised in the Peterborough Examiner, the Lakefield Herald, through Social Media, the Township e-newsletter and directly by email to residents who have shown an interest in the issue. 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 Amendment is passed the person or public body is not entitled to appeal the decision of the Council of the Township 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 Amendment, a written request must be made to the Township.

A public meeting commenced at 6:33 PM to amend the Township's Comprehensive Zoning By-law pertaining to the regulation of cannabis cultivation and processing related to land uses in the Township of Selwyn. Manager of Building and Planning Robert Lamarre noted that the Township of Selwyn retained the services of Meridian Planning Consultants to support the development of the draft By-law regarding the regulation of cannabis cultivation and processing in the Township of Selwyn. Mr. Lamarre noted that Senior Planner Alison Luoma from Meridian Planning Consultants was virtually in attendance to answer any questions. Mr. Lamarre advised that correspondence was received from Kawartha Pine Ridge District School Board and Peterborough Public Health stating no objections to the proposed By-law. Mr. Lamarre also noted that correspondence was received from resident Tracy Bell in favour of rigorous regulations stating concerns for the environment and potential criminal activity. Mr. Lamarre provided a summary of the impacts and amendments made to the proposed Cannabis Cultivation and Processing By-law. No one spoke in favour or in opposition to the application. There was one (1) member of the public who attended in person and one (1) members of the public who attended virtually. Council members asked a series of questions and clarifications regarding the proposed amendment. The meeting concluded at 6:55 PM.

**Resolution No. 2021 – 214 – Cannabis Cultivation and Production Draft By-law**

Deputy Mayor Sherry Senis – Councillor Donna Ballantyne –

That the report from the Manager of Building and Planning regarding the Cannabis Cultivation and Production Zoning By-law amendment public meeting be received for information; and

That Council consider the input received prior to and during the public meeting held to debate the merits of the proposed amendment to the Zoning By-law related to the cultivation and production of cannabis in the Township; and

That a final draft of the amending By-law, modified to account for relevant public and Council input, be brought back to Council for consideration at the September 7, 2021 Council meeting.

Carried.

**Question Period**

None

**Municipal Officers & Staff Reports – Direction**

**Resolution No. 2021 – 215 – Budget Timetable**

Deputy Mayor Sherry Senis – Councillor Anita Locke –

That the report of the Manager of Financial Services entitled Budget Timeline 2022 be received for information; and

That the Budget Timeline 2022 dated August 10, 2021 as presented be approved; and

That the Special Council Meeting scheduled for January 20, 2022 be cancelled and a Special Council Meeting for Budget Presentation be scheduled for January 27, 2022.

Carried.

**Resolution No. 2021 – 216 – Improvements to Heritage Designated Structure - 59 Clementi Street**

Councillor Anita Locke – Councillor Donna Ballantyne –

That the report from the Manager of Building and Planning regarding a request to alter a heritage property known as 59 Clementi Street be received for information; and

That the Township provide notice to the owners of 59 Clementi Street that their application requesting to alter their property is complete; and

That the application be forwarded to the Municipal Heritage Committee seeking their opinion as it relates to the proposed alteration in accordance with Section 33 of the Ontario Heritage Act.

Carried

Mayor Andy Mitchell declared a conflict of interest related to item 6. a) 21. – Capital Gains. Mayor Mitchell noted that he has previously declared a conflict of interest related to similar correspondence received at a past Council meeting. Mayor Mitchell left the meeting and the Chair. Deputy Mayor Sherry Senis assumed the Chair.

**Resolution No. 2021 – 217 – Capital Gains Tax on Primary Residences**

Councillor Donna Ballantyne – Councillor Gerry Herron –

That correspondence be forwarded to the Association of Municipalities of Ontario requesting that AMO conduct appropriate research on this matter given that the Township of Selwyn has been advised that the Federal Government is not intending to implement a capital gains tax on primary residences and that AMO report this information to member municipalities.

Carried

Mayor Mitchel returned to the meeting and assumed the Chair.

