

**Corporation of the Township of Selwyn**

**Regular Council Meeting  
Tuesday, April 12, 2022**

A regular meeting of the Council of the Township of Selwyn was held on Tuesday, April 12, 2022.

Council Present: Mayor Andy Mitchell  
(virtually) 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  
Robert Kelly, Manager of Building and Planning  
Mike Richardson, Manager of Recreation Services  
Gord Jopling, Fire Chief  
Sarah Hennessey, Chief Librarian/ CEO  
Tania Goncalves, Deputy Clerk  
Lily Morrow, Sustainability Coordinator

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

**Declaration of Pecuniary Interest**

None.

**Minutes**

**Resolution No. 2022 – 055 – Minutes**

Deputy Mayor Sherry Senis – Councillor Anita Locke –

That the minutes of the regular Council meeting of March 22, 2022 and the Special Council Meeting of March 22, 2022 be adopted.

Carried.

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

Council welcomed new employee, Sustainability Coordinator Lily Morrow.

Peter Nielsen from the County of Peterborough and Gene Chartier from Paradigm Transportation Solutions Ltd. made a presentation to Council regarding Off-Road Vehicle use on County Roads.

**Resolution No. 2022 – 056 – County of Peterborough – Off-Road Vehicle Use**

Councillor Gerry Herron – Councillor Anita Locke –

That the presentation by the County of Peterborough and Paradigm Transportation Solutions Ltd with respect to the County of Peterborough Off-Road Vehicle (ORV) Report and the report of the Chief Administrative Officer regarding the same be received for information; and

That the Township of Selwyn advise the County of Peterborough that it has no objection to the proposed approach for use of off-road vehicles on County roads, identified as Alternative 2, which would provide for ORV use on County roads where the roadways meet the requirements of the qualitative and quantitative assessment criteria and contribute to a coordinated ORV trail network.

Carried.

Township Planner Per Lundberg announced that the County of Peterborough and the Township of Selwyn are holding a joint public meeting to consider applications to amend the local component of the County of Peterborough

Official Plan and the Comprehensive Zoning By-law for the Township of Selwyn, in accordance with Sections 17 and 34 of The Planning Act. The prescribed notice of complete application and the public meeting was jointly advertised by the Township and County in the Peterborough Examiner. The notice was provided to the prescribed ministries and agencies via email. The notice was also available on the County and Township websites. If a person or public body does not make an oral submission at the public meeting or make a written submission to the County of Peterborough and/or the Township of Selwyn before the Official Plan amendment is adopted and/or the Zoning By-law is passed the person or public body is not entitled to appeal the decision of the Councils of the County and the Township 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 County of Peterborough or Township of Selwyn on the proposed Official Plan or Zoning By- Law Amendment, a written request must be made to the County or Township. Planners Keziah Holden and Malini Menon as well as County Councillor Jim Whelan representing the County of Peterborough were present as the County is the approval authority for the Official Plan amendment application.

