

Corporation of the Township of Selwyn

**Regular Council Meeting
Tuesday, February 8, 2022**

A regular meeting of the Council of the Township of Selwyn was held on Tuesday, February 8, 2022.

Council Present: Mayor Andy Mitchell
(virtually) Deputy Mayor Sherry Senis
Councillor Donna Ballantyne
Councillor Anita Locke

Council Regrets: Councillor Gerry Herron

Staff Present: Janice Lavalley, Chief Administrative Officer
(virtually) Angela Chittick, Manager of Community & Corporate Services /Clerk
R. Lane Vance, Manager of Finance/Treasurer
Mike Richardson, Manager of Recreation Services
Rick Dunford, Manager of Public Work
Michelle Thornton, Deputy Treasurer/IT Coordinator
Tania Goncalves, Deputy Clerk
Gord Jopling, Fire Chief
Robert Kelly, Manager of Building and Planning
Per Lundberg, Planner

The Council meeting commenced at 5:05 PM with Mayor Mitchell in the Chair.

Declaration of Pecuniary Interest

None.

Minutes

Resolution No. 2022 – 015 – Minutes

Deputy Mayor Sherry Senis – Councillor Anita Locke –
That the minutes of the regular Council meeting of January 18, 2022 and special Council meeting of January 27, 2022 be adopted.

Carried.

Deputations and/or Invited Persons and/or Public Meeting

Sonia Fazari, Senior Advisor - Municipal & Stakeholder Engagement from Enbridge Gas Inc. made a presentation to Council to provide information on the status of the 8th Line natural gas expansion project. The presentation was supported by Enbridge staff members Maranda Pilon, Project Manager, Jeff Mantej, Construction Lead and Amanda Toms, Senior Advisor. The presentation noted that the project will see the installation of 8.4 kilometers of natural gas pipeline along the 8th Line and Buckhorn Road. The project is expected to bring natural gas to approximately 54 residential customers and 23 commercial properties. Enbridge staff also advised on the various consultation and engagement initiatives for the project.

Resolution No. 2022 – 016 – Enbridge Gas Inc. – Update on 8th Line Project

Councillor Anita Locke – Councillor Donna Ballantyne –
That the presentation from Enbridge Gas Inc. to provide an update on the 8th Line natural gas line expansion project be received for information.

Carried.

Question Period

None.

Municipal Officers & Staff Reports – Direction

Resolution No. 2022 – 017 – Final Adoption of the Budget and PSAB Compliance Report

Deputy Mayor Sherry Senis – Councillor Anita Locke –

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

That the Township of Selwyn adopt the Budget Compliance Report for expenses excluded from the 2022 budgets as outlined in and as a requirement of Ontario Regulation 284/09; and

That the Township of Selwyn adopt the 2022 Taxation Budget as presented and discussed at the special Council meeting of January 27, 2022.

Carried.

Consent

Resolution No. 2022 – 018 – Municipal Officer's and Staff Reports – Information/Housekeeping/Non-Controversial

Deputy Mayor Sherry Senis – Councillor Donna Ballantyne –

That the report from the Fire Chief regarding the 2021 Annual Fire Department Report be received for information; and

That the report from the HR Coordinator regarding the staffing update for the position of Financial Services/Asset Management Assistant be received for information; and

That the report of the Deputy Clerk regarding various By-laws be received for information; and that By-law 2022-010, being a By-law to authorize the execution of a merger agreement between the Corporation of the Township of Selwyn and Martin Milburn and Bradley Milburn and Karamjit and Mari Lal for lands legally described as Part of Lot 34, Concession 17, Smith Ward; and that By-law 2022-011, being a By-law to authorize the execution of a merger agreement between the Corporation of the Township of Selwyn and Paul Richard Moher and Mary Claire Moher for lands legally described as Part of Lot 9, Concession 5, Ennismore Ward; and that By-law 2022-012, being a By-law to authorize the execution of a funding agreement between the Corporation of the Township of Selwyn and the Ontario Trillium Foundation for the Community Building Fund – Capital Stream Grant for the refurbishment of various sport courts in the Township; and that By-law 2022-013, being a By-law to authorize the execution of a transfer payment agreement between the Corporation of the Township of Selwyn and the Ministry of Municipal Affairs and Housing for the Telecommunication Modernization & Software Implementation project be brought forward to the By-law section of the agenda for consideration; and