**Consent**

**Resolution No. 2021 – 218 – Municipal Officer's and Staff Reports – Information/Housekeeping/Non-Controversial**

Councillor Gerry Herron – Councillor Anita Locke –

That the report of the Chief Administrative Officer with respect to the contract extension with Peterborough Utilities Group (PUG) for the operation of the Lakefield water and wastewater systems and the Woodland Acres distribution and collection systems be received for information; and that, By-law 2021-060, a By-law to authorize the CAO to execute of a Memorandum of Understanding providing for a two-year extension to the PUG services contract, be brought forth to the By-law section of the agenda for consideration; and

That the report from the By-law Enforcement Officer regarding the issue of dogs used for hunting deer and that the correspondence item from Ross Jopling and others noting support for the use of dogs during deer hunting be received for information; and that Jeffrey Armstrong be advised that the Township is satisfied that the regulatory regime currently in place through the Ministry of Natural Resources and Forestry (MNR) is sufficient to manage the issue; and

That the report of the Manager of Community and Corporate Services/ Clerk regarding the Water Street Construction project be received for information; and that authorization be given to proceed with the further archeological study requirements and any design updates to the engineering plans impacted by the archeological study and that any additional costs related to the additional works be included in an upcoming budget amendment report; and

That the report of the Corporate Services Assistant regarding the request to stop up and close a portion of the inland road allowance at 157 Arnott Drive be received for information; and that the portion of the inland road allowance described as PIN 28449-0263 (LT), be deemed as surplus lands with the intent to sell the lands to Craig Mace, and that the process to stop-up, close and dispose of these lands be commenced with all costs of the said process being paid for by the applicant, in addition to the costs of the lands as determined by the Township's Procedure for Closure and Disposal of Road Allowances; and that a By-law be brought forward to a future Council meeting to authorize and facilitate the execution of necessary documents to complete the transaction; and

That the report of the Economic Development Coordinator (Acting) regarding a request from 1866811 Ontario Limited (Operating as Stuff), Hayley's Hidden Treasures, & Buckhorn Foodland for an exemption from the Provincial Retail Business Holidays Act be received for information; and that By-law 2021- 058, being a By-law to amend By-law 2004-024 be brought forward to the By-laws section of the agenda to grant exemptions from the provisions of the Retail Business Holiday Act for the following businesses for the following statutory holidays:

- 1866811 Ontario Limited (Operating as Stuff), to allow the business to be open on the Family Day, Good Friday, Easter Sunday, Victoria Day, Canada Day, Labour Day and Thanksgiving Day statutory holidays;
- Hayley's Hidden Treasures, to allow the business to be open on the New Year's Day, Family Day, Good Friday, Easter Sunday, Victoria Day, Canada Day, Labour Day, Thanksgiving Day and Christmas Day statutory holidays;
- Buckhorn Foodland, to allow the business to be open on the New Year's Day, Family Day, Good Friday, Easter Sunday, Victoria Day, Canada Day, Labour Day, and Thanksgiving Day statutory holidays; and

Further that the following businesses that are no longer in operation be removed from Schedule A of By-law 2004-024, as amended: The Brown Canoe Company; Furniture Discounters; Looney Sisters; U\$ave Department Store; The Treasure Chest; Cedar Ridge Alpaca Boutique; Lifestyle Footwear by Sunblockers; and Tribal Voices; and further that Schedule A of By-law 2004-024 be updated to reflect all relevant amendments; and

### **Correspondence for Direction**

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

#### **1. EORN's Gig project – Letter of Support**

That the correspondence from EORN regarding their Gig Project be received for information and that correspondence be forwarded to MP Maryam Monsef and MP Kinga Surma advising of Council's support for the EORN Gig Project; and

#### **2. Waste Reduction Week – October 18 – 24, 2021**

That the correspondence regarding Waste Reduction Week in Canada be received for information; and that October 18 – 24, 2021 be proclaimed as Waste Reduction Week in the Township of Selwyn; and

#### **3. Curve Lake First Nation – A Day of Mourning - Day 215**

That the correspondence from Curve Lake First Nation regarding a Day of Mourning to recognize the 215 unmarked graves located on Kamloops Indian Residential School grounds be received for information; and  
That the Township of Selwyn recognizes the lives that were tragically lost in the residential school system throughout Canada and shares in the grief for

the victims, the survivors and their families; and further that the Township use its various communication platforms to continue to bring awareness to this tragic part of history and encourage residents to create and display orange items around their home and property in honour of the victims; and

### **Correspondence for Information**

That the following items of correspondence be received for information:

