

**Corporation of the Township of Selwyn**

**Regular Council Meeting  
Tuesday, October 12, 2021**

A regular meeting of the Council of the Township of Selwyn was held on Tuesday, October 12, 2021.

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

Staff Present: Janice Lavalley, Chief Administrative Officer  
(virtually) Angela Chittick, Manager of Community & Corporate Services /Clerk  
Gord Jopling, Fire Chief  
Rick Dunford, Manager of Public Works  
Mike Richardson, Manager of Recreation Services  
Chris Tassone, By-law Enforcement Officer  
Hillary Bradshaw, Climate Change Coordinator  
Michelle Thornton, Deputy Treasurer/ I.T. Coordinator

Staff Present: Robert Lamarre, Manager of Building and Planning  
(in-person) Per Lundberg, Planner (left at 5:55 PM)  
Paul Monk, Building Inspector/By-law Officer (arrived at 5:55 PM)  
Tania Goncalves, Deputy Clerk

The Council meeting commenced at 5:00 PM with Mayor Mitchell in the Chair.

**Declaration of Pecuniary Interest**

Mayor Andy Mitchell declared a pecuniary interest as it relates to agenda item 6.a) 3. regarding correspondence received from AMO concerning capital gains on primary residences.

**Minutes**

**Resolution No. 2021–250 – Minutes**

Deputy Mayor Sherry Senis – Councillor Anita Locke –  
That the minutes of the regular Council meeting of September 21, 2021 be adopted.  
Carried

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

Doug Simmons made a presentation to Council to express concerns regarding short term rentals in the Township. Mr. Simmons noted concerns related to noise and disturbance caused by the short-term rentals.

**Resolution No. 2021–251 – Short Term Rentals**

Councillor Donna Ballantyne – Deputy Mayor Sherry Senis –  
That the report from the By-law Enforcement Officer regarding short-term rentals on Gifford Drive be received for information; and that staff:

- engage in communications with the Smith-Ennismore Police Services Board to discuss enforcement options;
- report back to Council on the results of the discussion with the County CAO's pertaining to the management of short-term rentals;
- review and report back to Council on the current fine structure to determine if any increases are advisable and to provide any additional suggestions to address concerns regarding short-term rentals.

Carried.

Township Planner Per Lundberg announced that the Township of Selwyn is holding a public meeting to consider various 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 5:37 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 21, Concession 9 in the Smith Ward. Mr. Lundberg noted that the Zoning By-law Amendment is a condition of consent to sever application B-25-21, which was imposed by the Township. The severed parcel will be merged with the adjacent rural property to the west. Consents for lot additions are considered technical severances. The severed parcel will be zoned Rural Exception 588 (RU-588) to allow for a reduced side yard and front yard setback for the existing barns on the subject lands and to prohibit the keeping of livestock in these barns. The retained parcel will be zoned Rural Residential Exception 589 (RR-589) Zone to allow a reduced lot frontage. Mr. Lundberg noted that comments of no concern have been received from Peterborough Public Health, Kawartha Pine Ridge District School Board, Enbridge Gas Inc. and the Otonabee Region Conservation Authority. No one spoke in favour or in opposition to the application. There were four (4) members of the public who attended the meeting virtually. The public meeting concluded at 5:40 PM.

**Resolution No. 2021-251- Zoning By-law Amendment – Part Lot 21, Concession 9, Smith Ward**

Deputy Mayor Sherry Senis – Councillor Anita Locke –

That the report of the Planner regarding the Zoning By-law Amendment related to lands described as being Part Lot 21, Concession 9 in the Smith Ward be received for information; and

That By-law 2021-071, being a By-law to re-zone certain lands situated on Part Lot 21, Concession 9 in the Smith Ward from Rural Residential (RU) Zone to Rural Exception 588 (RU-588) Zone and Rural Residential Exception 589 (RR-589) Zone be forwarded to the By-law section of the agenda for consideration.

Carried.

A public meeting commenced at 5:40 PM to amend the Township's Comprehensive Zoning By-law in accordance with Section 34 of The Planning Act. The amendment relates to the lands described as being Part of Lot 22, Concession 16 in the Smith Ward having the municipal address of 2886 Antelope Trail. Mr. Lundberg noted that the Zoning By-law Amendment is a condition of consent to sever application B-89-20, which was imposed by the Township. The severed parcel will be merged with the adjacent waterfront property to the west. Consents for lot additions are considered technical severances. The severed parcel will be zoned Lakeshore Residential (LR) Zone. The retained parcel will be zoned Rural Residential Exception 590 (RR-590) Zone to allow a reduced lot frontage and area as well as a reduced interior side yard setback on the westerly side. Mr. Lundberg noted that comments of no concern have been received from the Kawartha Pine Ridge District School Board, Enbridge Gas Inc. and the Otonabee Region Conservation Authority. No one spoke in favour or in opposition to the application.