That the report of the Manager of Community & Corporate Services /Clerk regarding the 2022 Tariff of Fees consolidation update be received for information,

Whereas By-law 2016-026, the consolidated list of Township Fees and Charges was adopted on March 22, 2016; and whereas By-law 2016-026 includes the provision for identified fees to be increased by the relevant Consumer Price Index (CPI) as well as other identified fee increases, and Whereas a new Building Fee Structure and Fees for 2022 were adopted on November 23, 2021 and Planning Fees for 2022 were adopted on December 9, 2021;

That Schedule “A” to By-law 2016-026 be updated as outlined in the February 8, 2022 Fees Consolidation report noted as follows:

- Building Fees – established per Resolution 2021-297 (effective Jan. 1, 2022);
- Development Charges Fees - identified CPI adjustments (effective September 1st);
- Planning Fees – established per Resolution 2021-320 (effective Jan. 1, 2022);
- Dog Licencing Fees (effective January 1st, 2022) – no changes,
- Fire Fees – no change;
- General Municipal Fees – addition of a new tall recycling box;
- Entrance Permits/Culvert installations and a Used Culvert Fee - identified CPI adjustments (effective March 1st);
- Parks and Recreation rates – increased by 3%, in lieu of high CPI, and applicable to ice rates, meeting rooms, sports fields, mooring and advertising (effective April 1st); and

That By-law 2022- 014, be brought forward to the By-laws section of the agenda to amend Section 3. of By-law 2016-026, the Township’s Fees and Charges By-law that are subject to annual CPI increases, to add Item 13 (Arenas and Parks), specifically: Ice Rates, Summer Floor Rates, Meeting Rooms, Ball Fields, Soccer Fields, and Parks and to delete Section 7 that refers to the former Animal Control By-law in its entirety as it is no longer relevant; and that By-law 2022-015, be brought forward to the By-laws section of the agenda to amend By-law 2021-087, the Building By-law, by removing the detailed fees noted on Schedule A and to delete section 6.09 and replace with the following wording:

6.09 Changing Permit Fees: Upon passing of a By-law in accordance with Division C, 1.9.1.2 of the Building Code, the building fees will be structured in accordance with Schedule “A” of this By-law. Fees will be established in the Township’s Tariff of Fees By-law and commencing in 2023, will be indexed to the Consumer Price Index (CPI) of Ontario – all items, as of December, and are to be adjusted annually on March 1, subject to public notice, and the holding of a public meeting and Council endorsement; and

Correspondence for Direction

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

1. AMO - Call to Action Joint & Several Liability

That correspondence from AMO regarding municipal joint and several liability be received for information; and that the Corporation of the Township of Selwyn support the following seven (7) recommendations:

- The provincial government adopt a model of full proportionate liability to replace joint and several liability.
- Implement enhancements to the existing limitation periods including the continued applicability of the existing 10-day rule on slip and fall cases given recent judicial interpretations, and whether a 1-year limitation period may be beneficial.
- Implement a cap for economic loss awards.
- Increase the catastrophic impairment default benefit limit to \$2 million and increase the third-party liability coverage to \$2 million in government regulated automobile insurance plans.
- Assess and implement additional measures, which would support lower premiums or alternatives to the provision of

insurance services by other entities such as non-profit insurance reciprocals.

- Compel the insurance industry to supply all necessary financial evidence including premiums, claims, and deductible limit changes which support it, and municipal arguments as to the fiscal impact of joint and several liability.
- Establish a provincial and municipal working group to consider the above and put forward recommendations to the Attorney General; and that a copy of this Resolution be sent to AMO and MPP Dave Smith; and

2. Friends of the Old Stone Mill

That the correspondence from the Friends of the Old Stone Mill (FOSMH) related to 44 Bridge Street, Lakefield be received for information; and that the FOSMH be advised that the heritage designation for 44 Bridge Street applies to the exterior features of the building and not the interior features or the property itself; and that the FOSMH be provided with the following link that outlines the process for an archeological assessment that shows that there are stages to an assessment to minimize site disturbance that begin with a background review, site inspection and potentially shovel testing to determine the possible presence of items of archeological significance

http://www.mtc.gov.on.ca/en/archaeology/archaeology_assessments.shtml; and further that the Township will continue to work with the property owner to help the owner achieve their final plan for the property while applying the relevant requirements of the Building Code and Site Plan standards.

