

Corporation of the Township of Selwyn

**Regular Council Meeting
Tuesday, May 14, 2024**

Council Chambers, 1310 Centre Line

A regular meeting of the Council of the Township of Selwyn was held on Tuesday, May 14th, 2024 at the Council Chambers, 1310 Centre Line.

Present: Mayor Sherry Senis
Deputy Mayor Ron Black
Councillor John Boyko
Councillor Mary Coulas
Councillor Brian Henry

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
Michelle Thornton, Deputy Treasurer/I.T. Coordinator
Per Lundburg, Planner
Mike Richardson, Manager of Recreational Services

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

Declaration of Pecuniary Interest

None.

Minutes

Resolution No. 2024 – 080– Minutes

Councillor Mary Coulas – Councillor John Boyko –
That the minutes of the regular Council meeting held on April 23, 2024 and the special meeting held on April 23, 2024 be adopted.

Carried.

Question Period

None.

Municipal Officers & Staff Reports – Direction

Resolution No. 2024 – 081 – 2024 Capital Projects from the Capital Assets Management Study by AWDE Architect

Deputy Mayor Ron Black – Councillor John Boyko –
That the report of the Manager of Recreation Services related to 2024 Capital Projects Plan from the Facility Condition Assessment Report completed by Ron Awde Architect be received for information; and

That 2024 facility improvement capital project plan be approved as presented;
and

That a budget amendment be prepared and presented to Council at a later date to formally reallocate expenses within accounts in department # 6 to accommodate these projects.

Carried.

Resolution No. 2024 – 082 – Replacement of Ball Diamond Lights at the Robert E. Young Complex

Councillor Mary Coulas – Councillor John Boyko –

That the report of the Manager of Recreation Services entitled Replacement of Ball Diamond Lights at the Robert E. Young Complex in Ennismore be received for information; and

That a budget amendment be prepared and presented to Council at a later date to reflect these expenses within department # 40 to accommodate this project with funding being provided by the General Government Reserve.

Carried.

Resolution No. 2024 – 083 – Capital Work at Ennismore Curling Club – Septic System

Councillor Brian Henry – Councillor Mary Coulas –

That the report of the Manager of Recreation Services related to 2024 Capital Work at Ennismore Curling Club – Septic System be received for information; and

That the Township approve the request of the Ennismore Curling Club to share the capital costs for the required septic system upgrades on a 50/50 basis; and

That a budget amendment be prepared and presented to Council at a later date to reflect these expenses within department # 6 to accommodate this project with funding from the Ennismore Multi-use Building Reserve.

Carried.

Resolution No. 2024 – 084 – Building By-law

Deputy Mayor Ron Black – Councillor Brian Henry –

That the report of the Manager of Building and Planning regarding the Building By-law Update be received for information; and

That By-law 2024-027, being the Building By-law and to repeal By-laws 2021-087 and 2022-015, be forwarded to the By-law section of the agenda for approval; and

That the Township pursue short form wording and set fines through the Regional Chief Justice for the offences set out in Schedule C of By-law 2024-027; and

That By-law 2024-027 come into full force and effect on June 1, 2024.

Carried.

Consent Items

Resolution No. 2024 – 085 – Municipal Officer's and Staff Reports – Information/Housekeeping/Non-Controversial

Councillor Brian Henry – Councillor John Boyko –

That the report of the Manager of Public Works with respect to the new Dump Body, Spreader, and Plow be received for information; and that the quotation from Viking-Cives Ltd. in the amount of \$193,020.00 (HST excluded) be accepted; and

That the report of the Manager of Recreation Services entitled Painting Tender Award for the Municipal Offices be received for information; and that the contract for the Municipal Office painting project be awarded to the low bidder, Nightingale Home Maintenance Inc.; and

That the report from the HR Coordinator regarding the staffing update for the two new Water & Wastewater Operator positions be received for information.; and

That the report of the Manager of Public Works with respect to the Peterborough County 2024 surface treatment and the micro-surface treatment tenders be received for information; and that, in accordance with the provisions of the tender document, the Township of Selwyn accept their portion of the Peterborough County Tender T-02-2024 and T-01-2024; and that the bid submission from Miller Paving Limited for both tenders, be approved at an estimated cost of \$313,324.60 plus HST for the surface treatment and \$278,065.50 plus HST for the micro-surface treatment.; and

That the report of the Deputy Clerk regarding various By-laws be received for information; and that By-law 2024-026, being a By-law to authorize the execution of an agreement between the Corporation of the Township of Selwyn and His Majesty the King in Right of Ontario as represented by the Solicitor General for the Commissioner to assume policing responsibility the Ennismore and Smith Wards be forwarded to the By-law section of the agenda for consideration; and