There were four (4) members of the public who attended virtually. The public meeting concluded at 5:43 PM.

**Resolution No. 2021-252 – Zoning By-law Amendment – 2886 Antelope Trail, Part Lot 22, Concession 16, Smith Ward**

Councillor Anita Locke – Councillor Gerry Herron -

That the report of the Planner regarding the Zoning By-law Amendment related to Part of Lot 22, Concession 16 in the Smith Ward be received for information; and

That By-law 2021-073, being a By-law to re-zone certain lands situated in Part of Lot 22, Concession 16 in the Smith Ward from Rural Residential (RU) Zone to Lakeshore Residential (LR) Zone and Rural Residential Exception 590 (RR-590) Zone be forwarded to the By-law section of the agenda for consideration.

Carried.

A public meeting commenced at 5:43 PM to amend the Township's Comprehensive Zoning By-law in accordance with Section 34 of The Planning Act. The amendment relates to the lands described as being Part of Lot 31, Concession 10 in the Smith Ward. Mr. Lundberg noted that the Zoning By-law Amendment is a condition of consent to sever application B-22-21, which was imposed by the Township. The severed parcel will be merged with the adjacent rural residential property to the southeast. Consents for lot additions are considered technical severances. The severed parcel will be zoned Rural Exception 591 (RU-591) Zone to allow a reduced minimum lot area and to recognize the lot frontage of the benefitting lands for the lot addition as the applicable lot frontage. The retained parcel will remain Rural Residential Exception 427 (RU-427) Zone as amended by By-law 2021-074 to allow a further reduced minimum lot area. Mr. Lundberg noted that comments of no concern have been received from the Kawartha Pine Ridge District School Board, Enbridge Gas Inc. and Peterborough Public Health and further that the Otonabee Region Conservation Authority has commented that future development on the subject lands may require permits. Applicant Donald Wood was in attendance virtually and spoke in support of the application. No one further spoke in favour or in opposition to the application. There were four (4) members of the public who attended virtually. The public meeting concluded at 5:45 PM.

**Resolution No. 2021-253 – Zoning By-law Amendment – 2325 Miller Road, Part Lot 31, Concession 10, Smith Ward**

Councillor Anita Locke – Councillor Donna Ballantyne –

That the report of the Planner regarding the Zoning By-law Amendment related to Part of Lot 31, Concession 10 in the Smith Ward be received for information; and

That By-law 2021-074, being a By-law to amend the Rural Exception 427 (RU-427) Zone and to re-zone certain lands situated in Part of Lot 31, Concession 10 in the Smith Ward from Rural Exception 427 (RU-427) to Rural Exception Five Hundred and Ninety-One (RU-591) Zone be brought forward to the By-law section of the agenda for consideration.

Carried.

A public meeting commenced at 5:45 PM to amend the Township's Comprehensive Zoning By-law in accordance with Section 34 of The Planning Act. The amendment relates to the lands described as being Part of Lot 27, Concession 10 in the Smith Ward. Mr. Lundberg noted that the Zoning By-law Amendment is a condition of consent to sever application B-88-20, which was imposed by the Township. The severed parcel will be merged with the adjacent rural property to the west. Consents for lot additions are considered technical severances.

The retained parcel will be re-zoned to the Rural Residential (RR) Zone. Mr. Lundberg noted that comments of no concern have been received from the Kawartha Pine Ridge District School Board, Enbridge Gas Inc and Peterborough Public Health. The Otonabee Region Conservation Authority has commented that

future development on the subject lands may require permits. Applicant Royce Williamson was in attendance virtually and spoke in support of the application. Neighbouring property owner Kerry Doughty was also in attendance virtually and spoke in support of the application. Mr. Doughty advised that he wished to have it noted on the record that his property is zoned for aggregate extraction uses. No one spoke in opposition to the application. There were four (4) members of the public who virtually attended the meeting. The public meeting concluded at 5:50 PM.