A public meeting commenced at 5:30 PM to consider an application to amend the local component of the County of Peterborough Official Plan and the Comprehensive Zoning By-law for the Township of Selwyn, in accordance with Sections 17 and 34 of The Planning Act. The amendments relate to the property described as being Part of Lot 3, Concession 9 in the Ennismore Ward having the municipal address of 187 Kildeer Lane. The subject lands are designated Rural and are zoned Rural (RU). The proposed Official Plan Amendment (OPA) would re-designate the subject lands from the Rural designation to the Lakeshore Residential designation. The Zoning By-law Amendment (ZBA) will re-zone the subject property from Rural (RU) Zone to Rural Residential (RR) Zone and Rural Residential Exception Five Hundred and Ninety-Four holding (RR-594(h)) Zone. The OPA and ZBA will facilitate the creation of one (1) new lot by consent (severance). The (RR-594(h)) Zone recognizes a deficient lot frontage of 27 metres for the proposed severed parcel and places a holding provision subject to an archaeological assessment being completed. Township Planner Mr. Lundberg advised that comments of no concern were received from the Kawartha Pine Ridge District School Board, Enbridge Gas Inc., Peterborough Public Health and the Otonabee Region Conservation Authority. It was also noted that Curve Lake First Nation has provided comments of no concern provided that a holding provision is placed on the ZBA that an archaeological assessment be completed prior to any construction on the severed parcel. The Township Public Works Department also commented that the proposed entrance on the retained parcel may need to be offset from the driveway across the road to avoid runoff issues. Mr. Lundberg noted that the driveway location can be addressed when the applicant applies for an entrance permit from the Township. Mr. Lundberg noted that a comment letter was received from Ms. Candice Cardoza regarding concerns pertaining to property values, increased property taxes and impact on local ground water supply from the creation of a new parcel. Staff responded to Ms. Cardoza directly via email. It was also noted that comments of concern were received from neighbouring property owners Dominic Salerno and Lisa Jackson pertaining to the application process and circulation procedures, the removal of the existing barn, construction timelines and the possibility of future severances. Mr. Salerno and Ms. Jackson were present virtually and also expressed concern regarding the location of the proposed dwelling and the regulations regarding the need for obtaining a drainage plan. County Planner Keziah Holden provided a brief overview of the proposed Official Plan amendment. Agent Kent Randall from Eco Vue Consulting was in attendance as the agent of the applicants, to address any questions about the application. Mr. Randall noted that a special policy which is being imposed on the severance application will result in only one (1) severance being permitted on the subject property. Mr. Randall also addressed the drainage concerns noting that ORCA has advised that they have no concerns. The property owner, Chris Price, was in attendance in support of the application. Council members addressed some of the concerns raised and asked questions regarding the provisions surrounding Minimum Distance Separation

(MDS) in relation to a neighbouring barn. Mr. Lundberg noted the application meets MDS I setback requirements. The MDS is considered to be a Type B land use. Mr. Lundberg confirmed that there are sufficient set-backs to meet the MDS requirements for both the severed and retained lots. Mr. Randall noted that the owner has the intention to set the dwelling as far back from the road as possible. There were 7 members of the public who attended the virtual meeting. The public meeting concluded at 6:15 PM.

**Resolution No. 2022 – 057 – Official Plan and Zoning By- Law Amendment – Part Lot 3, Concession 9 (Ennismore)**

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 3, Concession 9 in the Ennismore Ward having the municipal address of 187 Kildeer Lane be received for information; and

That the Township of Selwyn advise the County of Peterborough that the Township supports the Official Plan Amendment to re-designate the subject lands from Rural to Lakeshore Residential as per County File No. 15OP-22001; and

That By-law 2022-030, being a By-law to re-zone certain lands situated in Part of Lot 3, Concession 9 in the Ennismore Ward from Rural (RU) Zone to Rural Residential (RR) Zone and Rural Residential Exception Five Hundred and Ninety-Four holding (RR-594(h)) Zone be brought forward to the By-law section of the agenda for consideration.

Carried

**Question Period**

None.

**Municipal Officers & Staff Reports – Direction**

**Resolution No. 2022 – 058 – 2022 Work Plans – Q1 Update**

Deputy Mayor Sherry Senis – Councillor Anita Locke –

That the report of the Chief Administrative Officer with regard to the 2022 Work Plan 1st Quarter Update as prepared by each Department Manager be received for information.

Carried.

**Resolution No. 2022 – 059 – Financial Statement Review – 2022 Q1**

Councillor Anita Locke – Councillor Donna Ballantyne –

That the report of the Manager of Financial Services related to the Financial Statement Review – 2022 1<sup>st</sup> Quarter be received for information.

Carried.

**Resolution No. 2022 – 060 – Lakefield Water & Sewer Budget 2022**

Deputy Mayor Sherry Senis – Councillor Anita Locke –

That the report related to the Lakefield Water & Sewer Budget 2022 be received for information; and

That the Township adopt the Budget Compliance Report for expenses excluded from the 2022 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 2022 be approved as presented; and that staff bring back the respective water and sewer rate By-laws to increase rates by 1% effective with the July 2022 billing cycle.

Carried.