That By-law 2024-028, being a By-law to authorize the Clerk to execute a Recreational Trail Licence Agreement between the Corporation of the Township of Selwyn and Ontario Power Generation Inc. be forwarded to the By-law section of the agenda for consideration and further that the \$250 licencing fee be expensed to Department 40; and

Correspondence for Direction

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

1. Lakefield Trail Stewardship Committee - Letter to Selwyn Council 2024
That the correspondence from the Lakefield Trail Stewardship Committee dated April 2, 2024 regarding a section of the Lakefield Trail on Water Street be received for information; and

That Council extends thanks to the Lakefield Trail Stewardship Committee for their support and commitment to maintaining the Lakefield Trail; and that the Township acknowledges the Committee's concerns with the remaining 60 metres of boardwalk trail located on Water Street and will plan accordingly; and

2. St. Paul Catholic Elementary School - Outdoor Play Environment
That the correspondence from St. Paul Catholic Elementary School regarding fundraising efforts for the construction of a new play structure be received for information; and

That the Township provide St. Paul Catholic Elementary School with information regarding the Township's 2025 Municipal Grant program to support their fundraising efforts and further that the Township share information regarding the project on the Township's various social media platforms and the eNewsletter to raise awareness about the fundraising campaign to encourage community support; and

Correspondence for Information

That the following items of correspondence be received for information:

3. Premier's Office – Honda to Build Canada's First Comprehensive Electric Vehicle Supply Chain
4. Treasury Board Secretariat - Ontario Preparing Communities for Emergencies
5. Ministry of Municipal Affairs and Housing - Ontario Moving Ahead with Plan to Build More Modular Homes
6. Ministry of Labour, Immigration, Training and Skills Development - Ontario Strengthening Protections for Firefighters
7. Ministry of Labour, Immigration, Training and Skills Development - Ontario Making It Easier to Enter Skilled Trades

8. Ministry of Economic Development, Job Creation and Trade - Ontario Unlocking More Opportunities for Businesses
9. Ministry of Energy - Ontario Exploring Options to Reduce Electricity Rates for Public EV Chargers
10. Ministry of Health - Ontario Helping Family Doctors put Patients before Paperwork
11. Ministry of Health - Reduce your Risk of Lyme disease and other tick-borne illnesses
12. Municipal Property Assessment Corporation - Financial Report 2023
13. Peterborough Public Health - Meeting Summary April 10, 2024
14. Hastings County - Sustainable Infrastructure Funding for Small Rural Municipalities
15. City of St. Catharines - Premier Doug Ford re. Provincial Regulations Needed to Restrict Keeping of Non-native (exotic) Wild Animals
16. Township of Archipelago - Public Health Ontario proposes phasing out free water testing for private wells
17. Township of Alnwick - Call on Province for Funding of Housing, Shelter and other Social Services
18. Municipality of St. Charles - Social and Economic Prosperity Review
19. Loyalist Township - Motion Letter regarding Accessible Ontario by 2025
20. Loyalist Township - Motion Regarding Housing Funding
21. Loyalist Township - Motion Regarding Public Health Laboratories
22. Chris Langlotz - Lakefield Campground
23. Christ Church Community Museum - Thank you
24. Marilyn Thornton - Thank you Public Works; 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. CAO – Q1 Report
2. Cutting Red Tape to Build More Homes Act Report – May 1, 2024
- Attachment - Report Cutting Red Tape
3. Minutes - April 17, 2024
4. Minutes - April 18, 2024; and

Committee Reports

None.

Petitions

None.

Other, New & Unfinished Business

Resolution No. 2024 – 086 – Schedule Special Council Meetings

Councillor Mary Coulas – Deputy Mayor Ron Black –

That Special Council meetings be established on the following dates:

- Monday, June 17, 2024 at 5:00 PM, special planning public meeting for the Official Plan and Zoning By-law amendment for expansion of the Lovesick Lake Trailer Park; and
- Thursday, September 26, 2024 at 9:00 AM special joint meeting with Curve Lake First Nation, Trent Lakes and North Kawartha (Selwyn Township host – location TBC)

Carried.

Resolution No. 2024 – 087 – AMO Delegation Request

Councillor Mary Coulas – Councillor John Boyko –

That the Township of Selwyn submit a request for a delegation to the Ministry of the Solicitor General to request additional resources and supports for municipal fire departments for equipment, apparatus, PPE and fire fighter training.