**Resolution No. 2021-254 – Zoning By-law Amendment – Part Lot 27, Concession 10, Smith Ward**

Deputy Mayor Sherry Senis – Councillor Gerry Herron –

That the report of the Planner regarding the Zoning By-law Amendment related to Part of Lot 27, Concession 10 in the Smith Ward be received for information; and

That By-law 2021-076, being a By-law to re-zone certain lands situated in Part of Lot 27, Concession 10 in the Smith Ward from Rural (RU) Zone to Rural Residential (RR) Zone be brought forward to the By-law section of the agenda for consideration.

Carried.

A public meeting commenced at 5:50 PM to amend the Township's Comprehensive Zoning By-law in accordance with Section 34 of The Planning Act. The amendment relates to the lands described as being Part of Lot 15, Concession 5 in the Smith Ward. Mr. Lundberg noted that the Zoning By-law Amendment is a condition of consent to sever application B-48-21, which was imposed by the Township. The severed parcel will be merged with the adjacent rural residential property to the south and west. Consents for lot additions are considered technical severances. The severed parcel including the benefitting lands for the lot addition will be re-zoned to the Rural Residential Exception 592 (RR-592) Zone to allow for a reduced lot area. The retained parcel will be re-zoned to Agricultural Exception 593 (A-593) Zone to allow for a reduced lot frontage. No one spoke in favour or in opposition to the application. There were two (2) members of the public who virtually attended the meeting. The public meeting concluded at 5:52 PM.

**Resolution No. 2021-255 – Zoning By-law Amendment – Part Lot 15, Concession 5, Smith Ward**

Councillor Donna Ballantyne – Councillor Anita Locke –

That the report of the Planner regarding the Zoning By-law Amendment related to Part of Lot 15, Concession 5 in the Smith Ward be received for information; and

That By-law 2021-077, being a By-law to re-zone certain lands situated in Part of Lot 15, Concession 5 in the Smith Ward from Agriculture (A) Zone and Rural Residential (RR) Zone to Rural Residential Exception 592 (RR-592) and Agriculture Exception 593 (A-593) be brought forward to the By-law section of the agenda for consideration.

Carried.

**Question Period**

None.

**Municipal Officers & Staff Reports – Direction**

**Resolution No. 2021-256 – 2021 Work Plans – Q3 Update**

Councillor Anita Locke – Deputy Mayor Sherry Senis –

That the report of the CAO regarding the 2021 Work Plans – Q3 Update be received for information; and

That no further action take place on completing a third-party review of the progress of implementing the recommendations resulting from the Performance Concepts

Consulting Report and implementing an Urban/Backyard Hen By-law and as such that these items be removed from the Work Plans.

Carried.

**Resolution No. 2021–257 – COVID-19 Vaccination Policy**

Deputy Mayor Sherry Senis – Councillor Anita Locke –

That the report of the CAO entitled COVID-19 Vaccination Policy be received for information; and the Policy be endorsed with the following amendment; that the effective date in Section 9 be changed from January 29, 2022 to November 29, 2021; and

That By-law 2021-079, being a By-law to adopt the COVID-19 Vaccination Policy, as amended, and be incorporated as Policy Number 1.10 in the Township's Organizational Policy, be forwarded to the By-law section of the agenda for passage.

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

Carried

**Resolution No. 2021–258 – Building Permit Fee Restructuring**

Councillor Anita Locke – Councillor Gerry Herron –

That the report of the Deputy Chief Building Official entitled Building Permit Fee Restructuring be received for information; and

That Council endorse the proposed Building Permit Fee rates as detailed in the body of this report as Schedule A for the purposes of the required public consultation; and that staff move forward with advertising the proposed change in fees as prescribed by the Building Code Act and Regulations and that the requisite public meeting be held on November 9<sup>th</sup>, 2021.

Carried.

**Resolution No. 2021–259 – Fireworks Display on Township Property**

Deputy Mayor Sherry Senis – Councillor Anita Locke –

That the report of the Fire Chief regarding the use of fireworks in the municipality be received for information; and

That the Township continue to educate the public on the safe and respectful use of consumer fireworks with heightened public education around the time of major holidays when fireworks are typically used; and

That staff prepare a Fireworks Display on Township Property Policy based on regulatory option 3 as outlined in the report, specifically allowing Permit Display Fireworks on Township property on holiday weekends only, Canada Day and at Township community events, including Polarfest and the Shamrock Festival, subject to receiving all required approvals and advance notice to the public regarding any planned events and that this Policy be brought forward to a future Council meeting for consideration.

