

Corporation of the Township of Selwyn

**Regular Council Meeting
Tuesday, June 27th, 2023**

Council Chambers, 1310 Centre Line

A regular meeting of the Council of the Township of Selwyn was held on Tuesday, June 27th, 2023 at the Council Chambers, 1310 Centre Line.

Present: Mayor Sherry Senis
Councillor John Boyko
Councillor Brian Henry

Regrets: Deputy Mayor Ron Black
Councillor Mary Coulas

Staff Present: Janice Lavalley, CAO
Angela Chittick, Manager of Community & Corporate Services /Clerk
R. Lane Vance, Manager of Financial Services
Robert Kelly, Manager of Building and Planning
Adam Tobin, Manager of Public Works
Gord Jopling, Fire Chief
Per Lundberg, Planner
Tania Goncalves, Deputy Clerk

The Council meeting commenced at 1:00 pm with Mayor Senis in the Chair.

Declaration of Pecuniary Interest

None.

Minutes

Resolution No. 2023 – 137 – Minutes

Councillor Brian Henry – Councillor John Boyko –

That the minutes of the special Council meeting held on June 3, 2023 and the minutes of the regular Council meeting held on June 6, 2023 be adopted.

Carried.

Deputations and/or Invited Persons and/or Public Meeting

Council presented Ennismore resident Helen Young with the Ontario Senior of the Year Award on behalf of the Minister Responsible for Seniors of Ontario. This award recognizes an outstanding senior who enriches the social, cultural or civic life of the community. Helen was nominated by her peers and Council; and chosen by the province as one of the recipients of this year's award. Helen has been involved in several influential projects contributing to the beauty of our community.

A public meeting commenced at 1:06 PM to review the draft Development Charges background report and proposed Development Charges fees. Mr. Peter Simcisko of Watson and Associates Economists Inc. provided an overview of the methodology, growth forecast projections and capital needs related to growth. Mr. Simcisko reviewed the proposed development charges fees and provided a comparison of fees to comparable and local municipalities. Mr. Simcisko requested feedback on the discretionary exemptions that form part of the existing Development Charges By-law. Specifically, as it pertains to cannabis production facilities qualifying for the non-residential farm buildings exemption and the exemption for properties that paid lot levies prior to 1991. The draft Development Charges background report and proposed Development Charges fees were published on the Township website on June 9th, 2023 and an addendum on June 23, 2023. The public meeting was advertised in the Peterborough Examiner.

There was one (1) member of the public present. Council members asked a series of questions. The public meeting concluded at 1:43 PM.

Resolution No. 2023 – 138 – Development Charges Background Study and Proposed By-laws

Councillor John Boyko – Councillor Brian Henry –

That the presentation by Watson and Associates Economists Ltd. and the report of the Manager of Financial Services regarding the Development Charges 2023 update, background study and proposed By-laws be received for information; and

That the discretionary exemption for non-residential farm buildings not apply to cannabis production facilities and further that the discretionary exemption not apply to lot levies paid prior to 1991; and further

That staff bring forward the proposed Development Charges By-laws to include the policy provisions noted above, to the August 8, 2023 Council meeting for consideration.

Carried.

Mike Vilneff from Loomex Group provided a presentation to Council to discuss the final report for the Township's Community Risk Assessment.

Resolution No. 2023 – 139 – The Loomex Group – Community Risk Management

Councillor Brian Henry – Councillor John Boyko –

That the presentation of Mike Vilneff from the Loomex Group to provide an overview of the final Community Risk Assessment report for the Township of Selwyn be received for information and that the report be endorsed.

Carried.

Question Period

None.

Municipal Officers & Staff Reports – Direction

Resolution No. 2023 – 140 – Request for Extension of Water Service (Hadden)

Councillor Brian Henry – Mayor Sherry Senis –

That the report of the Chief Administrative Officer with respect to the request of David Hadden for water service be received for information; and

That Mr. Hadden be advised that the Township does not wish to pursue the extension of water services to his property in the Township of Douro-Dummer.