4. AMO Policy Update – AMO Long-Term Care Transformation Advocacy
5. EORN – Chairs' Message to Local Heads of Council
6. Government of Canada - Canada Community-Building Fund
7. MP Monsef – High-speed Internet
8. MP Peter Julian – Made in Canada Green New Deal
9. Parks Canada – Burleigh Falls Dam Replacement
10. Ontario Land Tribunal – Processes for the New Ontario Land Tribunal
11. Board of Health Summary – July 23, 2021
12. Kawartha Chamber of Commerce – Awards of Excellence News Flash
13. Kawartha Chamber of Commerce – List of Nominees
14. Kawartha Chamber of Commerce – News Flash – July 20, 2021
15. Kawartha Chamber of Commerce – News Flash – July 27, 2021
16. Kawartha Chamber of Commerce – Consolidation
17. Kawartha Chamber of Commerce – News Flash – August 3, 2021
18. Northumberland County – Finance & Audit Committee
19. City of Vaughan – Raising Legal Age for a Licensed Driver from 16 to 18
20. City of Woodstock – Affordable Housing
21. *Item pulled and dealt with separately*
22. Township of Plympton-Wyoming – PSA Test for Men into the Medical Care
23. Township of Adelaide Metcalfe – Support of Resolutions Abandoned Cemeteries
24. Township of Adelaide Metcalfe – Banning Unencapsulated Polystyrene Foam
25. Township of Adelaide Metcalfe – Environmental Protection Amendment Act
26. Township of Adelaide Metcalfe – Suicide & Crisis Prevention Hotline Initiative
27. Township of Georgian Bay – Truth and Reconciliation Commission of Canada
28. Township of Georgian Bay – Elimination of LPAT
29. Township of Shuniah – Lyme Disease Awareness Month
30. City of Stratford – Resolution to Phase Out Ontario's Gas Plants
31. Lake of Bays – Support for Fire Departments
32. City of Kitchener – Building Materials Letter
33. City of Kitchener – Anti-Hate Crimes and Incidents & Bill-C 313 Banning Symbols of Hate Act Letter
34. Town of Cobourg – Support for Bill C-6 An Act to amend the Criminal Code
35. Lakefield Campground – Feedback
36. Friends of Lakefield Park – Thank you
37. Lakefield and District Horticultural Society – Thank you; and

### **County Correspondence for Information**

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

1. 2022 Council Meeting Calendar
  - Attachment - Appendix A –2022 Council Meeting schedule
2. County Official Plan Project: Survey Summary #2
  - Attachment - Appendix A - Survey Results (Work)
3. Quarterly Q2 Recycling Customer Response Review
4. PKED Visitor Presentation
5. Minutes - June 22, 2021 (special) & June 30, 2021 (regular); and

### **Committee Reports**

That the minutes of the Peterborough Police Services Board meeting of June 29, 2021; and

That the minutes of the Selwyn Trail Committee meeting of July 5, 2021; and

That the minutes of the Heritage Committee meeting of June 24, 2021 be received for information.

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 – 219 – Fireworks – Lakefield Campground**

Deputy Mayor Sherry Senis – Councillor Donna Ballantyne –

That a report be brought back to Council regarding options for placing restrictions on the use of fireworks at the Lakefield Campground, which is owned by the municipality.

Carried.

**By-laws**

**Resolution No. 2021 – 220 – By-laws First, Second & Third Reading**

Councillor Donna Ballantyne – Councillor Anita Locke –

That By-law 2021-058, being a By-law to amend By-law 2004-24, the Retail Business Holiday Act By-law for the Township of Selwyn; and

That By-law 2021-059, being a By-law to rezone certain lands situated in Part of Lot 27, Concession 12 in the Smith Ward from Agricultural (A) Zone to Agricultural Exception 585 (A-585) Zone and from Agricultural (A) Zone to Rural Residential Exception 586 (RR-586) Zone 2018 Twelfth Line; and

That By-law 2021-060, being a By-law Authorize the execution of and MOU with Peterborough Utilities Group pertaining to a contract extension be read a first, second and third time and finally passed.

Carried.

**Resolution No. 2021 – 221 – Confirming**

Deputy Mayor Sherry Senis – Councillor Gerry Herron –

That By-law 2021-061, being a By-law to confirm the proceedings of the meeting of Council held on August 10, 2021 be read a first, second and third time and finally passed.

Carried.

**Adjournment**

**Resolution No. 2021 – 222 – Adjournment**

Councillor Gerry Herron – Councillor Anita Locke –

That the meeting be adjourned. (7:41 PM)

Carried.