Carried.

**Resolution No. 2021–260 – 44 Bridge Street – Site Plan Approval**

Councillor Gerry Herron – Councillor Anita Locke –

That the report of the Manager of Building and Planning regarding Site Plan Approval regulations for 44 Bridge Street be received for information; and

That the Township confirm the requirement that the subject property be developed in accordance with the minimum standards as detailed in the Township's adopted Site Plan Guidelines and that Ms. Jenkins be advised that she has the option to

achieve costs savings by developing the site based on the current building footprint/use which requires nine (9) parking spaces.

Carried.

**Consent**

**Resolution No. 2021–261 – Municipal Officer's and Staff Reports – Information/Housekeeping/Non-Controversial**

Councillor Donna Ballantyne – Councillor Anita Locke –

That the report from the HR Coordinator regarding the staffing update for the position of Facilities Attendant be received for information; and

That the report of the Manager of Public Works with respect to the site improvement at the Ennismore Sand Dome be received for information; and that the tender of Coco Paving Inc., in the amount of \$47,157.05 (HST excluded) for the asphalt project be approved; and

That the report of the Climate Change Coordinator regarding Waste Reduction Week be received for information; and that the Township of Selwyn proclaim October 18-24, 2021 as Waste Reduction Week to demonstrate its commitment to waste reduction, resource conservation, and community education for sustainable living; and

That the report of the Deputy Clerk regarding various By-laws be received for information; and that By-law 2021-072, being a By-law to amend By-law 2019-026 that established and appointed members to the Economic and Business Development Committee to remove Fred Koster as a member due to his resignation; and that By-law 2021-075, being a By-law to authorize the execution of a transfer payment between the Township of Selwyn and the Government of Canada for the Investing in Canada Infrastructure Program (ICIP) COVID-19 Resiliency Stream (Municipal Office Lobby) be forwarded to the By-law section of the agenda for consideration; and

That the report of the Deputy Clerk regarding Local Government Week 2021 be received for information; and that the Township of Selwyn proclaim October 18-22, 2021 as Local Government Week in the Township of Selwyn; and that the Township of Selwyn celebrate and promote Local Government Week by launching an information campaign on social media highlighting the important role that local government plays in our community; and

That the report of the Manager of Community & Corporate Services/Clerk outlining the Township's active insurance claims be received for information; and

That the report of the Manager of Community & Corporate Services/Clerk regarding the joint request for proposal results related to internet and telephone voting systems be received for information; and that Simply Voting be engaged to provide internet and telephone voting services and related vote-counting equipment and products to conduct the 2022 municipal and school board election and that the Clerk be authorized to execute any necessary service agreements; and

That the report of the Manager of Building and Planning regarding a proposed telecommunication tower located at Concession ECR Lots 10, 11 and 12 be received for information; and that the Township of Selwyn advise CRINS-SINRC that it concurs with the siting of a telecommunication tower at the proposed location as detailed Land Use Authority Report; and that By-law 2021- 078, to authorize staff to execute an easement agreement with Rogers to provide access to the site over the existing B.E.L. Rotary Trail be brought forward to the By-laws section of the agenda; and

**Correspondence for Direction**

None.

### **Correspondence for Information**

That the following items of correspondence be received for information:

1. AMO - Dress Purple Day 2021 on October 27
2. AMO - Policy Update
4. Kawartha Chamber of Commerce:
  - Consolidation Approved by Members
  - Fall 2021 Chamber Connection
  - News Flash: September 21, September 28, October 5
5. Anishinabeck Nation - Vaccine Passports and First Nations
6. Northumberland County - Resolution Capital Gains Tax on Primary Residence
7. Township of Alnwick Haldimand - Lottery Licensing
8. Township of Scugog - Structure Inventory and Inspections
9. Town of Kingsville - Save Eye Care Ontario
10. Township of Huron-Kinloss - Stronger Fairer Ontario Act
11. Niagara on the Lake - OHIP Eye Care
12. City of Sarnia - Renovictions
13. Municipality of Shuniah - 988 Suicide and Crisis Hotline
14. Municipality of Shuniah - Affordable Internet
15. Municipality of Shuniah - C 313 Banning Symbols of Hate Act
16. Thank You - Campbell Family; and

### **Committee Reports**

That the minutes of the Accessibility Advisory Committee meeting of September 22, 2021; and

That the minutes of the Selwyn Public Library Board meeting of June 22, 2021 be received for information.