Correspondence for Information

That the following items of correspondence be received for information:

3. Board of Health - January Meeting Summary
4. AMO - Policy Updates:
 - January 19, 2022
 - January 26, 2022
 - January 28, 2022
5. AMCTO - Advocacy Update Inventory of Required Municipal Reports
6. OPG - NOCC Transition Letter
7. Solicitor General - Community Safety and Well-Being Plan
8. Strexer Harrop - Multi-Media Selwyn Connected Report Jan 2022
9. Chamber of Commerce – Newsletters:
 - January 17, 2022
 - January 24, 2022
 - January 31, 2022
10. Statistics Canada - 2021 Census Results
11. Ombudsman - January Newsletter
12. Township of Adjala -Tosorontio - Rural Municipalities Bridges and Culverts
13. City of Brantford - Addressing the Revolving Door of Justice - Accountability for Sureties and Swift Justice
14. City of Brantford - Closing the Revolving Door of Justice
15. Town of Bracebridge - Muskoka Parry Sound Sexual Assault Services
16. Town of Caledon - POA Court Backlog
17. Town of Niagara-on-the-Lake - National Childcare Program
18. Town of Plympton-Wyoming - Fire Safety Measures
19. Email from Resident - SAFE Cities Policies; 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. Report - Physician Recruitment
 - Attachment - Physician Recruitment Presentation to Council
 - Attachment - Letters of Support
2. Report - Development Charges Draft Capital Program
3. Cover Letter - OP Circulation of Draft OP to Townships
 - Attachment - Draft OP Plan and Consultation Process
 - Attachment - Public Consultation Process for County Council
4. Presentation - Draft Budget 2022
 - Attachment - Summary Pages
 - Attachment - Change in Tax Requirement by Department
 - Attachment - Reserves
 - Attachment - Comments Report
5. Memorandum - Provincial Agricultural Systems Refinement
 - Attachment - Selwyn Agricultural System Refinements
 - Attachment - Selwyn Mapping
6. Presentation - Development Charges Draft Capital Program for Discussion
7. Report - PKED 2021 Fourth Quarter
 - Attachment - PKED 2021 Third Quarter Metrics
8. Resolution Letter - AMO Call to Action Joint & Several Liability
9. Report - Opioid Crisis Funding
10. News Release - EOWC Advocates for three priorities at 2022 ROMA Conference
11. Minutes - Regular Meeting December 15, 2021; Regular Meeting January 19, 2022; and Special Meeting January 20, 2022; and

Committee Reports

That the minutes of the Smith-Ennismore Police Services Board meeting of January 24, 2022; and

That the minutes of the Selwyn Public Library Board meeting of November 23, 2021; and

That the minutes of the Economic Development and Business Committee meetings of January 24, 2022 be received for information.

Carried.

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

Township Planner Per Lundberg announced that the Township of Selwyn is holding a public meeting to consider a municipally initiated amendment to the Township Comprehensive Zoning By-law in accordance with Section 34 of The Planning Act. The prescribed notice of the public meeting was provided in the Peterborough Examiner. The notice was also 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 Comprehensive 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 Ontario Land 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 5:54 PM to amend the Township's Comprehensive Zoning By-law in accordance with Section 34 of The Planning Act. Mr. Lundberg noted that housekeeping amendments to the Comprehensive Zoning By-law are intended to be technical amendments to provide clarity and ease administrative burden. It was also noted that no new zone categories or changes to the permitted uses within any zone category were proposed. Additionally, no changes to the zoning schedule 'A' of the Township's Comprehensive Zoning By-law No. 2009-021, as amended, affecting the zoning of properties in the Township are proposed. Mr. Lundberg brought forward that given the technical nature of the amendments, the amendments will not affect the consistency and conformity of the Township's Comprehensive Zoning By-law No. 2009-021, as amended, with the Provincial Policy Statement (PPS), Growth Plan for the Greater Golden Horseshoe, County Official Plan and the Local Component of the County Official Plan (i.e. the Township's Official Plan) as required by the Planning Act. No one registered to speak in favour or in opposition to the proposed amendment. Council members asked a number of questions pertaining to the amendment. There were no members of the public in attendance virtually. The public meeting concluded at 6:01 PM.

Resolution No. 2022 – 019 – Zoning By-law Amendment – Housekeeping Amendment

Councillor Donna Ballantyne – Councillor Anita Locke –

That the report of the Planner related to the proposed Housekeeping Zoning By-law Amendment be received for information; and

That By-law 2022-009, being a Housekeeping Zoning By-law Amendment be brought forward to the By-law section of the agenda for consideration.