Carried.

Deputations and/or Invited Persons and/or Public Meeting

A public meeting commenced at 1:30 PM. Township Planner, Per Lundberg announced that the Township of Selwyn is holding a public meeting to consider two (2) 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 property 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 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 1:30 PM to consider an application to amend the Township's Comprehensive Zoning By-law in accordance with Sections 34 of The Planning Act. The amendments relate to the property described as Lots 2 & 3, Plan 4 in the Lakefield Ward having the municipal address of 23 & 27 Prospect Street. Mr. Lundberg noted that the zoning By-law amendment is a condition of consent to sever application B-1-24 and B-2-24, which is being processed by the County of Peterborough. The re-zoning will apply a holding provision to the retained parcel to address comments on the severance provided by the Otonabee Region Conservation Authority requiring that an Environmental Impact Study (EIS) be completed prior to any future development on the retained parcel. The proponent does not wish to complete the EIS at present this time and therefore a holding provision is being applied. The EIS is recommended based on preliminary environmental work completed for a previously proposed development on the adjacent lands at 66 Ermatinger Street. ORCA and the Township are aware that there is a high water table at this site which extends into the west side of the subject lands at 23 and 27 Prospect Street. Further work needs to be conducted to delineate this hydrologic area on the subject lands. The amendment will also recognize any existing legal non-complying structures with regard to applicable zoning regulations such as any deficient setbacks on the severed parcels. The Planner noted that Justine Haney of 14 Kirkwood Crescent provided written correspondence in opposition to the application noting concerns about wildlife on the property; potential inability to walk/use the lands; potential densification of this area and multi-unit development and lack of infrastructure to support further development. Aaron Wright the owner of the property was present in support of the application. He noted that he has no current plans to develop the retained lot and noted that the lands are privately owned and therefore technically those using the lands currently are trespassing on private property. Reinout Westbroek attended virtually noting his support for the rezoning of the retained lands due to the condition that an EIS be completed prior to any development occurring. Beatrice O'Connell attended virtually asking for clarification related to using the lands as a walking area. The Planner noted that the lands are privately owned with no requirement to provide public access. Adrian Shiels attended virtually noting interest in learning more about the application. Enbridge Gas and the County of Peterborough Public Works Department submitted comments of no concern. There were eight (8) members of the public in attendance in person and three (3) members in attendance virtually. The meeting concluded at 1:41 PM.

Resolution No. 2023 –088 – Zoning By-law Amendment – 23 & 27 Prospect Street, Lakefield Ward

Councillor Brian Henry – Councillor Mary Coulas -

That the report of the Planner regarding the Zoning By-law Amendment related to lands described as being Lots 2 & 3, Plan 20 in the Lakefield Ward having the municipal address of 23 & 27 Prospect Street received for information; and

That By-law 2024-023, being a By-law to re-zone certain lands situated at Lots 2 & 3 (Lakefield Ward) having the municipal address of 23 & 27 Prospect Street from Residential Type 1 (R1) Zone to Residential Type 1 - holding (R1-h) be brought forward to the by-law section of the agenda for consideration.

Carried.