Carried

Mayor Andy Mitchell removed himself from the Chair and the meeting due to his earlier stated Declaration of Pecuniary Interest. Deputy Sherry Senis assumed the Chair.

### **Resolution No. 2021–262 – Capital Gains on Primary Residences**

Councillor Anita Locke – Councillor Gerry Herron –

That the correspondence received from AMO regarding the resolution passed by the Township of Selwyn pertaining to Capital Gains on Primary Residences be received for information.

Carried

Mayor Mitchell returned to the meeting and assumed the Chair

### **Petitions**

None.

### **Council Portfolio Updates**

Council to provide brief verbal update related to the following portfolios where necessary:

- 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 – 263 – Multi-Media Campaign Update**

Councillor Donna Ballantyne – Councillor Anita Locke –

That the update to the multi-media campaign provided by Strexer Harrop Consulting Group be received for information.

Carried.

## **By-laws**

### **Resolution No. 2021 – 264 – By-laws First, Second & Third Reading**

Councillor Anita Locke – Councillor Donna Ballantyne –

That By-law 2021-071, being a By-law to re-zone certain lands situated on Part Lot 21, Concession 9 in the Smith Ward from Rural Residential (RU) Zone to Rural Exception 588 (RU-588) Zone and Rural Residential Exception 589 (RR-589) Zone; and

That By-law 2021-072, being a By-law to amend By-law 2019-026, being a By-law to establish and appoint members to the Economic and Business Development Committee be amended to remove Fred Koster as a member due to his resignation; and

That By-law 2021-073, being a By-law to re-zone certain lands situated in Part of Lot 22, Concession 16 in the Smith Ward from Rural Residential (RU) Zone to Lakeshore Residential (LR) Zone and Rural Residential Exception 590 (RR-590) Zone; and

That By-law 2021-074, being a By-law to amend the Rural Exception 427 (RU-427) Zone and to re-zone certain lands situated in Part of Lot 31, Concession 10 in the Smith Ward from Rural Exception 427 (RU-427) to Rural Exception 591 (RU-591) Zone; and

That By-law 2021-075, being a By-law to authorize the execution of a transfer payment between the Township of Selwyn and the Government of Canada for the Investing in Canada Infrastructure Program (ICIP) COVID-19 Resiliency Stream (Municipal Office Lobby); and

That By-law 2021-076, being a By-law to re-zone certain lands situated in Part of Lot 27, Concession 10 in the Smith Ward from Rural (RU) Zone to Rural Residential (RR) Zone; and

That By-law 2021-077, being a By-law to re-zone certain lands situated in Part of Lot 15, Concession 5 in the Smith Ward from Agriculture (A) Zone and Rural Residential (RR) Zone to Rural Residential Exception 592 (RR-592) and Agriculture Exception 593 (A-593); and

That By-law 2021- 078, to authorize staff to execute an easement agreement with Rogers to provide access to the site over the existing B.E.L. Rotary Trail; and

That By-law 2021-079, a By-law to adopt the COVID-19 Vaccination Policy and incorporate it as Policy Number 1.10 of the Township's Organizational Policy be read a first, second and third time and finally passed.

Carried.

### **Resolution No. 2021 – 265 – Closed Session**

Deputy Mayor Sherry Senis – Councillor Gerry Herron –

That the next portion of the meeting be closed to the public pursuant to Section 239. (2)(e) of the Ontario Municipal Act, 2001, S.O. 2001, c.25, as amended to discuss matters regarding litigation or pending litigation and an update on insurance claims. (7:20 PM)

Carried.



**Resolution No. 2021 – 266 – Rise Closed Session**

Councillor Anita Locke – Councillor Donna Ballantyne –  
That Council now rise from closed session. (8:10 PM)

Carried.

**Resolution No. 2021 – 267 – Confirming**

Deputy Mayor Sherry Senis – Councillor Donna Ballantyne –  
That By-law 2021-080, being a By-law to confirm the proceedings of the meeting of  
Council held on October 12, 2021 be read a first, second and third time and finally  
passed.

Carried.

**Adjournment**

**Resolution No. 2021 – 268 – Adjournment**

Councillor Gerry Herron – Councillor Anita Locke –  
That the meeting be adjourned. (8:13 PM)

Carried.