Councillor Brian Henry – yes

Mayor Sherry Senis – yes

Councillor John Boyko – no

Carried.

Resolution No. 2023 – 141 – Video Surveillance Policy

Councillor Brian Henry – Councillor John Boyko –

That the report of the Deputy Clerk regarding a Video Surveillance Policy for Township owned and operated properties/facilities be received for information; and

That By-law 2023–045, being a By-law to adopt a Video Surveillance Policy for the Township of Selwyn be brought forward to the By-law section of the agenda for consideration.

Carried.

Consent Items

Resolution No. 2023 – 142 – Municipal Officer's and Staff Reports – Information/Housekeeping/Non-Controversial

Councillor John Boyko – Councillor Brian Henry –
That the report of the Manager of Financial Services related to Budget Amendment # 2 - 2023 be received for information; and that the Manager of Financial Services include this report with the supporting 2023 budget working papers to be provided to the audit team; and that Council have regard for these housekeeping amendments when an amended PSAB Budget Compliance Report is presented for endorsement later in the year; and

That the report of the Manager of Public Works with respect to the 2023 Gravel Crushing Tender be received for information; and that the tender of Doughty Aggregates, in the amount of \$161,280.00 (HST excluded) for crushing approximately 16,000 tonne of gravel be approved; and

That the report of the Manager of Public Works with respect to a new Tandem Cab and Chassis Truck be received for information; and

That the report of the Deputy Clerk regarding various By-laws be received for information; and that By-law 2023-046, being a By-law to authorize the execution of a merger agreement between the Corporation of the Township of Selwyn and Lorretta Madelon Russelle and Debra Louise Russelle for lands legally described as Part Lot 40, Concession 12, former Township of Smith and designated as Part 1 on Reference Plan 45R-17474 be forwarded to the By-laws section of the agenda for consideration; and that By-law 2023-047, being a By-law to authorize the execution of a Mitigation Measures Agreement between the Corporation of the Township of Selwyn and the Estate of James Harvey Sanderson for lands legally described as Lots 4 and 5, Concession 4, Ennismore Ward be forwarded to the By-laws section of the agenda for consideration; and

Correspondence for Direction

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

1. Legislative Amendments to Improve Municipal Codes of Conduct and Enforcement – Email and Sample Resolution

That the Township of Selwyn supports the call of the Association of Municipalities of Ontario for the Government of Ontario to introduce legislation to strengthen municipal Codes of Conduct and compliance with them in consultation with municipal governments; and further

That the legislation encompass the Association of Municipalities of Ontario's recommendations for:

- Updating municipal Codes of Conduct to account for workplace safety and harassment
- Creating a flexible administrative penalty regime, adapted to the local economic and financial circumstances of municipalities across Ontario
- Increasing training of municipal Integrity Commissioners to enhance consistency of investigations and recommendations across the province
- Allowing municipalities to apply to a member of the judiciary to remove a sitting member if recommended through the report of a municipal Integrity Commissioner
- Prohibit a member so removed from sitting for election in the term of removal and the subsequent term of office; and

Correspondence for Information

That the following items of correspondence be received for information:

2. Ministry of Municipal Affairs and Housing - Proposed Provincial Planning Statement
3. Association of Municipalities of Ontario – Strong Mayor Powers Expanded
4. Association of Municipalities of Ontario - Action on Municipal Codes of Conduct, Summary of Ending Homelessness Symposium, Bill 97 Passes
5. City of Quinte West - Legislative Amendments to Improve Municipal Codes of Conduct and Enforcement
6. Town of Parry Sound - Call to Reinstate Legislation to Permit Retention of Tax Sale Proceeds
7. Town of Parry Sound - Call for Additional Resources to Combat Opioid, Mental Health and Homelessness
8. Municipality of Shuniah - Bill 3
9. Community Care – Thank you; 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. Eastern Ontario Wardens' Caucus – History and Accomplishments
 - Attachment - EOWC Handout
2. Report – Waste Management Update
 - Attachment – Waste Management Update
3. Report – CAO First Quarter
4. Report – Waste Management Committee
 - Attachment - Request to Re-establish Waste Management Committee
5. Minutes – May 17, 2023; and

Committee Reports

That the minutes of the Peterborough Police Services Board meeting held on March 7, 2023, April 4, 2023 and May 2, 2023 be received for information.