Carried.

Other, New & Unfinished Business

Resolution No. 2022 – 020 – Notice of Motion - Gypsy Moths

Deputy Mayor Sherry Senis – Councillor Donna Ballantyne

Whereas Gypsy Moths (*Lymantria dispar*) is defined as a pest because the caterpillars have various appetites for more than 300 species of trees and shrubs, which results in the caterpillars defoliating trees leaving them vulnerable to disease which can eventually kill the tree; and

Whereas the gypsy moths have been present in areas of the Township of Selwyn; and

Whereas Hon. Greg Rickford, Ontario Minister of Northern Development, Mines, Natural Resources and Forestry, made a commitment at the ROMA 2022 Conference Ministers Forum that his Ministry was looking at mitigation measures to deal with the problem and would spray where needed;

Therefore be it resolved, that a letter be sent to Hon. Greg Rickford to advise that Selwyn Township be added to the list for areas to be sprayed or use other removal methods to deal with Gypsy Moths, once the Ministry assessment is complete and that a copy of this Resolution be sent to MPP David Smith, the other townships in Peterborough County and to the County of Peterborough.

Carried.

By-laws

Resolution No. 2022 – 021 – By-laws First, & Third Reading

Councillor Anita Locke – Councillor Donna Ballantyne –

That By-law 2022-009, being a Housekeeping Zoning By-law Amendment; and

That By-law 2022-010, being a By-law to authorize the execution of a merger agreement between the Corporation of the Township of Selwyn and Martin Milburn and Bradley Milburn and Karamjit and Mari Lal for lands legally described as Part of Lot 34, Concession 17, Smith Ward; and

That By-law 2022-011, being a By-law to authorize the execution of a merger agreement between the Corporation of the Township of Selwyn and Paul Richard Moher and Mary Claire Moher for lands legally described as Part of Lot 9, Concession 5, Ennismore Ward; and

That By-law 2022-012, being a By-law to authorize the execution of a funding agreement between the Corporation of the Township of Selwyn and the Ontario Trillium Foundation for the Community Building Fund – Capital Stream Grant for the refurbishment of various sport courts in the Township; and

That By-law 2022-013, being a By-law to authorize the execution of a transfer payment agreement between the Corporation of the Township of Selwyn and the Ministry of Municipal Affairs and Housing for the Telecommunication Modernization & Software Implementation project; and

That By-law 2022-014, being a By-law to amend Section 3. of By-law 2016-026, the Township's Fees and Charges By-law that are subject to annual CPI increases, to add *Item 13 (Arenas and Parks), specifically: Ice Rates, Summer Floor Rates, Meeting Rooms, Ball Fields, Soccer Fields, and Parks* and to delete Section 7 that refers to the former Animal Control By-law in its entirety as it is no longer relevant; and

That By-law 2022-015, being a By-law to amend By-law 2021-087, the Building By-law, by removing the detailed fees noted on Schedule A and to delete section 6.09 and replace it with 6.01 Changing Permit Fees: Upon passing of a By-law in accordance with Division C, 1.9.1.2 of the Building Code, the building fees will be structured in accordance with Schedule "A" of this By-law. Fees will be established in the Township's Tariff of Fees By-law and commencing in 2023, will be indexed to the Consumer Price Index (CPI) of Ontario – all items, as of December, and are to be adjusted annually on March 1, subject to public notice, and the holding of a public meeting and Council endorsement be read a first, second and third time and finally passed.

Carried.

Resolution No. 2022 – 022 – Closed Session

Deputy Mayor Sherry Senis – Councillor Donna Ballantyne –

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 in order that Council may discuss an ongoing litigation matter.
(6:05 PM)

Carried.

Resolution No. 2022 – 023 – Rise Closed Session

Councillor Anita Locke – Deputy Mayor Sherry Senis

That Council now rise from closed session. (6:20 PM)

Carried.

Resolution No. 2022 – 024 – Confirming

Councillor Donna Ballantyne – Councillor Anita Locke –

That By-law 2022-016, being a By-law to confirm the proceedings of the meeting of Council held on February 8, 2022 be read a first, second and third time and finally passed.

Carried.

Adjournment

Resolution No. 2022 – 025 – Adjournment

Councillor Anita Locke – Councillor Donna Ballantyne –

That the meeting be adjourned. (6:20 PM)

Carried.