**Resolution No. 2022 – 061 – Short Term Rental Industry Enforcement**

Councillor Donna Ballantyne – Deputy Mayor Sherry Senis –

Whereas Short Term Rental (STR) properties are becoming more prevalent and causing undue stress for many of our ratepayers, be it resolved that the report from

the Manager of Building and Planning regarding STR's be received for information; and

Whereas the report is still too vague in noting how the recommendations will be implemented, be it resolved that staff more thoroughly examine practices and industry standards from municipalities across the Province and report back to Council by May 10, 2022 and that the staff report also consider the following recommendations:

1. Increasing the minimum first fine, potentially up to double the current first offence rate (\$250 to \$500);
2. When complaints are received by staff or Council, inform Maxama Protection Inc. that they may be required to visit problematic sites during the night and on weekends and if necessary, inform the police of activities observed;
3. During rental season establish a weekly call session (Monday morning) whereby representatives from Maxama Protection, Police, Public Health, Township By-law Enforcement Officer and any other relevant parties to compare observations on properties of concern and plan a remedial and co-ordinated response;
4. Provide the property owners with problematic issues promotional material on the policies to be followed in the Township and if septic tank capacity infractions are suspected, that the Township By-law Enforcement Officer notify Public Health and ask for an inspection;
5. Consider applying Parking By-law guidelines noted for home-based businesses to STR properties - *Comprehensive Zoning By-law Section 3.17.2*;
6. Staff prepare a monthly report to Council outlining concerns and complaints due to STR's.

Carried.

## **Consent**

### **Resolution No. 2022 – 062 – Municipal Officer's and Staff Reports – Information/Housekeeping/Non-Controversial**

Councillor Donna Ballantyne – Councillor Anita Locke –

That the report of the Manager of Financial Services regarding the 2022 Consolidated Tax Rates be received for information; and that By-law 2022-032, being a By-law to establish the Rates of Taxation for the Year 2022, be forwarded to the By-law section of the agenda for consideration; and

That the report of the Manager of Building and Planning related to a sign variance request for 37 Concession Street, Lakefield (Cottage Toys) be received for information and that the following variances be granted from the Sign By-law.

1. With reference to Section 4.3 – Fascia Signs and Section 4.8 – Hanging Signs of the Township of Selwyn Sign By-law 2012-092, as amended:

East Elevation (Concession Street - Front)

- Number of Fascia Signs be increased in accordance with drawing # 1 attached to the report
- Hanging sign size be increased to approximately 3.35 sq metres in accordance with drawing # 1 attached to the report

North Elevation (Queen/Concession Street – Side)

- Number of Fascia Signs be increased in accordance with drawing # 1 attached to the report

West Elevation (Queen/Concession Street – Rear)

- That fascia signage be permitted on the rear elevation in accordance with drawing # 1 attached to the report; and
- 2. That the total signs area of all fascia signs on each building elevation not exceed 25 percent of the wall area of the first storey; and

That the report of the Planner regarding the Zoning By-law Amendment – Removal of a Holding Symbol related to lands described as Part Lot 24, Concession 8 (Smith) having the municipal address of 1824 Eighth Line be received for information; and that By-law 2022-029, being a By-law to re-zone certain lands municipally known as Part Lot 24, Concession 8 in the Smith Ward having the municipal address of 1824 Eighth Line from Rural Residential Exception 413 holding (RR-413(h)) Zone to Rural Residential Exception 413 (RR-413) Zone 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 and the Planner regarding shoreline protection policies be received for information; and that the submission of the Environment Council for Clear, Stoney and White Lakes related to their submission/comments on the draft Official Plan (OP) be received for information and that the Environment Council be thanked for contributing to the OP process; and that a copy of this report be provided to the Environment Council for their information to demonstrate how various Township policies and programs support shoreline and other natural heritage protections; and

That the report of the Alternate Community Emergency Management Coordinator with respect to Emergency Preparedness Week 2022 be received for information; and that the Township of Selwyn declare May 1 to 7, 2022 as Emergency Preparedness Week in the Township; and

That the report of the Deputy Clerk regarding various By-laws be received for information; and that By-law 2022-031, being a By-law to authorize the Manager of Building and Planning to execute the necessary Service Agreements with Maxama Protection Inc. (formally Kawartha Guard Service) and to appoint Maxama Protection Inc. and its authorized agents as By-law Enforcement Officers for the Township be forwarded to the By-law section of the agenda for consideration; and,

That the report of the Manager of Recreation Services entitled Lakefield Marina Utilization Study be received for information; and that, in accordance with the Procurement By-law Section 5.5.2, the Township engage Monteith Brown Consulting Services Inc. to conduct the Lakefield Marina Utilization Study at a cost of \$28,975 (HST excluded) as outlined in their price proposal; and that the Clerk be authorized to execute a service contract with Monteith Brown Consulting Services Inc.; and