Carried.

Petitions

None.

Other, New & Unfinished Business

Resolution No. 2023 – 143 – Notice of Motion – Short Term Rentals

Councillor Brian Henry – Councillor John Boyko –

Whereas the demand for alternative accommodations has resulted in an increased prominence of residential properties being advertised for short term accommodations through third party companies such as Airbnb and VRBO; a shift from the 'traditional' cottage rental historically managed by a property owner; and

Whereas over the past decade a flood of properties have been removed from the ownership and long-term rental market (*Canada Research Chair in Urban Governance at McGill University*) contributing to housing shortages, increased housing demands and increased housing costs resulting in housing affordability issues, including affordable rentals; and

Whereas short term rentals (STR) can be beneficial, when operated appropriately, by providing solutions for the accommodation industry that supports local tourism and small businesses as well as providing an opportunity for property owners to generate income from their residence (permanent or seasonal) using a convenient third-party system; and

Whereas STR's can create nuisances including noise, parking, high volumes of visitors attending a property, septic capacity and fire safety, for adjacent residential property owners who wish to experience quiet enjoyment of their property; and

Whereas research indicates that demand for STR's is increasing, in part due to vacationers choosing domestic travel options as well as the financial benefits to property owners, demonstrating that STR's are here to stay; and

Whereas there are no Provincial regulations in place governing third party STR companies resulting in a variety of regulations/guidelines being implemented at the local municipal level which creates inconsistencies, confusion and frustrations for both consumers and residents across the Province;

That the Township of Selwyn request that the Province move forward as soon as possible to legislate that all third party Short Term Rental brokerage companies, for example Airbnb and VRBO, appropriately manage and be responsible for their listings and to compel compliance that the Province establish the requirement for STR companies to require each rental listing to be registered and to pay an appropriate annual fee and that STR company provide this registry along with the collected fees to the municipality in which the STR properties are located which allows the municipality to be aware of all registered STR properties and to have access to funds for municipal expenses to enforce/respond to issues at a STR property; and further

That the Province require the STR company to de-list/remove the property from the company's listings so that the property cannot be rented where a municipality has identified and verified life, health and/or nuisance infractions including noise, fire safety, septic, etc...

That a copy of this resolution be sent to all Ontario municipalities for support as well as to Minister of Municipal Affairs and Housing Steve Clark, local M.P.P. Dave Smith and M.P. Michelle Ferreri.

Carried.

By-laws

Resolution No. 2023 – 144 – By-laws First, & Third Reading

Councillor John Boyko – Councillor Brian Henry –

That By-law 2023-045, being a By-law to adopt a Video Surveillance Policy; and

That By-law 2023-046, being a By-law to authorize the execution of a Merger Agreement between the Corporation of the Township of Selwyn and Lorretta Madelon Russelle and Debra Louise Russelle for lands legally described as Part Lot 40, Con 12 (Smith) Part 1 on Reference Plan 45R-17474; and

That By-law 2023-047, being a By-law to authorize the execution of a Mitigation Measures Agreement between The Corporation of the Township of Selwyn and the Estate of James Harvey Sanderson for lands legally described as Lots 4 and 5, Concession 4, Ennismore Ward be read a first, second and third time and finally passed.

Carried.

Resolution No. 2023 –145 – Confirming By-law

Councillor John Boyko – Councillor Brian Henry –

That By-law 2023-048, being a By-law to confirm the proceedings of the regular Council Meeting held on the 27th day of June, 2023, be read a first, second and third time and finally passed.

Carried.

Adjournment

Resolution No. 2023 – 146 – Adjournment
Councillor Brian Henry – Councillor John Boyko –
That the meeting be adjourned. (2:26 pm)

Carried.