A public meeting commenced at 1:41 PM to consider an application to amend the Township's Comprehensive Zoning By-law in accordance with Sections 34 of The Planning Act. The amendments relate to the property described as Part Lots 26 & 27, Concession 7 in the Lakefield Ward. Mr. Lundberg noted that the zoning By-law amendment is a condition of consent applications B-101-22, B-102-22, B-104-22 and B-101-23 being processed by the County of Peterborough. Official Plan Amendment 71 was previously passed by County Council on November 1, 2023 to permit the proposed new lots applied for through consent applications B-101-22, B-102-22 and B-104-22. The amendment will also recognize any existing legal non-complying structures with regard to applicable zoning regulations such as any deficient setbacks for the Rural Residential (RR) Zone to be applied to 2036 7th Line via consent application B-101-23. The retained parcel for the lot addition consent provisionally approved through County file B-101-23 is being re-zoned to Rural Residential (RR) Zone in recognition of the existing dwelling at 2036 7th Line as well as to permit future re-development of this property. The effect of the lot addition is to create a rural residential lot for this existing dwelling. Lot 3 as shown on the severance sketch for County File No. B-103-22 is not being dealt with at the present time since it has not yet received provisional approval from the County of Peterborough. The Planner noted that this application relates to the consent to sever applications, not the larger subdivision proposed for this area. The Planner noted that comments of no concern had been provided by Enbridge Gas, County of Peterborough Public Works, Kawartha Pine Ridge District School Board and Peterborough Public Health. Hiawatha First Nation also provided comments noting concerns related to the wetland. The Planner noted that as part of the planning for the larger subdivision proposal, a Planning Justification Report, a Hydrogeological Assessment, a Stage 1 and 2 Archaeological Assessment, and an Environmental Impact Assessment (EIA) had been completed. The EIA has defined the wetlands which will be identified and protected through the OPA/ZBA. Chris Conti, planner for the applicant TTT, was present in support of the application. Mr Conti noted that the four (4) properties will be zoned for single family dwelling residential use. Gary Attwood of 1999 7th Line attended virtually noting his opposition to the application and in particular creating a road access point from the 7th line to the subdivision. Chris Ross of 1988 7th Line was present and asked for clarification on the purpose of the rezoning as it related to the consent application for the lot on the 7th Line. The Planner noted that the lands are zoned Development (D) in this location. The purpose of the consent is to create a severance for the existing farmhouse located on the property and to zone those lands from Development to Rural Residential to permit the continued residential use of the severed parcel. Shelley Merton of 2046 7th Line was present noting opposition to the severance application related to the lot on the 7th Line (2036 7th Line). She noted concerns about the creation of the road access through this parcel citing safety/security issues; impacts to the water table and increased traffic. In addition, Ms. Merton asked whether the current design of the 7th line could support the development of the future subdivision. The Planner noted that the proposed new subdivision would be serviced by the Lakefield water and sewer system therefore there would be no impacts on the aquifer for the properties serviced by wells. A traffic study/impact analysis will address any road system improvement that may be required due to the subdivision. There were

eight (8) members of the public in attendance in person and two (2) members in attendance virtually. The meeting concluded at 1:57 PM.

Resolution No. 2023 –089 – Zoning By-law Amendment – Part Lots 26 & 27, Concession 7, Lakefield Ward

Councillor Brian Henry – Councillor Mary Coulas -

That the report of the Planner regarding a Zoning By-law Amendment related to lands described as being Part Lots 26 & 27, Concession 7 in the Lakefield Ward be received for information; and

That By-law 2024-024, being a By-law to re-zone certain lands situated at Part Lots 26 & 27, Concession 7 (Lakefield Ward) from Development (D) Zone to Residential Type 1 Exception 607 (R1-607), Residential Type 1 Exception 608 (R1-608), Rural Residential (RR) Zone and, as applicable, Environmental Protection (EP) Zone be brought forward to the by-law section of the agenda for consideration.

Carried.

By-laws

Resolution No. 2024 – 090 – By-laws First, & Third Reading

Deputy Mayor Ron Black – Councillor Brian Henry –

That By-law 2024-023, being a By-law passed pursuant to the provisions of Section 34 of *The Planning Act*, R.S.O. 1990, as amended to amend the Township of Selwyn Comprehensive Zoning By-law No. 2009-021, as otherwise amended related to municipal address of 23 & 27 Prospect Street; and

That By-law 2024-024, Being a By-law passed pursuant to the provisions of Section 34 of *The Planning Act*, R.S.O. 1990, as amended to amend the Township of Selwyn Comprehensive Zoning By-law No. 2009-021, as otherwise amended related to Part Lots 26 & 27, Concession 7 in the Lakefield Ward; and

That By-law 2024-025, being a By-law to establish and appoint a member to the Peterborough County OPP Detachment Board; and

That By-law 2024-026 being a By-law to authorize the execution of an agreement between the Corporation of the Township of Selwyn and His Majesty the King in Right of Ontario as Represented by the Solicitor General to provide for police service to the Ennismore and Smith Wards; and

That By-law 2024-027 being a By-law to provide for the administration and Enforcement of the Building Code Act, 1992 within the Township of Selwyn (Building By-law); and

That By-law 2024-028 being a By-law to authorize the execution of a Recreational Trail Licence Agreement Between Ontario Power Generation Inc. and the Township of Selwyn with respect to the maintenance and operation of the Lakefield Trail.

Carried.

Resolution No. 2024 – 091 – Confirming By-law

Councillor Mary Coulas – Councillor John Boyko –

That By-law 2024-029, being a By-law to confirm the proceedings of the regular Council meeting held on the 14th day of May 2024, be read a first, second and third time and finally passed.

Carried.

Adjournment

Resolution No. 2024 – 092 – Adjournment

Councillor Brian Henry – Deputy Mayor Ron Black –

That the meeting be adjourned. (2:00 pm)

Carried.