### **Correspondence for Direction**

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

#### **1. Ron Garrod – Snow Plowing Concerns along County Road**

That the correspondence from Ron Garrod regarding snow plowing concerns on County roads be received for information; and that Mr. Garrod be advised that the Council of the Township of Selwyn confirms that it has reviewed his concerns and that Mr. Garrod be advised that the Township of Selwyn does not have jurisdiction over this issue and therefore cannot compel the County of Peterborough to take direction from the Township of Selwyn; and

2. City of Port Colborne – Year of the Garden 2022

That the correspondence from the City of Port Colborne regarding the Year of the Garden 2022 be received for information; and that 2022 be proclaimed as the Year of the Garden and that June 18, 2022 be proclaimed as National Garden Day within the Township of Selwyn; and

3. Operation Smile Canada – The Longest Day of Smiles

That the correspondence from Operation Smile Canada regarding the Longest Day of Smiles be received for information; and that June 19<sup>th</sup>, 2022 be proclaimed as the Longest Day of Smiles in Selwyn Township; and

**Correspondence for Information**

That the following items of correspondence be received for information:

4. AMCTO - Legislative and Policy Updates March 23, 2022
5. AMO - Expanding Mobile Crisis Response Teams, Excess Soil Regulation Implementation Postponed, Long-Term Care Staffing
6. AMO - Workplace Naloxone Kits, Northern Fire Services Municipal Reimbursement, IESO Long-Term RFP, and AMO/LAS Municipal Energy Symposium
7. AMO - Response to the Province's Housing Affordability Task Force
  - Attachment - A Blueprint for Action: An Integrated Approach to Address the Ontario Housing Crisis
8. AMO - Ontario and Canada Sign Agreement for Early Years and Child Care
9. AMO - More Homes for Everyone Plan, Non-Resident Speculation Tax, and Fee Elimination for Volunteer Police Record Checks
10. Minister of Energy – Independent Electricity System Operator
11. Ministry of Municipal Affairs and Housing - Phase 2 Consultation on Urban River Valleys to Grow the Greenbelt
12. Ministry of Municipal Affairs and Housing - the Work Deployment Measures for Municipalities Order
13. Northern Development, Mines, Natural Resources & Forestry Minister - Critical Minerals Strategy
14. Kawartha Pine Ridge District School Board - Trustee Determination & Distribution Model
15. Peterborough & Kawartha Chamber Newsletter – March 21 & March 28, 2022
16. Reform Gravel Mining – Correcting Ontario Stone, Sand & Gravel Association (OSSGA) Misinformation
  - Attachment – RGMC – Moratorium on all New Gravel Mining Approvals
  - Attachment – Town of Halton Hills – New Gravel Extraction Licensing Applications
17. City of Cambridge – Moratorium on all New Gravel Mining Approvals
18. Joint and Several Liability
  - City of Barrie
  - Municipality of Mississippi Hills
19. Dissolve Ontario Land Tribunal
  - Township of Adelaide Metcalfe
  - Town of Whitchurch-Stouffville
  - North Algona Wilberforce Township
  - City of Quinte West
20. City of Quinte West – Renovictions
21. Municipality of Mississippi Hills – Abandoned Cemeteries
22. Northumberland County – Revolving Door of Justice
23. City of Waterloo – Energy Performance Measures in the Building Code
24. Municipality of Shuniah – Northern Ontario School of Medicine
25. Municipality of Clarington – Comprehensive Zoning By-law Review

26. Town of Fort Erie – Climate Change Action
27. Ministry of Municipal Affairs and Housing - More Homes for Everyone Plan
28. Ombudsman Ontario – March Newsletter
29. Ontario Power Generation - Campbellford Work Centre Freshet Update
30. Town of Georgina - Federal Government Sanctions Imposed on Russia
31. Town of Plympton-Wyoming - Funding Support for Infrastructure
32. Sherry Senis – Thank You; and

**County Correspondence for Direction:**

1. Regulation of Election Signs and Signs Placed on Private Property within 400 metres of a County Road Allowance

That the County of Peterborough be asked to consider the following feedback from the Township of Selwyn related to County Sign By-law regulations:

That the County of Peterborough retain authority to regulate and enforce all election signage (Federal, Provincial and Municipal) within the County road allowance; and

That the County consider prohibiting election signage within the County road allowance resulting in election signage being permitted only on private property which would result in improvements to road safety related to signage that effects sight lines and clean-up in the event that election signage is not collected after an election; and

That the Township of Selwyn will assist by communicating the County's Election Sign By-law regulations to candidates and members of the public; and

That the County of Peterborough be asked to amend the current sign By-law to re-instate language in the By-law to note that signage on private property within 400 m of a County road in a settlement area is regulated by relevant local signage policies; and

That the County of Peterborough retain authority to regulate and enforce signage on private property within 400 m of a County road outside of a settlement area and include provision to account for the need to obtain building permits for signs exceeding 7.5 metres in height as originally proposed by the County in Section 3.1. 'Scope' of the June 2020 version of the Sign By-law; and

**County Correspondence for Information:**

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

2. Growth Analysis for the New County Official Plan
  - Attachment - Appendix A – Growth Analysis Report prepared by Hemson Consulting dated March 28, 2022
  - Attachment - Growth Analysis Results
3. Peterborough County & GreenUP Pilot - Climate Change GHG Reduction Update
  - Attachment 1 – Appendix A - CPS 2020 043 Peterborough County Climate Change Plan versus calling for a State of Climate Emergency
  - Attachment 2 – Appendix B – Green Economy Peterborough Business Recruitment Brochure
  - Attachment 3 – Appendix C – County Climate Action Committee Terms of Reference
  - Attachment 4 – Appendix D – Response to Building Community Resilience to 2030 – Fred Irwin

4. Draft Development Charge By-law Update
  - Attachment 1 - Draft Development Charge By-Law posted to County Website March 23, 2022
  - Attachment 2 - Updated Capital Project List
5. 2022 Warden's Election and Procedure By-law Changes
6. Development Charges Background Study and By-law
7. Roads Capital Program for Development Charges Background Study –Detailed Subarea Studies
8. Minutes - Regular Meeting March 16, 2022; and

### **Committee Reports**

That the minutes of the Heritage Committee meeting of February 24, 2022; and

That the minutes of the Accessibility Advisory Committee meeting of March 23, 2022; and

That the minutes of the Peterborough Police Services Board regular meeting of February 8, 2022 and special meeting of February 23, 2022; and

That the minutes of the Library Board meetings of January 25, 2022 and February 22, 2022 be received for information.

Carried.

### **Petitions**

None.

### **Council Portfolio Updates**

Council provided brief verbal updates 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**

#### **By-laws**

##### **Resolution No. 2022 – 063 – By-laws First, & Third Reading**

Councillor Anita Locke – Councillor Donna Ballantyne –

That By-law 2022-029, being a By-law to re-zone certain lands municipally known as Part Lot 24, Concession 8 in the Smith Ward having the municipal address of 1824 Eighth Line from Rural Residential Exception 413 holding (RR-413(h)) Zone to Rural Residential Exception 413 (RR-413) Zone); and

That By-law 2022-030, being a By-law to re-zone certain lands situated in Part of Lot 3, Concession 9 in the Ennismore Ward with the municipal address of 187 Kildeer Lane from Rural (RU) Zone to Rural Residential (RR) Zone and Rural Residential Exception 594 holding (RR-594(h)) Zone; and

That By-law 2022-031, a By-law to authorize the Manager of Building and Planning to execute the necessary Service Agreements with Maxama Protection Inc. (formally Kawartha Guard Service) and to appoint Maxama Protection Inc. and its authorized agents as By-law Enforcement Officers; and



That By-law 2022-032, being a By-law to Establish the Rates of Taxation for the Year 2022 be read a first, second and third time and finally passed.

Carried.

**Resolution No. 2022 – 064 – Confirming**

Deputy Mayor Sherry Senis – Councillor Donna Ballantyne –

That By-law 2022-033, being a By-law to confirm the proceedings of the meeting of Council held on April 12, 2022 be read a first, second and third time and finally passed.

Carried.

**Adjournment**

**Resolution No. 2022 – 065 – Adjournment**

Councillor Gerry Herron – Councillor Anita Locke –

That the meeting be adjourned (7:44 PM)

Carried.